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THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND.

WITH NOTES AND REFERENCES

110349
ac

By CHARLES DACRES BEVAN, Esq., M.A.,
OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW,
RECORDER OF FALMOUTH AND HELSTON.

VOLUME THE TWENTY-SECOND.

Containing the Acts 17 & 18 Victoria (1854) and 18 & 19 Victoria (1854-5).

With a copious Index.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

M,DCCC,LV.

A

TABLE

Containing the TITLES of all

THE STATUTES

Passed in the SECOND Session of the SIXTEENTH Parliament

OF

The United Kingdom of *Great Britain* and *Ireland*;

17° & 18° VICTORIÆ.

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iii. An Act for granting further Powers to "The *Radcliffe and Pilkington* Gas Company."
iv. An Act to enable the *Leeds* New Gas Company to raise a further Sum of Money; to consolidate and amend the Acts relating to the Company; and for other Purposes.
v. An Act for enabling the *Brighton, Hove, and Preston* Constant Service Waterworks Company to purchase the Undertaking of the *Brighton, Hove, and Preston* Waterworks Company; and for granting to the first-named Company all necessary Powers for supplying with Water the Parishes of *Brighton*, *Hove*, and *Preston* in the County of *Sussex*.
vi. An Act for incorporating and extending the Powers of the *Hastings and Saint Leonards* Gas Company.
vii. An Act for enabling the *Norwich Equitable* Fire Assurance Company to sue and be sued in that Name, and for other Purposes.
viii. An Act for the Improvement of the Borough of *Warrington*; and for enabling the Council thereof to erect a covered Market; and for other Purposes.
ix. An Act to warp and improve certain Lands in the Level of *Hatfield Chase*.
x. An Act for enabling the *Nottingham* Waterworks Company to raise a further Sum of Money; and for amending some of the Provisions of the Act relating to such Company.
xi. An Act to consolidate the Stock and Powers of the Corporation of "The *Royal Exchange* Assurance of Houses and Goods from Fire" with the Stock and Powers of the Corporation of "The *Royal Exchange* Assurance," and to confer on the last-named Corporation the Powers of "The *Royal Exchange* Assurance Annuity Company" and "The *Royal Exchange* Assurance Loan Company," and to give additional Powers to "The *Royal Exchange* Assurance."
xii. An Act to confer additional Powers upon the Corporation of the *Amicable* Society for a perpetual Assurance Office, for the Purposes of Investment.
xiii. An Act to enable the Dock Company at *Kingston-upon-Hull* to raise a further Sum of Money, and to convert the Mortgage and Bond Debt of the Company into Debenture Stock and Perpetual Annuities; and for other Purposes.
xiv. An Act for establishing a Police Superannuation Fund in the Borough of *Liverpool*.
xv. An Act to make further Provision for the Sewerage, Sanitary Regulation, and Improvement of the Borough of *Liverpool*.
xvi. An Act for better supplying with Water the Town of *Southport* in the County Palatine of *Lancaster*, and the Neighbourhood thereof.
xvii. An Act for supplying with Gas *Ramsbottom* and other Places in the Parish of *Bury* in the County Palatine of *Lancaster*.
xviii. An Act to enable the *Rossendale* Waterworks Company to raise a further Sum of Money.

xix. An Act for enabling the *Scarborough* Public Market Company to raise a further Sum of Money, and for amending and consolidating the Provisions of the Act relating to such Company.

xx. An Act for lighting with Gas the Borough of *Bolton* and Places near thereto, and for other Purposes, and of which the Short Title is "The *Bolton* Gas Company's Act, 1854."

xxi. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Kingswood* District of Turnpike Roads in the County of *Gloucester*.

xxii. An Act for repealing "The *Stafford* Gas Act, 1846;" and for re-constituting the *Stafford* Gas Company, with additional Powers; and for other Purposes.

xxiii. An Act to enable "The *Burry* Port Company" to raise additional Capital, and to make Arrangements for the Satisfaction of the Mortgage and other Debts due from the Company; and to amend the Acts relating to the Company; and for other Purposes.

xxiv. An Act to enable the *Whitehaven Junction* Railway Company to raise a further Sum of Money, and to amend the Acts relating to the said Railway.

xxv. An Act for improving and maintaining the Harbour or Port of *Port Gordon* in the County of *Banff*.

xxvi. An Act for lighting with Gas *Bacup, Waterfoot, Newchurch, Rawtenstall, Crawshaw Booth*, and other Places in the Forest of *Rossendale* in *Lancashire*.

xxvii. An Act for supplying with Water the Town and Municipal Borough of *Clitheroe* in the County of *Lancaster*.

xxviii. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to widen certain Streets in and otherwise improve the said City; to raise a further Sum of Money; and for other Purposes.

xxix. An Act to amend an Act intituled *An Act for incorporating the* Madras *Railway Company, and for other Purposes connected therewith*.

xxx. An Act for better supplying the Inhabitants of the Parish of *Harrow* in the County of *Middlesex* with Water.

xxxi. An Act for the Improvement of the City of *Hereford*, and for other Purposes, and of which the Short Title is "The *Hereford* Improvement Act, 1854."

xxxii. An Act for building a Bridge over the River *Tame*, to connect the Borough of *Ashton-under-Lyne* with the Township of *Dukinfield*.

xxxiii. An Act for more effectually lighting with Gas the Town of *Cardiff* and certain Parishes adjacent thereto in the County of *Glamorgan*.

xxxiv. An Act for making and maintaining Docks in the Borough and County of *Newcastle-upon-Tyne*.

xxxv. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Weymouth* and *Melcombe Regis* in the County of *Dorset* to provide Market Houses for the Sale of certain marketable Commodities, and to erect and maintain an improved Pier or Landing Place within the Borough; and for other Purposes.

xxxvi. An Act to repeal the Act relating to the *Ridghill and Lanes and Holehouse* Turnpike Road, and to make other Provisions in lieu thereof.

xxxvii. An Act to enable the Company of Proprietors of the *Birmingham* Waterworks to raise further Money.

xxxviii. An Act for the Extension of the *Manchester* Corporation Waterworks, and for other Purposes, and of which the Short Title is "The *Manchester* Corporation Waterworks Act, 1854."

xxxix. An Act to enable the *New River* Company to construct certain Sewers, Drains, and other Works in and near the Town of *Hertford*; and for other Purposes.

xl. An Act for the Improvement of the Town of *Wellington* in the County of *Salop*.

xli. An Act for paving, lighting, watching, draining, cleansing, regulating, and otherwise improving the Town of *West Hartlepool* and Part of the Township of *Stranton* in the County of *Durham*; for providing a Cemetery; and for other Purposes.

xlii. An Act to enable the *Brighton and Hove* General Gas Company to raise a further Sum of Money; and for other Purposes.

xliii. An Act for granting certain Powers to "The *National* Assurance and Investment Association."

xliv. An Act to amend the Act incorporating the *Great Indian Peninsula* Railway Company, and for other Purposes connected therewith.

xlv. An Act for making new Docks and other Works at *Belfast*, and for other Purposes, and of which the Short Title is "The *Belfast* Dock Act, 1854."

xlvi. An Act for more effectually protecting certain Lands forming Part of the *Rossall* Estate in the Township of *Thornton* in the Parish of *Poulton le Fylde* in the County of *Lancaster* from Inundation by the Sea.

xlvii. An Act to renew the Term and continue certain of the Powers of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road from* South Shields *to* White Mere Pool, *and from thence to join the* Durham and Newcastle *Turnpike Road at* Vigo Lane, *with a Branch from* Jarrow Slake *to* East Boldon, *all in the County of* Durham.

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xlix. An Act for more effectually paving, lighting, and improving the Town of *Abergavenny* in the County of *Monmouth*, for maintaining the Markets within such Town, and for supplying the same with Water.

l. An Act to create a further Term in the *Buckingham and Towcester* Road, and to amend and extend the Act relating thereto; and for other Purposes.

li. An Act for better supplying with Water the Parish and Environs of *Louth* in the County of *Lincoln*.

lii. An Act for making a Street from *Bothwell Street* to *Saint Vincent Street* in the City of *Glasgow*.

liii. An Act for enabling the *South Staffordshire* Railway Company to make Branch Railways to *Cannock* and *Norton*, to acquire additional Lands in the Parish of *Wednesbury*, and for other Purposes.

liv. An Act to incorporate the Guild of Literature and Art, and to enable it to hold Land.

lv. An Act to consolidate and amend the Acts relating to the *Imperial* Gaslight and Coke Company, and to increase the Capital of the Company.

lvi. An Act for improving the Harbour, reconstructing the Pier, and defining the Limits of the Port and Harbour of *Saint Mawes* in the County of *Cornwall*.

lvii. An Act for authorizing the *Newcastle-upon-Tyne and Carlisle* Railway Company to raise further Monies

for the Purposes of their Undertaking; and for other Purposes.

lviii. An Act for enabling the *Lancashire and Yorkshire* Railway Company to construct a Railway from *Kirkdale* to the *Liverpool* Docks, with connecting Lines there; and for other Purposes.

lix. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct a Branch Railway to near *Middleton* in the County of *Lancaster;* and for other Purposes.

lx. An Act for enabling the *Whittle Dean* Water Company to extend their Works, and to obtain a further Supply of Water from certain Rivers and Streams in the County of *Northumberland*, in order to afford a better Supply of Water to the Inhabitants of *Newcastle-upon-Tyne*, *Gateshead*, and other Places in the Counties of *Northumberland* and *Durham;* and for consolidating and amending the Acts relating to such Company.

lxi. An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Stations at *New Cross*, the *Bricklayers Arms*, and *Norwood;* to widen the Branch Railway called "The *Thames Junction* Railway," and their Main Line of Railway in the Neighbourhood of such Branch; to increase their Capital, and to establish a Provident Institution for their Servants and Workmen; and for other Purposes.

lxii. An Act to authorize the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* to raise a further Sum of Money, and to fund the Debt of the Trust; and for other Purposes.

lxiii. An Act for repealing an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, for establishing a Market for the Sale of Cattle in the Parish of *Saint Mary Islington* in the County of *Middlesex*.

lxiv. An Act for making a Railway from the *Whitehaven and Furness* Junction Railway near *Whitehaven* to *Egremont* in the County of *Cumberland*, with a Branch therefrom to *Frizington* in the same County, to be called the *Whitehaven, Cleator, and Egremont* Railway; and for other Purposes.

lxv. An Act for amending "The *East London* Waterworks Act, 1853."

lxvi. An Act for better supplying with Water the Town of *Padiham* and the Neighbourhood thereof, and the Villages of *Habergham* or *Cheapside* and *Lower Houses* or *Thornhill Holme*, all in the Parish of *Whalley* in the County of *Lancaster*.

lxvii. An Act for the Improvement of the Town of *Burnley* and Parts of the Neighbourhood thereof, and for other Purposes, and of which the Short Title is "The *Burnley* Improvement Act, 1854."

lxviii. An Act for making a Railway from the *London, Brighton, and South Coast* Railway to *Caterham* in the County of *Surrey*.

lxix. An Act for granting further Powers to the *Eastern Union* Railway Company with respect to the Extension to *Woodbridge*.

lxx. An Act to enable the *Stockton, Middlesbrough, and Yarm* Water Company to supply with Water the Township of *Norton* in the County of *Durham*, and the Townships of *Coatham* and *Redcar* in the North Riding of the County of *York*, and other Places on the Line of the Mains and Pipes of the Company; and to enable the Company to raise a further Sum of Money; and to amend the Act relating to the Company; and for other Purposes.

lxxi. An Act to repeal certain Acts relating to the *Petworth* Turnpike Roads, and to make other Provisions in lieu thereof.

lxxii. An Act to enable the *New River* Company to construct new Reservoirs and other Works in the County of *Middlesex*.

lxxiii. An Act for enabling the *York, Newcastle, and Berwick* Railway Company to purchase all or any Estates, Rights, and Interests existing in the Lands or Grounds upon or adjoining to which the Railway of the said Company, called "The *Pontop and South Shields* Railway," has been formed, or otherwise to occupy such Lands or Grounds.

lxxiv. An Act for maintaining the Turnpike Road from *Geenhead*, through *Haltwhistle*, *Hexham*, and *Corbridge*, to the Military Road near *Shildon Bar*, and the Branch Road from *Corbridge* to *Heddon-on-the-Wall*, all in the County of *Northumberland*.

lxxv. An Act to create a further Term in the *Trowbridge* Roads, to add other Roads to the Trust, to amend and extend the Act relating to the said Roads, and for other Purposes.

lxxvi. An Act to enable the *Furness* Railway Company to raise a further Sum of Money; and for the Amendment of the Acts relating to the said Company.

lxxvii. An Act to make Provision with respect to Water Supply and Police for *Shipley*, *Baildon*, and *Windhill* in the West Riding of the County of *York*.

lxxviii. An Act to incorporate "The *Kingston-upon-Thames* Gas Company," and to enable them to light with Gas the Parishes of *Kingston*, *Long Ditton*, and *Thames Ditton* in the County of *Surrey*.

lxxix. An Act for enabling the *Blyth and Tyne* Railway Company to construct Railways to *Tynemouth* and the *Longhirst* Station of the *York, Newcastle, and Berwick* Railway in the County of *Northumberland;* and for consolidating and amending the Acts relating to such Company.

lxxx. An Act to enable the *North London* Railway Company to construct a Station or Depôt near to the New Metropolitan Cattle Market; to raise additional Capital; and for other Purposes.

lxxxi. An Act to repeal an Act for inclosing the Marsh in the Township of *Newport* in the County of *Salop*, and to vest the same and other Property in Trustees for paving, draining, cleansing, and otherwise improving the Town of *Newport;* and for other Purposes.

lxxxii. An Act to amend "The *Nene Valley* Drainage and Navigation Improvement Act, 1852," and to provide additional Funds for carrying out certain of the Improvements authorized by such Act.

lxxxiii. An Act for regulating and improving the Town of *Ryde* in the *Isle of Wight*, and providing a Supply of Gas and Water thereto; and for other Purposes.

lxxxiv. An Act to repeal an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for more effectually constituting and regulating the Court of Record within the Borough of* Manchester, *and for extending the Jurisdiction of the said Court*, and to extend the Powers and Jurisdiction of the said Court, and to simplify and otherwise improve its Practice and Proceedings; and for other Purposes.

lxxxv. An Act for enabling the *Cornwall* Railway Company to make certain Modifications in their Share Capital; and for other Purposes.

lxxxvi. An Act for making a Turnpike Road from *Chester* by *Farndon* to *Worthenbury*, with a Branch therefrom to the Village of *Farndon*.

lxxxvii. An Act to consolidate and extend the Powers of the *Accrington* Gas and Waterworks Company, and to enable them the better to supply with Gas and Water the Townships and Places of *Old Accrington*, *New Accrington*, *Church*, *Lower Booths*, and *Huncoat*, in the Parish of *Whalley*, and the Extra-parochial Place of *Henheads*, all in the County of *Lancaster*, and to sell or lease their Undertaking to the Local Board of Health for the District of *Accrington*; and for other Purposes.

lxxxviii. An Act to establish a General Cemetery for the Borough of *Doncaster*, and for other Purposes.

lxxxix. An Act to extend the Powers of the Commissioners of Sewers for the Levels of *Havering*, *Dagenham*, and other Places, and to enable them to construct Sewers in the Parishes of *West Ham*, *East Ham*, and *North Woolwich*.

xc. An Act for the better supplying with Water the Parliamentary Burgh or Town of *Hamilton* and Suburbs thereof.

xci. An Act to incorporate the *Birmingham and Midland* Institute, to define its Constitution, and to enable the Council of the Borough of *Birmingham* to grant a Site for the Institute Buildings.

xcii. An Act for improving the Harbour of *Blyth* in the County of *Northumberland*, and for constructing Docks there; and for other Purposes.

xciii. An Act to enable the *Crystal Palace* Company to divert certain Roads, and to take and let Land on Lease; and for other Purposes.

xciv. An Act to incorporate "The *Surrey Consumers* Gaslight and Coke Association," and to enable them to raise further Sums of Money; and for other Purposes.

xcv. An Act to repeal the Acts relating to the Turnpike Road from *Gloucester* through *Painswick* to *Stroud*, and make other Provisions in lieu thereof.

xcvi. An Act to enable the *Cork and Bandon* Railway Company to make a Branch Railway to *Skibbereen*, and to raise further Capital for the *Cork and Bandon* Railway; and for other Purposes.

xcvii. An Act to amend an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the* Wadsley and Langset *Turnpike Road, and extending the same in Two Lines to join the* Huddersfield and Woodhead *Turnpike Road in the Townships of* Upperthong *and* Honley *in the West Riding of the County of York*, and to continue the Term thereby granted, so far as the said Act and the Term thereby granted relate to the *New Mill* District of Road therein mentioned.

xcviii. An Act to alter the Site of the new Bridge authorized to be erected over the River *Foyle* at *Londonderry*, and to make Approaches thereto.

xcix. An Act for providing Waterworks, Gasworks, and public Baths and Wash-houses for the Town and Borough of *Beccles* in the County of *Suffolk*.

c. An Act to incorporate the *Hull* General Cemetery Company, and to enlarge and improve their Cemetery; and for other Purposes.

ci. An Act for the further Improvement of *Kingston-upon-Hull*, and for other Purposes.

cii. An Act for paving, lighting, watching, draining, supplying with Water, watering, cleansing, regulating, and otherwise improving the Town of *Llandudno* in the County of *Carnarvon*, for making a Cemetery, and for establishing and regulating a Market and Market Places therein; and for other Purposes.

ciii. An Act for more effectually repairing several Roads adjoining or near to the Town of *Bideford*, and for making several Lines of Road connected with the same, all in the County of *Devon*.

civ. An Act for regulating the Police of the Royal Burgh of *Lanark*, and for paving, draining, cleansing, lighting, watching, and improving the same, for regulating the Markets thereof; and for other Purposes.

cv. An Act for more effectually repairing the Roads in the Counties of *Worcester* and *Stafford* known as the *Dudley*, *Halesowen*, and *Bromsgrove* District of Roads.

cvi. An Act to embank and reclaim from the Sea certain Waste Lands subject to be overflowed by the Tide, called *Tacumshin Lake*, in the County of *Wexford*.

cvii. An Act to authorize the making certain Roads and stopping up certain Lanes and Footways between *Kensington Gore* and *Brompton* in the County of *Middlesex*, and for otherwise facilitating the Formation of a Site for Institutions connected with Science and the Arts.

cviii. An Act for enabling the *Great Western* Railway Company to provide additional Station Accommodation at *Birmingham*, *Wolverhampton*, and *Bushbury*; and for other Purposes.

cix. An Act to repeal an Act for enlarging the Term and Powers of an Act of His late Majesty *George* the Third, for repairing the Road from *Saint Martin Stamford Baron* to *Kettering*, and from *Oundle* to *Middleton Lane*, in the County of *Northampton*, and to make other Provisions in lieu thereof.

cx. An Act for supplying with Water the Parishes of *Bangor*, *Llandegai*, and *Llanllechid*, and with Gas the Parish of *Bangor*.

cxi. An Act for the Improvement of the Town of *Bethesda* and Neighbourhood in the County of *Carnarvon*.

cxii. An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to make new Canals and other Works; and for other Purposes.

cxiii. An Act for establishing Parks in or near to the Borough of *Birmingham*.

cxiv. An Act for constructing a Market House and other Buildings for Public Accommodation at *Chesterfield* in the County of *Derby*, and for the better Regulation and Maintenance of the Market there.

cxv. An Act for making a Railway from the *Stockton and Darlington* Railway near *Darlington* to or near to *Barnard Castle*, both in the County of *Durham*, and for making Arrangements with the *Stockton and Darlington* Railway Company; and for other Purposes.

cxvi. An Act for making a Railway from the *Dowlais* Railway to the *Vale of Neath* Railway at *Merthyr Tydfil*, and for other Purposes, and of which the Short Title is "The *Dowlais* Railway Act, 1854."

cxvii. An Act for vesting in the *East Lancashire* Railway Company jointly with the *Lancashire and Yorkshire* Railway Company certain Parts of the *Manchester and Southport* Railway and of the *Lancashire and Yorkshire* Railway; and for other Purposes.

cxviii. An Act to amend "The *Edinburgh* Police Act, 1848," and to make further Provision for Sewerage,

Drainage, and Improvement of the City of *Edinburgh*, for deepening and cleansing the Water of *Leith*; and for other Purposes.

cxix. An Act for making a Railway in Deviation and Extension of the *Halesworth, Beccles, and Haddiscoe* Railway from *Westhall Low Common*. to *Woodbridge*, and certain Branches therefrom, and for changing the Name of the Company to the *East Suffolk* Railway Company.

cxx. An Act to amend the Provisions of certain Acts relating to the *Shrewsbury and Chester* Railway Company, and for other Purposes.

cxxi. An Act to enable the *South Sea* Company to realize and divide their Capital Stock and Assets.

cxxii. An Act for enabling the *South Devon* Railway Company to improve their *Sutton Harbour* Branch, and for other Purposes, and of which the Short Title is "The *South Devon* Railway (*Sutton Harbour* Branch) Act, 1854."

cxxiii. An Act to continue the Term and to amend and extend the Provisions of the Act relating to the *Winchester and Petersfield* Turnpike Road; and for other Purposes.

cxxiv. An Act to make further Provision for supplying with Water the Borough of *Bradford* and certain Places in the Neighbourhood thereof.

cxxv. An Act for the Regulation of the Municipal Corporation of the Borough of *Yeovil* in the County of *Somerset*, and for the Extension of the Boundaries of the said Borough, and for the Improvement of the said Borough.

cxxvi. An Act for the Conservancy and Improvement of *Swansea* Harbour, and for other Purposes, and of which the Short Title is "The *Swansea* Harbour Act, 1854."

cxxvii. An Act for making a Railway from the *Great Northern* Railway at or near *Welwyn* in the County of *Hertford* to *Hertford* in the same County, to be called the "*Hertford and Welwyn* Junction Railway;" and for other Purposes.

cxxviii. An Act for authorizing the *Stockton and Darlington* Railway Company to make new Works, and for other Purposes, and of which the Short Title is "The *Stockton and Darlington* Railway Act, 1854."

cxxix. An Act for better supplying with Water the Borough of *Bradford* in the County of *York*.

cxxx. An Act to authorize certain Improvements in or in connexion with the *Lowestoft* Harbour, and for other Purposes.

cxxxi. An Act for constructing a Bridge for Foot Passengers across the River *Clyde* opposite to the North End of *MacNeil Street* in the City of *Glasgow*.

cxxxii. An Act for making a Railway from the *Great Southern and Western* Railway near *Mallow* to *Fermoy*, to be called "The *Mallow and Fermoy* Railway;" and for other Purposes.

cxxxiii. An Act to alter the Line of the *London, Tilbury, and Southend* Extension Railway, to authorize the Lease thereof, and the Purchase of the Railway and certain Parts of the Works belonging to the *Thames Haven* Dock and Railway Company; and for other Purposes.

cxxxiv. An Act for Removal of Toll Bars beyond the Parliamentary Boundaries of the City of *Edinburgh*, and for other Purposes.

cxxxv. An Act to enable the *Londonderry and Enniskillen* Railway Company to make a Branch Railway to *Fintona*, and to extend their Line at *Londonderry*; and for other Purposes.

cxxxvi. An Act for making a Railway from the *Irish South-eastern* Railway at *Bagenalstown* to *Wexford*, to be called "The *Bagenalstown and Wexford* Railway."

cxxxvii. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Brighton, Cuckfield*, and *Lovell Heath*, and *Cuckfield* and *West Grinsted* Turnpike Roads.

cxxxviii. An Act to authorize the Extension by the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company of their Line of Railway into the Town of *Nottingham*, the Formation of a Station there; and for other Purposes.

cxxxix. An Act to give further Powers to the *Law* Life Assurance Society with respect to the Investment of the Funds of the Society.

cxl. An Act to authorize the Trustees of the *Rochdale and Burnley* Turnpike Roads to take Toll in respect of the Carriages of certain Stones.

cxli. An Act for enabling the *North* and *South Western* Junction Railway Company to raise additional Capital, and for other Purposes.

cxlii. An Act to amend the *Tralee and Killarney* Railway Act, 1853.

cxliii. An Act for making a Railway from *Horncastle* in *Lincolnshire* to the *Kirkstead* Station of the *Great Northern* Railway.

cxliv. An Act for making a Railway from the *Shrewsbury and Hereford* Railway at *Leominster* to *Kington* in *Herefordshire*.

cxlv. An Act for more effectually repairing the Road from the *Toll House Beck* in the Township of *Ireby* in the County of *Lancaster* to *Kirkby Lonsdale* and *Kirkby Kendal* in the County of *Westmoreland*, and through *Kirkby Lonsdale* to *Milnthorpe* in the said County.

cxlvi. An Act for making a Railway from the *Ayr and Dalmellington* Railway near the *Cothouses* on the Farm of *Pleasantfield* to the Town of *Maybole*, to be called "The *Ayr and Maybole Junction* Railway."

cxlvii. An Act for supplying the Township of *Stourbridge* and the Neighbourhood thereof with Water.

cxlviii. An Act for making a Railway from the *Scottish Midland* Junction Railway near *Stanley* to *Birnam* near *Dunkeld* in the County of *Perth*.

cxlix. An Act to authorize the *Shrewsbury and Hereford* Railway Company to provide Station Accommodation in *Shrewsbury* and *Hereford*, and to enter into Arrangements and Agreements with the *Hereford, Ross, and Gloucester* Railway Company.

cl. An Act for making a Railway from the Town of *Llandovery* in the County of *Carmarthen* to join the *Llanelly* Railway at *Llandilofawr* in the same County, and for other Purposes.

cli. An Act to incorporate a Company for making a Railway from near the *Picton* Station on the *Leeds Northern* Railway to near the *Grosmont* Station on the *Whitby and Pickering* Branch of the *York and North Midland* Railway, and for other Purposes.

clii. An Act to repeal the Act relating to the *Thirsk and Yarm* Turnpike Road, and to make other Provisions in lieu thereof, and to grant a further Term in the said Road; and for other Purposes.

cliii. An Act to enable the *Eastern Counties* Railway Company to enlarge and improve their Goods Station in the Parish of *Saint Matthew Bethnal Green* in the County of *Middlesex*.

cliv. An Act to enable the granting Building Leases of Parts of the *Camden Town* Cemetery belonging to the Parish of *Saint Martin in the Fields* not heretofore used for the Purpose of Interment, and for other Purposes.

clv. An Act to enable the *Caledonian* Railway Company to make certain Branch Railways and other Works in the County of *Lanark;* and for other Purposes.

clvi. An Act for altering the Lines authorized by the *Caledonian* Railway (*Lesmahagow* Branches) Act, 1851, and for otherwise amending that Act.

clvii. An Act to confer further Powers on the *Dukinfield* Gas Company.

clviii. An Act for enabling the *South Wales* Railway Company to acquire additional Land at *Swansea,* and for enlarging the Powers of Lease or Sale to and Contribution by the *Great Western* Railway Company, and for authorizing Arrangements between the *South Wales* Railway Company and the *Vale of Neath* Railway Company; and for other Purposes.

clix. An Act for the Improvement of the Borough of *Bolton,* and for other Purposes, and of which the Short Title is "*Bolton* Improvement Act, 1854."

clx. An Act for making a Railway from the *Leeds, Bradford, and Halifax Junction* Railway near *Leeds* to *Wakefield,* all in the West Riding of the County of *York,* to be called "The *Bradford, Wakefield, and Leeds* Railway;" and for other Purposes.

clxi. An Act for the Improvement and Regulation of the Town of *Lowestoft,* and the Parishes of *Lowestoft* and *Kirkley* otherwise *Kirtley,* in the County of *Suffolk;* and for other Purposes.

clxii. An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to construct a Railway in extension of and to alter the Levels of Part of their Railway from *Gildersome Street* to *East Ardsley* in the West Riding of the County of *York;* and for other Purposes.

clxiii. An Act for the better paving, draining, lighting, cleansing, and otherwise improving the Parish of *West Bromwich* in the County of *Stafford,* and for constructing Cemeteries there, and for making, maintaining, and regulating Markets and Market Places therein; and for other Purposes.

clxiv. An Act to confer additional Powers on the *York, Newcastle, and Berwick* Railway Company for constructing Docks at *Jarrow Slake,* and a Branch Railway thereto; and to enable the Dean and Chapter of *Durham* to appropriate a Portion of the Money payable to them for the Purchase of Lands for the same to the Endowment of a Church; and for other Purposes.

clxv. An Act to repeal the Act for more effectually repairing and maintaining the Turnpike Road from *Chapel-en-le-Frith* to or near to *Enterclough Bridge* in the County of *Derby,* and other Roads therein mentioned, in the County of *Derby* and in the County Palatine of *Chester;* and to make other Provisions in lieu thereof.

clxvi. An Act to re-incorporate the Patent Solid Sewage Manure Company, and to extend its Powers.

clxvii. An Act for supplying with Gas the Townships of *Farnworth* and *Kearsley* in the County Palatine of *Lancaster.*

clxviii. An Act to enable the *Bangor and Caernarvon* Railway Company to raise additional Capital, and to authorize the Sale or Lease of the said Company's Railway to the *Chester and Holyhead* Railway Company.

clxix. An Act for the Provision, Regulation, and Maintenance of County Industrial Schools in *Middlesex.*

clxx. An Act for the Embankment, Reclamation, and Drainage of Lands in the Bay of *Bannow* in the County of *Wexford.*

clxxi. An Act to amend the Acts relating to the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company, and to authorize the Reduction and Regulation of and certain Arrangements as to the Capital of the said Company; and for other Purposes.

clxxii. An Act for more effectually draining certain Fen Lands and Wet Grounds called "The *Great West Fen,*" in the Parish of *Hilgay* in the County of *Norfolk.*

clxxiii. An Act for more effectually repairing the Road from *Stourbridge* in the County of *Worcester* to *Bridgnorth* in the County of *Salop.*

clxxiv. An Act to enable the *Shrewsbury and Hereford* Railway Company to lease their Undertaking.

clxxv. An Act to enable the *Dublin and Wicklow* and the *Dublin and Kingstown* Railway Companies to alter certain existing Contracts therein mentioned; and for other Purposes.

clxxvi. An Act for making a Railway from the Town of *Inverness* to the Town of *Nairn.*

clxxvii. An Act to consolidate the several Acts relating to the Port and Harbour of *Londonderry;* for the Improvement of the Navigation of the Lough and River of Lough *Foyle;* and to authorize the Construction of a uniform Line of Quays, Docks, and other Works.

clxxviii. An Act for the more effectual Drainage and Improvement of certain Lands in the Wapentake of *Ouse* and *Derwent* in the East Riding of the County of *York,* and for other Purposes.

clxxix. An Act to reduce the Capital and define the Undertaking of the *Shropshire* Union Railways and Canal Company.

clxxx. An Act for making a Railway from the Town of *Wells* to join the *Norfolk* Railway at *Fakenham,* to be called "The *Wells and Fakenham* Railway."

clxxxi. An Act to enable the Local Board of Health for the Township of *Darlington* to supply Gas and Water within their District, and to purchase the Works of the *Darlington* Gas and Water Company; to establish and regulate Markets and Slaughter-houses, and a Public Park; to construct Sewage Works, and raise Money; and for other Purposes.

clxxxii. An Act for vesting the *Ardrossan* Railway in the *Glasgow and South-western* Railway Company, and for other Purposes.

clxxxiii. An Act for transferring to the Mayor, Aldermen, and Burgesses of the Borough of *Blackburn* all the Powers and Property now vested in "The *Blackburn* Improvement Commissioners," and certain Powers and Property by the Private Act of the Fourth and Fifth Years of the Reign of Her present Majesty, Chapter Forty-six, vested in the Overseers of the Poor of the Township of *Blackburn,* authorizing the Corporation to purchase the Property of the *Blackburn* Waterworks Company, and conferring on them further Powers for the Improvement and Regulation of the Borough; and for other Purposes.

clxxxiv. An Act for vesting in the *Caledonian* Railway Company certain Portions of the Undertaking of the *General Terminus and Glasgow Harbour* Railway Company.

clxxxv. An Act to enable the *Newport* Dock Company to construct a new Dock and other Works; and for other Purposes.

clxxxvi. An Act to enable the *Portsmouth* Railway Company to make certain Alterations in the Line and Levels of their Railway, and to extend their said Line from *Godalming* to *Shalford;* and for other Purposes.

clxxxvii. An Act to authorize the *Great North of Scotland* Railway Company to divert their Railway, to make a short Branch to the *Victoria* Docks at *Aberdeen*, to enter into Arrangements with the *Aberdeen Harbour* Commissioners and the *Aberdeen* Railway Company with respect to a Tramway to connect the Two Railways; and for other Purposes.

clxxxviii. An Act for the more effectual Drainage and Improvement of certain Lands in the Parish of *Methwold* in the County of *Norfolk*, and for other Purposes.

clxxxix. An Act for making a Railway from the *South Devon* Railway near *Plymouth* to *Tavistock*, with a Branch, to be called "The *South Devon and Tavistock* Railway," and for other Purposes.

cxc. An Act for incorporating and regulating a Company to be called "The Royal Conical Flour Mill Company," and to enable the said Company to purchase, work, and use certain Letters Patent; and for other Purposes.

cxci. An Act to enable the *Newport and Pillgwenlly* Waterworks Company to increase and extend their Supply of Water, and to construct new Works; and for other Purposes.

cxcii. An Act for authorizing Arrangements with respect to the *South Reserve* at *Birkenhead*, and for other Purposes, and of which the Short Title is "The *Birkenhead* Dock Trustees Act, 1854."

cxciii. An Act for making a Railway from *Rhymney* to a Point of Junction with the *Newport, Abergavenny, and Hereford* Railway near *Bedllewyn*, with a Branch up the *Bargoed Rumney Valley*, to be called "The *Rhymney* Railway;" and for other Purposes.

cxciv. An Act to enable the *North Staffordshire* Railway Company to make a Railway from *Stoke-upon-Trent* to *Congleton*, with Branches therefrom.

cxcv. An Act to repeal, alter, amend, and extend some of the Powers and Provisions of "The *Tees* Conservancy and *Stockton* Dock Act, 1852," and for other Purposes relating to the Conservancy of the *Tees*.

cxcvi. An Act for making a Turnpike Road from *Garth-Penbryn* to *Adwyddu* in the County of *Merioneth*, with a Bridge over the Estuary of *Traethbach* in the said County.

cxcvii. An Act to incorporate a Company for the Purpose of lighting with Gas the Parishes of *Tormoham* and *Saint Mary Church* in the County of *Devon*.

cxcviii. An Act for transferring to a Company the Powers vested in the Commissioners under "The *North Shields* Quay Act, 1851."

cxcix. An Act for making a Railway from the Town and Royal Burgh of *Selkirk* to the *Hawick* Branch of the *North British* Railway, about a Mile Southwards from the *Galashiels* Station of the said Branch; and for other Purposes.

cc. An Act for making a Railway from the *London and North-western* Railway near *Stockport* to *Disley* and *Whaley Bridge*, all in the County of *Chester;* and for other Purposes.

cci. An Act for authorizing the Transfer to the *London and North-western* Railway Company of the *Haydon Square* Branch of the *London and Blackwall* Railway, and for other Purposes; and of which the Short Title is "The *London and North-western* Railway Act, 1854."

ccii. An Act for enabling the *Great Western* Railway Company to make a Branch Railway to connect The *Berks and Hants* Railway with the Main Line of The *Great Western* Railway near *Reading;* for extending the Time for Completion of Parts of The *Wilts, Somerset, and Weymouth* Railway, and for reviving the Powers for Purchase of Land for, and for completing other Portions of that Railway; and for other Purposes.

cciii. An Act for limiting the Liability of the Shareholders in the *Electric Telegraph* Company, and for granting additional Powers to such Company.

cciv. An Act for determining the existing Lease of the *West London* Railway to the *London and North-western* Railway Company, and for enabling the last-mentioned Company and the *West London* Railway Company to enter into fresh Arrangements for the Sale or Lease of the Undertaking of the *West London* Railway Company to the *London and North-western* Railway Company, and for the Settlement of all Disputes between the said Companies; and for other Purposes.

ccv. An Act for making a Railway from the Parish of *Saint John the Evangelist* in the City and Liberty of *Westminster* to *Clapham* in the County of *Surrey*, with a Branch from such Railway to join the authorized Line of the *West End of London and Crystal Palace* Railway at *Long Hedge Farm* in the Parish of *Saint Mary Battersea* in the County of *Surrey*.

ccvi. An Act to extend the Powers of the *Cork and Waterford* Railway Company, and to enable them to abandon Part of their Railway to *Waterford*, and the Branch to *Tranmore;* and for other Purposes.

ccvii. An Act to alter the Lines and Levels of the *Stratford-upon-Avon* and *Stourbridge* Branches of the *Oxford, Worcester, and Wolverhampton* Railway; to construct certain Branch Railways and Works connected therewith; to amend the Acts relating to the *Oxford, Worcester, and Wolverhampton* Railway Company; and for other Purposes.

ccviii. An Act to authorize Agreements between the *Direct London and Portsmouth* Railway Company and the *Portsmouth* Railway Company, and for winding up the Affairs of the *Direct London and Portsmouth* Railway Company.

ccix. An Act for enabling the *Oxford, Worcester, and Wolverhampton* Railway Company to construct a Branch Line of Railway to the Town of *Chipping Norton* in the County of *Oxford*, and for regulating the Working and Use of the same by such Company.

ccx. An Act to enable the *West End of London and Crystal Palace* Railway Company to make a Railway from *Norwood* to *Bromley* and *Farnborough*, and for other Purposes.

ccxi. An Act to dissolve the *York and North Midland* and *Leeds Northern* Railway Companies, and to vest their Undertakings in the *York, Newcastle, and Berwick* Railway Company, to be thenceforth called "The *North-eastern* Railway Company," and to alter the Constitution of that Company, and to authorize working Arrangements with the *Malton and Driffield Junction* Railway Company, and the Amalgamation of that

Company with such United Company; and for other Purposes.

ccxii. An Act for making a Railway from the *Newcastle-upon-Tyne and Carlisle* Railway, at or near *Hexham* in the County of *Northumberland*, to or near the *Belling* in the Parish of *Falstone* in the same County, to be called "The *Border Counties* Railway (*North Tyne* Section);" and for other Purposes.

ccxiii. An Act for relieving the *Ratcliff* Gaslight and Coke Company, and their Servants and Agents, from certain Penalties and Penal Actions.

ccxiv. An Act to authorize Working Arrangements between the *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Company and the *Great Northern* Railway Company, or Lease or Sale to the last-named Company.

ccxv. An Act for making a Railway from the *London and South-western* Railway at *Salisbury* to *Yeovil*, and to form a Junction with the Railways at *Yeovil* of the *Great Western* and *Bristol and Exeter* Railway Companies respectively; and for other Purposes.

ccxvi. An Act to repeal and amend the Act for incorporating the *British* Guarantee Association, and to make further Provisions as to the Management and Regulation thereof.

ccxvii. An Act to transfer the *Paisley* Waterworks to the Magistrates and Council of *Paisley*, and to enable them to construct additional Works for supplying *Paisley, Johnstone*, and Places adjacent, with Water.

ccxviii. An Act for making a Railway from the *South Wales* Railway at or near the Borough of *Carmarthen* to the Town of *Newcastle Emlyn*, with a view of being hereafter extended to the Town and Harbour of *Cardigan*; and for other Purposes.

ccxix. An Act to repeal an "Act for better regulating the Poor within the City of *Oxford*," and to grant further and more effectual Powers in lieu thereof; and also to provide for rating to the Relief of the Poor certain Hereditaments within the University of *Oxford*.

ccxx. An Act for authorizing and confirming Arrangements and Agreements between the *Eastern Counties* Railway Company and all or any of the *Norfolk*, the *Eastern Union*, the *East Anglian*, and the *Newmarket* Railway Companies, and for other Purposes; and of which the Short Title is "The *Eastern Counties*, and the *Norfolk*, the *Eastern Union*, the *East Anglian*, and the *Newmarket* Railways Act, 1854."

ccxxi. An Act to alter and extend the *North Metropolitan* Railway, and to consolidate and amend the Provisions relating thereto.

ccxxii. An Act to authorize the Consolidation into One Undertaking of the *Great Western*, the *Shrewsbury and Birmingham*, and the *Shrewsbury and Chester* Railways, and the Union into One Company of the Three several Companies to whom the said Railways respectively belong.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize Sir *William Milborne Milborne Swinnerton* Baronet, and his Issue, to resume and bear the Surname of *Pilkington* jointly with the Surnames of *Milborne* and *Swinnerton*, and to be called by the Surnames of *Milborne Swinnerton Pilkington*, and for such Purposes to repeal in part an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth.
2. An Act to amend "*Fleming*'s Estate Act, 1852."
3. An Act for effecting an Extinguishment of the Life Estate and Interest of Mistress *Violetta Masters* and the Trustee of her Marriage Settlement of and in a Freehold Close or Parcel of Land situate in the Parish of *Saint Margaret, Leicester*.
4. An Act to enable the Trustees of the Estates of *Henry Smith* Esquire, deceased, or any Seven or more of them, to grant Building Leases of an Estate in the Parishes of *Kensington, Chelsea*, and *Saint Martin in the Fields* in the County of *Middlesex*, and for the Confirmation of certain Leases, and to enable Seven or more of the said Trustees to make Leases and Estates, pursuant to the Deed of Uses of the said *Henry Smith*; and for other Purposes.
5. An Act for enlarging the Powers contained in "*Thornhill*'s Estate Act, 1852," and for granting further Powers in respect of the *Thornhill* Estate.
6. An Act for authorizing the granting of Building Leases of Lands held under the Will of *William Green* deceased, situate at *Runworth* in the County of *Lancaster*.
7. An Act for granting Powers of Leasing, Sale, and Exchange, and other Powers, for the Management of Freehold, Copyhold, and Leasehold Estates devised by or which now stand limited to the Uses of the Will of the Right Honourable *George Obrien* Earl of *Egremont* deceased.
8. An Act for authorizing the Sale of Estates devised by the Will of *John Fowler* deceased, and for other Purposes; and of which the Short Title is "*Fowler*'s Estate Act, 1854."
9. An Act for the Distribution of the Compensation paid under the *London Necropolis and National Mausoleum Act*, 1852, for the Extinction of the Commonable or other Rights over and in *Woking Common*; and whereof the Short Title is "*Woking* Commoners Act, 1854."
10. An Act to enable certain Persons to grant Leases for Building and Mining Purposes of the Estates in the Parishes of *Penderryn* and *Ystradfellte* in the County of *Brecon*, devised by the Will of the Reverend *Reynold Davies* Clerk, deceased.

11. An Act for enabling Sales to be made of Estates at *Manningham* in the Parish of *Bradford*, and at *Idle* in the Parish of *Calverley*, both in the West Riding of the County of *York*, devised by the Will of *William Snell*; and for other Purposes.
12. An Act to incorporate the Craft of Shoemakers of the Burgh of *Aberdeen*; to confirm the Titles and Conveyances, and to regulate the Administration of the Estates and Affairs, of the said Craft; and for other Purposes relating to the Society.
13. An Act for enabling Leases, Sales, and Exchanges to be made of Lands subject to the Will of *George Ward* deceased, and for other Purposes, and of which the Short Title is "*Ward*'s Estate Act, 1854."
14. An Act for the better Division and Management of certain Estates in the County of *Lancaster*, the Property of *Abraham* and (the late) *Alfred Darby* Esquires.
15. An Act for authorizing the granting of Leases of Mines in Estates in the County of *Glamorgan*, devised by the Will of the Reverend *Reynold Davies* deceased, and for other Purposes, and of which the Short Title is "*Jenkins*'s Estate Act, 1854."
16. An Act to enable the Trustees of the Will of *Anthony Wilkinson* Esquire, deceased, to grant Leases.
17. An Act to empower the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford* to sell certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* in the City of *Oxford*, and to lay out the Monies to arise from such Sales in the Purchase of other Hereditaments.
18. An Act to authorize the Sale of certain Messuages, Lands, and Hereditaments in the East Riding of the County of *York*, Part of the Estates devised and settled by the Will of *Bertram Osbaldeston Mitford* Esquire, deceased, and for laying out the Money produced by such Sale in the Purchase of other Estates.
19. An Act to enable the Trustees of the Right Honourable *James* Earl of *Fife* deceased to complete the Sale of the outlying Estate of *Blervie* in the County of *Moray*, and to reinvest the Sale Monies in the Purchase of more convenient Estates, to be settled upon the same Trusts; and for other Purposes.
20. An Act for vesting in Trustees for Sale the settled and devised Estates of *Richard Terrick Stainforth* Esquire, deceased; and for other Purposes.
21. An Act to extend the Time during which the Trustees of the late Sir *Gilbert Stirling* of *Mansfield* Baronet were authorized to purchase Lands to be entailed in the Terms declared by certain Trust Deeds executed by him; to enable the Trustees to purchase within any Part of *Scotland*; to regulate the Powers of borrowing conferred by the said Deeds; and for other Purposes relating thereto.
22. An Act to enable the Trustees of a Settlement executed prior to the Marriage of *Thomas Thornhill*, late of *Fixby* in the County of *York*, Esquire, deceased, with *Honoria Forrester* Spinster, to grant Building and other Leases of the Estates subject to the Trusts of the said Settlement, and to sell and exchange the same; and for other Purposes.
23. An Act for incorporating the Trustees of the School and Charity Estates and Property belonging to the Parish of *Saint Catherine* in the County and County of the City of *Dublin*, for the better Management of such Estates and Property, and for the due and careful Application of the Income of the same.
24. An Act to ascertain the Periods when the Division, under the Church Building Acts, of the Parish of *Stockport* in the County Palatine of *Chester* into the Two distinct and separate Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport* shall take complete Effect, and the Exercise of the Rights of Presentation to the Rectories or Churches of the same Parishes respectively shall commence; and for other Purposes.
25. An Act to extend the Power to lease the Settled Estates of the Earl of *Harrington*, situate in the Parishes of *St. Margaret Westminster* and *Saint Mary Abbotts Kensington* in the County of *Middlesex*, and for other Purposes; and to be entitled "The Earl of *Harrington*'s Estate Act, 1854."
26. An Act for vesting certain Estates in the County of *Lincoln*, entailed by an Act of Parliament of the Twenty-seventh Year of the Reign of His Majesty King *Henry* the Eighth, in Trustees, upon trust to sell the same, and to lay out the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates so sold.
27. An Act for vesting in Trustees, for Sale, under the Authority of the Court of Chancery, an Estate in the County of *Surrey*, acquired by Partition under the Decree of that Court in lieu of those undivided Shares of Freehold Property devised by the Will of *Thomas Bailey Heath Sewell* Esquire, deceased, Trusts of which are declared by that Will for the Benefit of the Testator's Son and his Issue therein described; and for investing the Monies to arise from such Sale for the Benefit of the Parties beneficially interested in the same Estate.
28. An Act to provide for the Winding-up of the Trust Affairs of the late *Hugh* Earl of *Eglinton*, and to amend the Acts relative to *Ardrossan* Harbour in the County of *Ayr*; and for other Purposes.
29. An Act to authorize the granting of Mining and Farming Leases of Estates subject to the Uses of the Will of *Miles Staveley* Esquire.
30. An Act to authorize the granting of Building Leases for long Terms of Years of Parts of the Estates devised by the Will of *Joseph Peel* Esquire, deceased.
31. An Act to authorize the granting of Building and other Leases of the Settled Estates of *Thomas Charles Hornyold* Esquire, in the Counties of *Worcester* and *Hereford*; and for other Purposes.
32. An Act for authorizing the granting of Building, Improving, and Mining Leases by the Reverend *James Allan Park* Clerk, as Tenant for Life in possession, and other Persons in succession after his Death, of Settled Estates at *Marton* in the County of *York*, comprised in an Indenture of Settlement dated the Sixteenth Day of *July* One thousand eight hundred and fifty-two; and for other Purposes.
33. An Act for authorizing the granting of Building Leases and Leases for working Brick Earth, of Settled Estates in the County of *Essex*, of the Right Honourable *William Bernard* Lord *Petre* Baron of *Writtle* in the County of *Essex*, and of which Act the Short Title is "The *Petre* Estate Act, 1854."
34. An Act for the Partition of the *Mowbrick* otherwise *Mowbreck* Estate in the County of *Lancaster*.
35. An Act to authorize the Sale or Exchange of the Glebe Land of the Vicarage of the Parish of *Bradford* in the West Riding of the County of *York*, and of other Land in the said Parish of *Bradford*, held in trust for

and to be henceforth vested in the Vicar of *Bradford*; and to authorize Leases of the said Lands respectively; and for other Purposes.

36. An Act for enabling the granting of Leases for Mining and other Purposes, and the making of Sales and Exchanges, of certain Part of the Estates devised by the Will and Codicils of Sir *William Foulis* Baronet, deceased.

37. An Act for authorizing the granting of Building, Improving, and Mining Leases of Estates in the Parish of *Rochdale* in the County of *Lancaster*, comprised, as to certain undivided Shares, in the Marriage Settlement of *Marcus Worsley* and *Harriet* his Wife, and devised, as to the other undivided Shares, by the Will of *Sarah Hamer* deceased.

38. An Act to authorize Conveyances in Fee or Demises for long Terms of Years, under reserved Rents, of certain Parts of the Settled Estates of *Charles Richard Banastre Legh* Esquire.

PRIVATE ACTS,

NOT PRINTED.

39. An Act to relieve *Thomas Alexander* Lord *Lovat* Baron *Lovat* of *Lovat* in the County of *Inverness* from the Effect of the Attainder of *Simon* Lord *Lovat*.

40. An Act to dissolve the Marriage of *Richard Redmond Caton* Esquire with *Anna Maria* his now Wife, and to enable him to marry again; and for other Purposes.

41. An Act to dissolve the Marriage of *Henry Stocker* Schoolmaster with *Sarah Stocker* his now Wife, and to enable him to marry again; and for other Purposes.

A

TABLE

Containing the TITLES of all

THE STATUTES

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OF

The United Kingdom of *Great Britain* and *Ireland*;

18° & 19° VICTORIÆ.

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123. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. 910
124. An Act to amend the Charitable Trusts Act, 1853. 919
125. An Act to confirm Provisional Orders of the General Board of Health, applying the Public Health Act (1848) to the Districts of *Middlesbrough*, *Windhill*, *Christchurch*, *Keighley*, *Tunstall*, and *Toxteth Park*, and for Alteration of the Boundaries of the District of *Romford*. 924
126. An Act for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases. 937
127. An Act to make better Provision for the Union of contiguous Benefices, and to facilitate the building and endowing of new Churches in spiritually destitute Districts. 941
128. An Act further to amend the Laws concerning the Burial of the Dead in *England*. 945
129. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-five, and to appropriate the Supplies granted in this Session of Parliament. 948
130. An Act for raising the Sum of Seven Millions by Exchequer Bills and Exchequer Bonds, for the Service of the Year One thousand eight hundred and fifty-five. 954
131. An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education. *Ibid.*
132. An Act for facilitating the Erection of Dwelling Houses for the Labouring Classes. 955
133. An Act for limiting the Liability of Members of certain Joint Stock Companies. 957
134. An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord Chancellor the Ground and Buildings of the said Court situate in *Southampton Buildings*, *Chancery Lane*, with Powers of leasing and Sale thereof. 960

LOCAL ACTS.

i. AN Act to amend "The *Pudsey* Gas Act, 1845," and to enable the Company thereby incorporated to raise a further Sum of Money.

ii. An Act for incorporating the *Woolwich, Plumstead, and Charlton* Consumers Gas Company.

iii. An Act to enable the *Cambridge* University and Town Waterworks Company to raise further Money.

iv. An Act to enable the *Taunton* Gaslight and Coke Company to raise a further Sum of Money, and for other Purposes.

v. An Act for erecting and maintaining a Bridge over the River *Wye* at a Place called *Hoarwithy Ferry*, in the Parishes of *Hentland* and *King's Caple* in the County of *Hereford*, and for making convenient Approaches thereto.

vi. An Act to transfer to the Corporation of the Town of *Brighton* the Property, Powers, Privileges, and Liabilities of the *Brighton* Improvement Commissioners.

vii. An Act for granting further Powers to the *Folkestone* Waterworks Company.

viii. An Act for more effectually lighting with Gas the Town of *Stalybridge* and the Neighbourhood thereof in the Counties of *Chester* and *Lancaster* and in the West Riding of the County of *York*.

ix. An Act for supplying with Gas the Townships of *Ossett-cum-Gawthorpe* in the Parish of *Dewsbury*, and *Horbury* in the Parish of *Wakefield*, all in the West Riding of the County of *York*.

x. An Act for enabling the *Monmouthshire* Railway and Canal Company to raise further Capital, and for other Purposes.

xi. An Act for constructing a Railway from *Bridport* to *Maiden Newton*, on the *Wilts, Somerset, and Weymouth* Railway, in the County of *Dorset*.

xii. An Act to consolidate and amend the Provisions of the Act relating to the *Ratcliff* Gaslight and Coke Company.

xiii. An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to raise additional Capital; and for other Purposes.

xiv. An Act for merging the *Sheffield* Gas Consumers Company in the *Sheffield* United Gaslight Company, and for other Purposes.

xv. An Act to authorize the *Glossop* Gas Company to raise Money, and for other Purposes.

xvi. An Act to enable the *South-eastern* Railway Company to raise a further Sum of Money, and to create Preferential Stock, for the Purpose of paying off their Mortgage Debt.

xvii. An Act for making a Railway from the *Midland* Railway in the Parish of *Cam* in the County of *Gloucester* to the Town of *Dursley*.

xviii. An Act to enable the *Belfast and County Down* Railway Company to extend their Railway in the County of *Down*.

xix. An Act to grant further Powers to "The *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company."

xx. An Act to enable the *Heywood* Waterworks Company to extend their Undertaking, and to increase their Capital.

xxi. An Act for enabling the *Grand Junction* Waterworks Company to raise further Capital, and for other Purposes.

xxii. An Act to re-incorporate *Price's* Patent Candle Company, and to extend its Powers.

xxiii. An Act to enable the *South Wales Mineral* Railway Company to grant a Lease of their Undertaking.

xxiv. An Act for enabling the *Southwark and Vauxhall* Water Company to raise additional Capital, and for other Purposes.

xxv. An Act to empower the *Vale of Neath* Railway Company to raise further Money for the Purposes of their Undertaking.

xxvi. An Act to incorporate the *Woolwich Equitable* Gas Company, and to enable them to raise further Money; and for other Purposes.

xxvii. An Act to enable the *Torquay* Market Company to raise a further Sum of Money, to sell or lease their Undertaking, and for other Purposes.

xxviii. An Act to extend the *Great North of Scotland* Railway from *Huntly* to *Keith*.

xxix. An Act to enable the *Chesterfield* Waterworks and Gaslight Company to extend their Undertaking; and for other Purposes.

xxx. An Act for making a Railway from the Town of *Jedburgh* to the *Kelso* Branch of the *North British* Railway at or near the *Roxburgh* Station, and for other Purposes.

xxxi. An Act for constructing a Market House, Market Place, and other Buildings for public Accommodation at *Bangor* in the County of *Carnarvon*, and for the better Regulation and Maintenance of the Markets there, and for other Purposes.

xxxii. An Act for more effectually supplying with Gas the Parish of *Rotherham* and certain Places adjacent thereto in the West Riding of the County of *York*.

xxxiii. An Act for better enabling the Medical, Invalid, and General Life Assurance Society to sue and be sued, and for other Purposes with relation to the Society.

xxxiv. An Act to enable the Company of Proprietors of the *Birmingham* Waterworks to construct new Waterworks; and for other Purposes.

xxxv. An Act for extending the Powers of the *Plymouth and Stonehouse* Gaslight and Coke Company; and for other Purposes.

xxxvi. An Act for paving, draining, cleansing, lighting, and otherwise improving the District of *Saint Mark, Surbiton*, in the Parish of *Kingston-upon-Thames* in the County of *Surrey*; and for other Purposes.

xxxvii. An Act to incorporate the *Stourbridge* Gas Company, and to enable them to light with Gas the Town of *Stourbridge* in *Worcestershire* and other Places.

xxxviii. An Act to enable the *East Indian* Railway Company to issue and register Shares and Securities in *India*; and for other Purposes in relation to such Company.

xxxix. An Act for authorizing the Sale of the *Uxbridge* Burgage Lands, and directing the Application of the Proceeds thereof, and for other Purposes.

xl. An Act to enable the *Madras* Railway Company to issue and register Shares and Securities in *India*, and for other Purposes in relation to such Company.

xli. An Act to enable the Corporation of *Newport* in *Monmouthshire* to purchase the Interest of the Freemen in *Newport Marshes*, and for other Purposes.

xlii. An Act to amend "The *Lancaster* Waterworks and Gas Act, 1852," and to raise an additional Sum of Money for the Purposes of the said Act; and for other Purposes.

xliii. An Act to amend the Provisions and extend the Limits of the Act relating to the *Over Darwen* Gaslight Company.

xliv. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to make a new Street from *Manchester* across the River *Irwell* into *Salford;* and authorizing Arrangements with the Corporation of *Salford* in reference thereto; and for other Purposes.

xlv. An Act to extend the Limits of the Borough of *Kingston-upon-Thames*, and to provide for the better paving, lighting, draining, and otherwise improving the said Borough; and for other Purposes.

xlvi. An Act for extending the Powers of The *Plymouth Great Western* Dock Company, and for other Purposes.

xlvii. An Act to authorize the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* to construct additional Waterworks; and for other Purposes.

xlviii. An Act to confer further Powers on the *Birmingham* Gaslight and Coke Company.

xlix. An Act for repealing an Act called "The *Hartlepool* Gas and Waterworks Act, 1849," and granting other Powers in lieu thereof; and for enabling the *Hartlepool* Gas and Water Company to raise further Money, and for other Purposes; the Short Title of which is "The *Hartlepool* Gas and Waterworks Act, 1855."

l. An Act to consolidate and amend the Acts relating to the *Llynvi Valley* Railway Company; to enable them to construct a new Railway from *Llangonoyd* to *Bridgend*, and to extend their present Line from *Foce* Toll House to *Saint Bride's Minor*, to abandon Parts of their existing and authorized Lines, to dissolve the *Bridgend* Railway Company, and to abandon their Railway; and for other Purposes.

li. An Act for further and more effectually repairing and maintaining the Bridge over the River *Tweed* at or near the Town of *Kelso* in the County of *Roxburgh*.

lii. An Act to amend "The *St. George*'s Harbour Act, 1853."

liii. An Act to enable the *Ulster* Railway Company to make a Railway from *Armagh* to *Monaghan*, and to enlarge their Station at *Belfast;* and for other Purposes.

liv. An Act for enabling the Mayor, Aldermen, and Burgesses of *Londonderry* to raise a further Sum of Money; and for other Purposes.

lv. An Act to incorporate "The *Kilmarnock* Gaslight Company," established to supply with Gas the Town of *Kilmarnock*, and the Parishes of *Kilmarnock* and *Riccarton*, and Places therein, all in the County of *Ayr*.

lvi. An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *Dundee and Perth and Aberdeen* Railway Junction Company; and for enabling the Company to raise Money for the Payment of Debts; and for other Purposes.

lvii. An Act for making a Railway from the *Great North of Scotland* Railway to *Turriff* in the County of *Aberdeen*.

lviii. An Act to authorize certain Arrangements with respect to the Capital of the *Swansea* Dock Company.

lix. An Act for extending the Time for the Completion of the *Cornwall* Railway and Works; and for making further Provisions as to the Share Capital of the *Cornwall* Railway Company; and for other Purposes.

lx. An Act to enable the *Swansea Vale* Railway Company to extend their Railway, and to maintain and work the same as a Passenger Railway, and for other Purposes connected therewith.

lxi. An Act to repeal the Act relating to the *Leominster and Ledbury* Turnpike Trust, and to make other Provisions in lieu thereof.

lxii. An Act to enable the *Salisbury and Yeovil* Railway Company to make a Deviation in the Line of their Railway; and for other Purposes.

lxiii. An Act to enlarge some of the Powers of the Acts relating to the *Bristol and Exeter* Railway Company; and to enable such Company to raise further Sums of Money, to acquire additional Lands, to lease the *Somerset Central* Railway, to hold additional Shares in the *Exeter and Crediton* Railway; and for other Purposes.

lxiv. An Act to incorporate the *Hyde* Gas Company, and to grant more effectual Powers for supplying with Gas the several Townships of *Hyde, Werneth, Bredbury, Romiley, Newton,* and *Godley* in the County of *Chester*.

lxv. An Act for making a Railway from and out of the *Great North of Scotland* Railway in the Parish of *Inverury* to the Town of *Old Meldrum*, all in the County of *Aberdeen;* and for other Purposes.

lxvi. An Act for amending the several Acts relating to the *Liverpool* Corporation Waterworks, and for authorizing Deviations and the Construction of Works; and for other Purposes.

lxvii. An Act for amending "The *Commercial Roads* Act, 1828," and "The *Commercial Roads* Continuation Act, 1849," and for other Purposes.

lxviii. An Act for repairing the Road from the Town of *Kingston-upon-Hull* to the Western Boundary of the Parish of *Hessle* in the East Riding of the County of *York*.

lxix. An Act for making a Railway from the *Oxford* Branch of the *Great Western* Railway to *Abingdon*.

lxx. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Ashton-under-Lyne* in the County of *Lancaster* to purchase and maintain Waterworks; and for other Purposes.

lxxi. An Act to repeal the Act relating to the *Nottingham and Loughborough* Turnpike Road, and to make other Provisions in lieu thereof.

lxxii. An Act for establishing and maintaining an efficient System of Police for the Royal Burgh of *Renfrew*, for improving the said Burgh, and for other Purposes in relation thereto.

lxxiii. An Act to enable the *Waterford and Limerick* Railway Company to raise further Money; and for other Purposes.

lxxiv. An Act for the Improvement of the Town of *Saint Helen's*, and for other Purposes.

lxxv. An Act to alter and extend the Line of the *Cromford and High Peak* Railway, and to amend and consolidate the Provisions of the Acts relating thereto.

lxxvi. An Act for making a Railway from the *Waterford and Limerick* Railway at *Killonan* to *Castleconnell*, to be called "The *Limerick and Castleconnell* Railway;" and for other Purposes.

lxxvii. An Act to extend the Limits of the *Newcastle-under-Lyme* Gaslight Company's Act for the Supply of Gas, and to authorize the raising of a further Sum of Money, and for other Purposes.

lxxviii. An Act to increase the borrowing Powers of the *Limerick and Foynes* Railway Company.

lxxix. An Act to consolidate and amend the Acts relating to the *Maryport and Carlisle* Railway; to authorize the Company to improve their existing Railway; to make new Branches, Stations, and other Additions to their Works; to raise further Monies; and for other Purposes.

lxxx. An Act for better lighting with Gas the Town and Borough of *Newport*, and the Neighbourhood thereof, in the County of *Monmouth*.

lxxxi. An Act for more effectually supplying with Gas the Town of *Weston-super-Mare* in the County of *Somerset*.

lxxxii. An Act to renew the Term and continue the Powers of an Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road from* Alford *to* Boston, *and from thence to* Cowbridge *in the Township of* Frithville, *in the County of* Lincoln.

lxxxiii. An Act to repeal so much of the Act relating to the *Wigan* and *Preston* Roads as relates to the District of the said Roads North of *Yarrow*, and to make other Provisions in lieu thereof.

lxxxiv. An Act to alter and amend "The Lands Improvement Company's Act, 1853."

lxxxv. An Act to renew the Term and continue the Powers of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to continue the Term and alter and enlarge the Powers of an Act of the Fortieth Year of His late Majesty's Reign, for repairing the Road leading from the Turnpike Road in* Witney *to the Road on* Swerford Heath, *and the Road leading from the Road from* Woodstock *to* Birmingham *through* Charlbury *to the Road from* Chipping Norton *to* Burford, *all in the County of* Oxford.

lxxxvi. An Act for making a Railway from *Oswestry* in the County of *Salop* to *Welchpool* and *Newtown* in the County of *Montgomery*.

lxxxvii. An Act for repairing, widening, and maintaining several Roads in the Counties of *Dorset* and *Devon* leading to and from the Borough of *Lyme Regis*, and from the Turnpike Road on *Raymond's Hill* to the Turnpike Road at the *Three Ashes* in the Parish of *Crewkerne* in the County of *Somerset*.

lxxxviii. An Act for making a Railway from the Town of *Dundalk* in the County of *Louth* to the Town of *Black Rock* in the said County.

lxxxix. An Act for the better Supply of the City of *Gloucester* and the Neighbourhood thereof with Water; and for other Purposes.

xc. An Act for enabling the *London and Blackwall* Railway Company to widen certain Portions of their Railways, and for amending some of the Provisions of the Acts relating to such Railways.

xci. An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Branch Railway to *Lincoln*, and for other Purposes.

xcii. An Act for continuing the Term of the *Nottingham and Newhaven* Turnpike Road and Districts Act, and for other Purposes.

xciii. An Act for extending the Powers of the *Warrington* Waterworks Company, and for other Purposes.

xciv. An Act to amend the *East Kent* Railway Act, 1853.

xcv. An Act to authorize the Company of Proprietors of the *Regent's* Canal to purchase the *Hertford Union* Canal; and for other Purposes.

xcvi. An Act to enable the *Caledonian* Railway Company to raise a further Sum of Money.

xcvii. An Act to consolidate and amend the Acts relating to the *Glasgow and South-western* Railway, and for other Purposes.

xcviii. An Act to consolidate and amend the Acts relating to the *South Wales* Railway Company, and to authorize the Construction of new Works, and Alterations of existing Works, and for other Purposes.

xcix. An Act to authorize Improvements in the Borough of *Newcastle-upon-Tyne*.

c. An Act for the Improvement of the Town of *Newton in Mackerfield* and Neighbourhood in the County of *Lancaster*.

ci. An Act to enable the *Cork and Youghal* Railway Company to make a Branch Railway to *Queenstown*, and to make certain Deviations in and an Extension of their Line; and for other Purposes.

cii. An Act to alter certain Portions of the *Metropolitan* Railway, and to amend the Provisions of the Act relating thereto.

ciii. An Act to amend and extend the Provisions of the Act relating to the *Gomersal* and *Dewsbury* Turnpike Roads, and to create a further Term therein; and for other Purposes.

civ. An Act to repeal certain Acts relating to the *Basingstoke, Stockbridge, and Lobcomb Corner* Turnpike Roads, and to make other Provisions in lieu thereof.

cv. An Act to enable the *Dundalk and Enniskillen* Railway Company to construct Extension Railways; and for other Purposes.

cvi. An Act to repeal the Acts relating to the Road from *Lightpill* to *Birdlip*, and make other Provisions in lieu thereof.

cvii. An Act to repeal the Act relating to the *Peterborough and Wellingborough* Turnpike Road, and to make other Provisions in lieu thereof.

cviii. An Act to repeal the Act for making and maintaining a Turnpike Road from *Cainscross* through *Stroud* over *Rodborough* and *Minchinhampton* Commons to the Town of *Minchinhampton*, with some Branches therefrom, all in the County of *Gloucester*, and to make other Provisions in lieu thereof.

cix. An Act to repeal an Act for making and maintaining certain Roads from the Town of *Stroud* and several other Places therein mentioned, all in the County of *Gloucester*, and to make other Provisions in lieu thereof.

cx. An Act to enable the *Rhymney* Railway Company to extend their Railway to the *Taff Vale* Railway, to construct Branch Railways, and for other Purposes.

cxi. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the First District of the *Bridport* Turnpike Roads in the County of *Dorset*.

cxii. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Bridport* and *Broadwinsor* Turnpike Roads.

cxiii. An Act for incorporating the *Bombay, Baroda, and Central India* Railway Company; and for other Purposes connected therewith.

cxiv. An Act for extending the Time for the Purchase of Lands and for the Completion of a Railway from *Chichester* to *Bognor*.

cxv. An Act for incorporating the *Scinde* Railway Company, and for other Purposes connected therewith.

cxvi. An Act to enable the *North Yorkshire and Cleveland* Railway Company to make a Branch from their Railway to the *Middlesbrough and Guisbrough* Railway, and also a Branch to *Whorlton*, and other Works; and to alter and amend the Act relating to the said Company; and for other Purposes.

cxvii. An Act to change the Name of "The *National* Loan Fund Life Assurance Society" to the Name of "The *International* Life Assurance Society;" and to enable the said Society to sue and be sued in the Name of the Chairman or Secretary or any One Director of the said Society; and to give additional Powers to the said Society.

cxviii. An Act to authorize and empower the Magistrates and Council of the City of *Glasgow* to supply with Water the said City and Suburbs thereof, and Districts and Places adjacent; to purchase and acquire the *Glasgow* Waterworks, and the *Gorbals* Gravitation Waterworks; and to introduce an additional Supply of Water from *Loch Katrine;* and for other Purposes.

cxix. An Act for maintaining and improving the Harbour of *Ayr*, and for the better Regulation and Management thereof.

cxx. An Act for making a Railway through Part of the *Aberdare Valley* in the County of *Glamorgan*, to join the *Vale of Neath* Railway.

cxxi. An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to make and maintain additional Canals and Works, and for other Purposes.

cxxii. An Act for making Railways from the *South Devon* Railway to *Exmouth*, and to the Basin of the *Exeter* Canal, to be called The *Exeter and Exmouth* Railway.

cxxiii. An Act to consolidate the Capital Stock of the *Electric Telegraph* Company and of the *International Telegraph* Company, and to grant further Powers to the *Electric Telegraph* Company.

cxxiv. An Act to enable the *Great Northern* Railway Company further to increase their Capital; and for other Purposes with relation to the same Company.

cxxv. An Act for incorporating the "*Colonial* Life Assurance Company;" for enabling the said Company to sue and to be sued, to take and hold Property; and for other Purposes relating to the said Company.

cxxvi. An Act for the Improvement, Maintenance, and Regulation of the Port of *Hartlepool*, for the Construction of a Harbour of Refuge there, and for other Purposes.

cxxvii. An Act for making a Railway from *Ladybank* on the Line of the *Edinburgh, Perth, and Dundee* Railway, by *Auchtermuchty* and *Strathmiglo*, to *Milnathort* and *Kinross*.

cxxviii. An Act to authorize the *Sunderland* Dock Company to make further Works; and to amend and consolidate the Acts relating to the said Company; and for other Purposes.

cxxix. An Act for regulating the Share Capital of the *Manchester, Sheffield, and Lincolnshire* Railway Company; and for other Purposes.

cxxx. An Act to enable the *Stockport, Disley, and Whaley Bridge* Railway Company to construct a Junction Line to the *Cromford and High Peak* Railway, and for other Purposes.

cxxxi. An Act to enable the *Carmarthen and Cardigan* Railway Company to make a Deviation in their Line of Railway; and for other Purposes.

cxxxii. An Act for the Improvement of the Town of *Leek* in the County of *Stafford*, for purchasing the Market Tolls, and for providing more commodious Markets and Cemeteries, and for better supplying the Inhabitants with Water; and for other Purposes.

cxxxiii. An Act to enable the *Weymouth* Waterworks Company to increase and extend their Supply of Water, and to construct new Works, and for other Purposes.

cxxxiv. An Act for changing the Corporate Name of the Company of Proprietors of the *Grand Surrey* Canal; for consolidating their Acts; for authorizing them to make a new Entrance from the *Thames*, additional Docks and other Works, and to raise further Moneys; and for other Purposes.

cxxxv. An Act for granting further Powers to the *Torquay, Tor, and Saint Mary Church* Gas Company.

cxxxvi. An Act to repeal the Acts passed for repairing the Road from *Hedon* through *Preston* and *Bilton* to *Hull*, and other Roads in the County of *York*, and to make other Provisions in lieu thereof.

cxxxvii. An Act for incorporating the "Gaslight Company of *Sligo*," and for other Purposes.

cxxxviii. An Act to amend the Provisions of "The *West Bromwich* Improvement Act, 1854," with relation to the Prevention of Smoke.

cxxxix. An Act to vary the Mode of carrying the *Staines, Wokingham, and Woking* Railway across certain Roads, and for other Purposes.

cxl. An Act for incorporating "The *Cape Town* Railway and Dock Company," and for other Purposes connected therewith.

cxli. An Act to amalgamate the *Glasgow and Inchbelly Bridge* and *Possil and Balmore* Turnpike Road Trusts, and to make Branch Roads; and for other Purposes.

cxlii. An Act for making and maintaining a Turnpike Road from *Charlestown of Aboyne*, by *Ballater, Crathie*, and *Castletown of Braemar*, to *Cairnwell Hill*, with a Branch at *Crathie*, in the County of *Aberdeen;* and for other Purposes.

cxliii. An Act for constructing and maintaining a Quay and other Works in the Borough of *Gateshead* in the County of *Durham*, and for other Purposes.

cxliv. An Act to enable the *Halifax* Gaslight and Coke Company to transfer their Undertaking and Powers to the *Halifax* Local Board of Health; and for other Purposes.

cxlv. An Act to amend an Act of the First Year of the Reign of King *George* the Fourth, Chapter 100, to enable Her Majesty's Commissioners of Lieutenancy for the City of *London* to purchase certain Lands and Houses for building more convenient and requisite Head Quarters, Storehouses, and other proper Accommodation for the Royal *London* Militia, and to confer certain other Powers.

cxlvi. An Act for making a Railway from the *London and North-western* Railway at *Dunstable* in the County of *Bedford* to the *Great Northern* Railway at or near *Welwyn* in the County of *Hertford*, to be called the "*Luton, Dunstable, and Welwyn Junction* Railway;" and for other Purposes.

cxlvii. An Act to extend the Limits of the Borough of *Folkestone*; to enable the Corporation of the said Borough to construct a Market House; to make certain new Streets and other Improvements; and to pave, light, drain, and otherwise improve the said Borough; and for other Purposes.

cxlviii. An Act for insuring the due Proof of Gun Barrels in *England*, and for other Purposes.

cxlix. An Act for enabling the *Stockton and Darlington* Railway Company to make new Branches and other Works; to acquire additional Lands; and for other Purposes.

cl. An Act for authorizing the making and maintaining of the *West Somerset Mineral* Railway, and the improving and regulating of the Harbour of *Watchet* in the County of *Somerset*; and for other Purposes.

cli. An Act for better supplying with Water the Town and Parish of *Wolverhampton*, the Suburbs thereof, and the Parishes and Places adjacent thereto.

clii. An Act to amend "The *Bradford* Corporation Waterworks Act, 1854."

cliii. An Act for making a Railway from the *Port Carlisle* Railway in the Township of *Drumburgh* to or near to the *Coat* Lighthouse in *Silloth Bay* in the Parish of *Holme Cultram* in the County of *Cumberland*, and also a Dock and Jetty at *Silloth Bay*; and for making Arrangements with the *Port Carlisle* Dock and Railway Company; and for other Purposes.

cliv. An Act for maintaining the *Yorkshire* District of the Road from *Keighley* in the West Riding of the County of *York* to *Kirkby-in-Kendal* in the County of *Westmoreland*.

clv. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to acquire Lands; and for other Purposes.

clvi. An Act to renew the Term and continue the Powers of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from* Wadhurst *to the Turnpike Road on* Lamberhurst Down, *both in the County of* Sussex, *and from the Turnpike Road on* Pullen's Hill *to* West Farleigh Street, *both in the County of* Kent.

clvii. An Act for extending the Times granted to purchase Lands for the Part of the *Waveney Valley* Railway between *Bungay* and *Beccles*.

clviii. An Act to enable the *Edinburgh and Glasgow* Railway Company to enlarge their Station at *Queen Street, Glasgow*; to raise additional Capital; and for other Purposes.

clix. An Act for making and maintaining the *Great Northern London* Cemetery, and for other Purposes.

clx. An Act for better enabling the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech* to raise and secure Monies payable by them to the *Nene Valley* Drainage and Navigation Improvement Commissioners; and for other Purposes.

clxi. An Act to repeal the Act relating to the *Bolton and Nightingale's* Turnpike Road, and to make other Provisions in lieu thereof.

clxii. An Act to authorize the Construction of a Dock on the North Side of the River *Thames*, to be called "The *Dagenham* (*Thames*) Dock."

clxiii. An Act to amend "The *London* Necropolis and National Mausoleum Act, 1852," and for other Purposes.

clxiv. An Act to repeal an Act for making, widening, repairing, and maintaining certain Roads leading to and from the Town of *Honiton* in the County of *Devon*; and to make other Provisions in lieu thereof.

clxv. An Act for making a Railway from the *Leven* Railway at the Town of *Leven*, to the Town of *Kilconquhar* in the County of *Fife*, to be called "The *East of Fife* Railway."

clxvi. An Act to incorporate the *Royal Medical Benevolent* College, and for other Purposes.

clxvii. An Act to enable the *Londonderry and Coleraine* Railway Company to lease a Portion of their Undertaking; and for other Purposes.

clxviii. An Act for more effectually repairing the *Cavendish Bridge and Brassington* Road, and for making a Branch Line of Road in connexion with the same, all in the County of *Derby*.

clxix. An Act for making Railways from the *Farnborough* Extension of the *West London and Crystal Palace* Railway to the *North Kent* Line of the *South-eastern* Railway, and to the *London, Brighton, and South Coast* Railway, with Branches therefrom; and for other Purposes.

clxx. An Act for extending the Limits of the Harbour of *Barrow* in the County Palatine of *Lancaster*; and to enable the Commissioners of the said Harbour to raise a further Sum of Money; and for other Purposes.

clxxi. An Act for vesting the Undertakings of the *Birkenhead* Dock Company, and of the Trustees of the *Birkenhead* Docks in the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, and for other Purposes.

clxxii. An Act for improving the Postal and Passenger Communication between *England* and *Ireland*, and for authorizing Arrangements between certain Companies in *England* and *Ireland* in relation thereto; and for other Purposes.

clxxiii. An Act to repeal and consolidate the several Acts relating to the *Furness* Railway Company; to enable the said Company to raise a further Sum of Money; to give further Powers to the said Company; and for other Purposes.

clxxiv. An Act to authorize the Trustees of the *Liverpool* Docks to construct new Works, and to raise a further Sum of Money; and for other Purposes.

clxxv. An Act for enabling the *South Staffordshire* Railway Company to make certain Branch Railways; for the Purchase of additional Lands at *Wichnor* and *Dudley;* and for other Purposes.

clxxvi. An Act for maintaining and improving the Road from *Gateshead* in the County of *Durham* to the *Hexham* Turnpike Road near *Dilston Bar* in the County of *Northumberland,* and other Roads connected therewith.

clxxvii. An Act to enable the *Portsmouth* Railway Company to make an Alteration in the Line of their Railway; and for other Purposes.

clxxviii. An Act for the Improvement of the Borough of *Shrewsbury* in the County of *Salop.*

clxxix. An Act to correct an Oversight in "The *Hereford* Improvement Act, 1854."

clxxx. An Act to incorporate a Company for making a Railway from the *Bishop Auckland* Branch of the *North-eastern* Railway in the Township of *Elvet* to the Township of *Brandon* and *Byshottles,* all in the County of *Durham,* to be called "The *Dearness Valley* Railway;" and for other Purposes.

clxxxi. An Act to enable the *Oxford, Worcester, and Wolverhampton* Railway Company to alter and improve certain of their Works, and to construct additional Works; and to authorize Arrangements with respect to the *Stratford-upon-Avon* Canal; and for other Purposes.

clxxxii. An Act for enabling the *Somerset Central* Railway Company to construct Railways to *Wells* and to *Burnham,* and a Pier at *Burnham,* and to raise additional Capital; and for other Purposes.

clxxxiii. An Act for the making and maintaining of the *Severn Valley* Railway; and for other Purposes.

clxxxiv. An Act to facilitate the Erection of One or more Churches in the Parishes of *Tormoham* and *Saint Mary Church,* at or near the Town of *Torquay,* in the County of *Devon;* and for other Purposes.

clxxxv. An Act to repeal the Act of the Ninth *Victoria,* Chapter Thirty-two, to reconstitute and extend the Police District therein mentioned under the Name of the *Airdrie* Rural Police District, and to erect and maintain a Hall, Court House, and Public Offices for the *Airdrie* District of *Lanarkshire.*

clxxxvi. An Act to authorize the Transfer of the Undertaking of the *Deptford* Gaslight and Coke Company to the *Surrey* Consumers Gas Company, and to wind up the Affairs of the first-named Company; and for other Purposes.

clxxxvii. An Act for enabling the *East Kent* Railway Company to extend their authorized Line of Railway by the Construction of a Railway from *Canterbury* to *Dover,* with Two Branches at *Dover;* to increase their Capital; and for other Purposes.

clxxxviii. An Act for amending the Acts relating to the *London and South-western* Railway Company; for regulating their Capital; and for other Purposes.

clxxxix. An Act for the Conservancy and Improvement of *Dundalk* Harbour and Port, and for other Purposes.

cxc. An Act for making certain Railways to connect *Glasgow, Dumbarton,* and *Helensburgh,* in the Counties of *Lanark* and *Dumbarton;* and for making Provision for the Use and working of the said Railways.

cxci. An Act for making a Railway from the *Great Western* Railway at *Southall* in the County of *Middlesex* to *Brentford* in the same County, with Docks at the last-mentioned Place; and for other Purposes.

cxcii. An Act for making a Railway and Pier to and at *Stokes Bay* in the County of *Hants.*

cxciii. An Act for extending the Times granted to the *Westminster* Improvement Commissioners by "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," "The *Westminster* Improvement Act, 1850," and "The *Westminster* Improvement Act, 1853," for the compulsory Purchase of Lands and the Completion of Works; and for altering the Corporate Name of "The *Westminster* Association for improving the Dwellings of the Working Classes" to "The *London* and *Westminster* Association for improving the Dwellings of the Working Classes;" and for other Purposes.

cxciv. An Act to change the corporate Name of the *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company, to repeal their Act and consolidate their Powers, to alter and define their Undertaking, to reduce their Capital; and for other Purposes.

cxcv. An Act for facilitating the Completion of the *Westminster* Improvements, and for the Incorporation of the *Westminster* Land Company for a limited Period for that Purpose.

cxcvi. An Act for transferring Part of the Property and Powers of the Trustees of the River *Lee;* and for the Amendment of the Acts of the *New River* Company, the *East London* Waterworks Company, and the said Trustees; and for other Purposes.

cxcvii. An Act to repeal, alter, and amend some of the Provisions of "The *Royal Conical* Flour Mill Company's Act, 1854;" to enable the Company to raise a further Sum of Money; and for other Purposes.

cxcviii. An Act for making a Railway from the *Manor Street* Terminus of the authorized *Westminster Terminus* Railway in the Parish of *Clapham* in the County of *Surrey* to *Norwood* in the Parish of *St. Mary Lambeth* in the same County, connecting the *Westminster Terminus* Railway with the *West End of London and Crystal Palace* Railway.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for enabling Leases to be made of the Freehold Estates of the late *Matthew Hill* Esquire, and for other Purposes.
2. An Act to enable the Trustees under the Settlement executed on the Marriage of *Philip Rideout Hoffe* to effect a Sale to Sir *Richard Plumptre Glyn* Baronet, of certain Hereditaments situate at *Twyford* in the Parish of *Compton Abbas* and County of *Dorset*, and for other Purposes; and of which the Short Title is "*Hoffe*'s Estate Act, 1855."
3. An Act for authorizing the granting of Mining Leases of Estates subject to the Uses of the Will of *Robert Bell Livesey* Esquire, deceased, and for other Purposes.
4. An Act for enabling Leases, Sales, Repairs, and Improvements to be made of the Estates of *James Walthall Hammond* Esquire, deceased, and for other Purposes, the Short Title of which is "*Hammond*'s Estate Act, 1855."
5. An Act to authorize Conveyances in Fee or Demises for long Terms of Years, under reserved Rents, of certain Parts of Estates, settled by the Will of the late *Joseph Livesey* Esquire, deceased.
6. An Act to enable *George William Holmes Ross*, of *Cromarty*, Esquire, to relieve the Estate of *Cromarty* from Burdens affecting the same, to charge the said Estate with certain Family Provisions and with certain Sums of Money expended in Improvements thereon.
7. An Act for authorizing Mining and other Leases and Sales and Exchanges to be made of the Lands devised by the Will of *George Bray* deceased; and for other Purposes.
8. An Act for authorizing the granting of Building Leases of certain Parts of the Estates subject to the Residuary Devise in the Will of *John Jenkins*, late of *Saltley Hall* in the County of *Warwick*, Esquire, and for appointing new Trustees of the said Will; and for other Purposes.
9. An Act for enabling the Right Honourable *William Nevill* Earl of *Abergavenny* to grant Leases of entailed Mines, Minerals, Lands, and Hereditaments in the County of *Monmouth*.
10. An Act to enable the President and Scholars of *Saint John Baptist* College in the University of *Oxford* to grant Building Leases of their Lands in the Parishes of *Saint Giles*, *Saint Thomas*, and *Woolvercot*, *Oxford*; and for other Purposes.
11. An Act for vesting in the Commissioners of the Metropolis Turnpike Roads North of the *Thames* the Lands in *Islington* devised by the Will of *Edward Harvist* to the Brewers Company, upon trust for the Repair of the Highway from *Tyburn* to *Edgeworth*; and for discharging the Company from the Trusts of that Will; and for enabling the Commissioners to grant Building Leases of those Lands; and for other Purposes.
12. An Act to empower the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford* to sell certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* in the City of *Oxford*, and to lay out the Monies to arise from such Sale in the Purchase of other Hereditaments.
13. An Act for giving Effect to a Compromise of certain Suits and Claims affecting the Estates of *Josephine Catherine Handcock*, *Anne Mary Handcock*, and *Honoria Handcock*, Spinsters, deceased, and for vesting the said Estates in *John Stratford Handcock* Esquire, subject to certain Charges; and for other Purposes.
14. An Act to authorize the granting of Building and other Leases of Estates in the Counties of *Louth* and *Armagh*, devised by the Will of the Right Honourable *William Charles* Viscount *Clermont* deceased, and the Sale and Exchange of certain Portions of the Estate so devised; and for other Purposes.
15. An Act for the future Government, Management, and Regulation of the Charity of *John Marshall*, late of *Southwark* in the County of *Surrey*, Gentleman, deceased; and for other Purposes.
16. An Act for vesting the Freehold and Leasehold Estates comprised in the residuary Gifts in the Will of *Joseph Halford* Esquire, deceased, in Trustees, with Powers to sell, exchange, and lease the same, and to purchase other Lands, to be resettled conformably to such residuary Gifts.

PRIVATE ACTS,

NOT PRINTED.

17. An Act to relieve Sir *James Carnegie* of *Southesk*, *Kinnaird*, and *Pittarrow*, Baronet, from the Effect of the Attainder of *James* Fifth Earl of *Southesk* and Baron *Carnegie* of *Kinnaird* and *Leuchars* in *Scotland*.

18. An Act to dissolve the Marriage of *Henry Newsham Pedder* with *Emma Pedder* his now Wife, and to enable him to marry again; and for other Purposes.

19. An Act to dissolve the Marriage of *William Ewing* the younger with *Helen Mary Ewing* his now Wife, and to enable him to marry again; and for other Purposes.

20. An Act to dissolve the Marriage of *Arthur Wyndham* Esquire with *Ann Magdalene Louisa Wyndham* his now Wife, and to enable him to marry again; and for other Purposes.

21. An Act to dissolve the Marriage of *James Remington Hadow* Merchant with *Jane Menzies* his now Wife, and to enable him to marry again; and for other Purposes.

22. An Act to dissolve the Marriage of *Edward Jones* with *Elizabeth Jones* his now Wife, and to enable him to marry again; and for other Purposes.

23. An Act to dissolve the Marriage of *Morton Cornish Sumner* Esquire with *Penelope Rubina Maria* his now Wife, and to enable the said *Morton Cornish Sumner* to marry again; and for other Purposes therein mentioned.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Decimo Septimo & Decimo Octavo.

'AT the Parliament begun and holden at *Westminster*, the Fourth Day of *November*, *Anno Domini* 1852, in the Sixteenth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith: and from thence continued, by several Prorogations, to the Thirty-first Day of *January* 1854; being the Second Session of the Sixteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to explain and amend an Act of the last Session relating to the Duties of Assessed Taxes; and to authorize Justices of the Peace in *Ireland* to administer Oaths required in Matters relating to Income Tax. [17th *February* 1854.]

'WHEREAS an Act was passed in the last Session of Parliament, Chapter Ninety, to repeal certain Duties of Assessed Taxes, and to grant other Duties of the same Description: And whereas by reason of certain Errors and Omissions in the said Act Doubts have arisen as to the Construction and Meaning thereof in some Particulars, and it is expedient to remove such Doubts, and to amend the said Act: And whereas it is also expedient to amend the Act passed in the last Session, Chapter Thirty-four:' Be it enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 16 & 17 Vict. c. 90.

I. The Duties described or mentioned and set forth in the Schedule marked (F.) to the said Act annexed as Duties payable annually for all Horses and Mules not charged with Duty under Schedule (E.) of the said Act shall be deemed and are hereby declared to be and to have been granted and made payable by the said Act from and after the Fifth Day of *April* One thousand eight hundred and fifty-four in *England* and *Wales* and *Berwick-upon-Tweed*, and from and after the Twenty-fourth Day of *May* in *Scotland*, notwithstanding the Omission to mention the said Schedule (F.) in Section 2. of the said Act, purporting to enumerate the several Schedules containing the Duties intended to be thereby granted and made payable; and the said Schedule (F.), and the Duties, Rules, Regulations, and Exemptions therein set forth or contained, shall have effect and be in force as if the said Schedule (F.) had been enumerated in the said Section along with the several other Schedules therein mentioned. Duties contained in Schedule (F.) of recited Act to be deemed to have been granted and made payable thereby.

II. The Exemption No. 2., under the Head or Title of "Exemptions from the Duties contained in "Schedules (E.) and (F.)," in the said Act, shall be deemed and construed and is hereby declared to extend only to exempt any Person from the Duties contained in Schedule (E.) of the said Act for One such Horse as in the said Exemption No. 2. is described, used for riding on the Occasions and in manner therein mentioned; and nothing in the said Exemption shall be deemed or construed to extend to exempt any Person from the Duties contained in Schedule (F.) of the said Act, for any such Horse as aforesaid, except where the same shall be kept for the Purpose of Husbandry, and used only for such Purpose, and for riding on the Occasions and in manner in the said Exemption No. 2. mentioned. Exemption No. 2. in the said Act to extend only to the Duties contained in Schedule (E.) in certain Cases.

III. For any Horse used by any Common Carrier in drawing any Carriage used by him principally and *bonâ fide* for and in the carrying of Goods, and occasionally only in conveying Passengers for Hire, in the Manner mentioned with respect to such Carriage in Schedule (D.) of the said Act, there shall not by reason of such using be charged any other or higher Duty than the Duty contained in the said Schedule (F.) Horses used by Common Carriers conveying Passengers charged under Schedule (F.)

IV. The Time limited by Section Six of the said Act for the giving of Notice to determine any Contract of Composition for the Duties of Assessed Taxes shall be and is hereby extended to the Fifth Day of *April* One thousand eight hundred and fifty-four; and any such Notice as in the said Section Six Time for giving Notice to determine Compositions extended.

Six is mentioned, given on or before the said last-mentioned Day, shall have the same Force and Effect as it would have had if it had been given within the Time limited by the said Section.

Justices of the Peace in Ireland may administer Oaths required by the Acts relating to the Income Tax.

V. 'And whereas by the several Acts in force relating to the Duties granted by an Act passed in the 'last Session of Parliament, Chapter Thirty-four, on Profits arising from Property, Professions, Trades, 'and Offices, divers Oaths are required to be taken by Persons appointed Assessors and Collectors of the 'said Duties, and by Persons claiming Exemption from or a Return or Repayment of the said Duties 'under the several Provisions of the said Acts, and by other Persons in relation to the Execution of the 'said Acts, which said Oaths the Commissioners for Special Purposes and other Commissioners in the 'said Acts mentioned are respectively authorized to administer; and it is expedient to authorize Her 'Majesty's Justices of the Peace in *Ireland*, as well as the said Commissioners, to administer the same:' Be it enacted, That it shall be lawful for Her Majesty's Justices of the Peace in *Ireland* respectively within their respective Jurisdictions, and any One of them is hereby authorized and empowered, to administer to any such Assessor or Collector or to any other Person any Oath required or authorized by the said several Acts or any of them to be taken in any Matter relating to the Execution of the said Acts.

CAP. II.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-four. [23d *March* 1854.]

CAP. III.

An Act for raising the Sum of One million seven hundred and fifty thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-four. [23d *March* 1854.]

CAP. IV.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [23d *March* 1854.]

[*This Act is the same, except as to Dates and the Parts here inserted, as* 16 & 17 *Vict. c.* 9.]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great* '*Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against 'Law: And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body 'of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions 'of Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the

Numbers.

'whole Number of such Forces should consist of One hundred and twenty-seven thousand nine hundred 'and seventy-seven Men, exclusive of the Officers and Men belonging to the Regiments employed 'in the Territorial Possessions of the *East India* Company, but including the Officers and Men of the 'Troops and Companies recruiting for those Regiments: And whereas no Man can be forejudged of 'Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by 'Martial Law, or in any other Manner than by Judgment of his Peers, and according to the known 'and established Laws of this Realm; yet nevertheless it being requisite, for the retaining all the before-'mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall 'mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences 'to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy 'Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Power to constitute Courts-martial.

VI. For the Purpose of bringing Offenders against this Act and the Articles of War to Justice, Her Majesty may from Time to Time, in like Manner as has been heretofore used, grant Commissions under the Royal Sign Manual for the holding Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and may grant Commissions or Warrants under the said Royal Sign Manual to the Chief Governor or Governors of *Ireland*, the Commander of the Forces, or the Person or Persons commanding in chief, or commanding for the Time being, any Body of Her Majesty's Forces, as well within the United Kingdom of *Great Britain* and *Ireland* and the *British Isles*, as in any of Her Majesty's Garrisons and Dominions or elsewhere beyond Seas, for convening Courts-martial, and for authorizing any Officer under their respective Commands to convene Courts-martial, as Occasion may require, for the Trial of Offences committed by any of the Forces under the Command of any such last-mentioned Officer, whether the same shall have been committed before or after such Officer shall have taken upon him such Command; the Officer so authorized not being, however, below the Degree of a Field Officer, except in the Settlements on the Western Coast of *Africa*, where a Captain may be authorized to convene District or Garrison Courts-martial; and any Person subject to this Act who shall, in any Part of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may

may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions or elsewhere where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

President of Court-martial.

XIII. The President of every Court-martial shall be appointed by the Authority convening such Court, and shall in no Case be the confirming Officer or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned; nor in the Case of a General Court-martial under the Degree of a Field Officer, unless a Field Officer cannot be had; nor in any Case whatever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Regimental or Detachment Court-martial holden on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, the Officer convening such Court may be the President thereof.

Swearing and summoning Witnesses.

XV. All General and other Courts-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate General, or his Deputy, or the Person officiating as Judge Advocate, and in the Case of all other Courts-martial, by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or attending upon or returning from such Court-martial; and all Witnesses so duly summoned as aforesaid who shall not attend on such Courts, or attending shall refuse to be sworn, or being sworn shall refuse to give Evidence or not produce the Documents under their Power or Control required to be produced by them, or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewards Depute, or their respective Substitutes, within their several Shires and Stewartries in *Scotland*, or in Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions, in *Europe* or elsewhere respectively, upon Complaint made, in like Manner as if such Witness, after having been duly summoned or subpœnaed, had neglected to attend upon a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof.

Previous Convictions to be put in Evidence.

XVI. After a Prisoner has been found guilty of any Charge or Charges, the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Regimental or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in such Books or any of them, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as hereinafter provided to the Officer commanding a Regiment by the Clerk of any such Court, or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof, duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the

Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Crimes punishable with Death.

XIX. If any Person subject to this Act shall at any Time during the Continuance of this Act begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny shall not, without Delay, give Information thereof to his Commanding Officer; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of Her Majesty, either by Letters, Messages, Signs, or Tokens, in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy without Her Majesty's Licence or Licence of the General or Chief Commander; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall desert Her Majesty's Service; or shall leave his Post before being regularly relieved; or shall be found sleeping on his Post; or shall strike or shall use or offer any Violence against his Superior Officer, being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other his Superior Military Officer, being in the Execution of his Office; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm, or in any other of Her Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Soldier enlisted or in pay in any Regiment, Troop, or Company, who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Regiment, Troop, or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Commutation of Death for Transportation.

XXI. Whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to Penal Servitude, or to be transported as a Felon for Life, or for a certain Term of Years, not less than Fourteen, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions (the *Ionian Islands* excepted) for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude or to be transported as a Felon, either for Life or for a certain Term of Years not less than Fourteen, or to Penal Servitude, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions (the *Ionian Islands* excepted), to the Officers commanding as aforesaid.

Embezzlement punishable by Transportation.

XXII. Every Paymaster or other Commissioned Officer of Her Majesty's Forces, or any Person employed in the Ordnance or Commissariat Department, or in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military Stores belonging to Her Majesty's Forces or for Her Majesty's Use, may be tried for the same by a General Court-martial, which may adjudge any such Offender to Penal Servitude or to be transported as a Felon for Life or for any certain Term of Years not less than Fourteen, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known; and every Com-

Commissioned Officer sentenced to Penal Servitude or to be transported as a Felon, when such Sentence shall be confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Execution of Sentences of Transportation in the United Kingdom.

XXIII. Whenever Her Majesty shall intend that any Sentence of Penal Servitude or of Transportation heretofore or hereafter passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence or for any shorter Term, or shall be graciously pleased to commute as aforesaid to Penal Servitude or to Transportation, any Sentence of Death passed by any such Court, the Sentence, together with Her Majesty's Pleasure thereupon, shall be notified in Writing by the Officer commanding in chief Her Majesty's Forces in *Great Britain* and *Ireland*, or in the temporary Absence of such Officer by the Adjutant General, or when there shall not be any Commander-in-Chief of Her Majesty's Forces in *Great Britain* and *Ireland*, then by the Secretary-at-War or his Deputy, to any Judge of the Queen's Bench, Common Pleas, or Exchequer in *England* or *Ireland*, and thereupon such Judge shall make an Order for the Penal Servitude or Transportation of such Offender in conformity with such Notification, and shall also do all such other Acts consequent upon such Notification as such Judge is authorized to do by any Act in force touching the Penal Servitude or Transportation of other Offenders; and the Person in whose Custody such Offender shall at that Time be, and all other Persons whatsoever whom the said Order may concern, shall be bound to obey and shall be assistant in the Execution thereof, and shall be liable to the same Punishment for Disobedience, or for interrupting the Execution of such Order, as if the Order had been made under the Authority of any such Act as aforesaid; and every Person so ordered to Penal Servitude or to be transported shall be subject to every Provision made by Law and in force concerning Persons convicted of any Crime and under Sentence of Penal Servitude or of Transportation; and from the Time when such Order of Penal Servitude or of Transportation shall be made every Act in force touching the Escape of Felons, or their afterwards returning, or their being at large without Leave, shall apply to such Offender, and to all Persons aiding and abetting, contriving or assisting in any Escape or intended Escape, or returning without Leave, of any such Offender; and the Judge who shall make any Order of Penal Servitude or of Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before whom he was convicted, and the Conditions on which the Order of Penal Sevitude or of Transportion was given; which Certificate shall be sufficient Proof of the Conviction and Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude or Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies

XXIV. Whenever any Sentence of Penal Servitude or of Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Penal Servitude or to Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or Transportation or intermediate Custody of such Offender, in like Manner as for the Penal Servitude or Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency, or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Penal Servitude or of Transportation which has been passed upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Penal Servitude or of his Transportation, by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Penal Servitude or of Transportation shall have been awarded by a General or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour, and Solitary Confinement not exceeding the Period herein-after prescribed.

Power to commute Corporal Punishment.

XXVII. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,—

In wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXIX. Every Soldier who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Discharged with Ignominy.

XXXIV. Whenever any Soldier shall have been convicted of any such disgraceful Conduct herein-before described, or of Desertion, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Soldier, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Imprisonment of Offenders already under Sentence for previous Offence.

XXXVII. Whenever Sentence shall be passed by a Court-martial on an Offender already imprisoned under Sentence of a Court-martial for any Offence of which he has been before convicted, it shall be lawful for the Court to award Imprisonment for the Offence for which he is under Trial, upon Conviction thereof, to commence at the Expiration of the Imprisonment to which such Offender shall have been previously sentenced; and where such Offender shall be already under Sentence, either of Imprisonment, of Penal Servitude, or of Transportation, the Court, if empowered to pass Sentence of Penal Servitude or of Transportation, may award such Sentence for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment, Penal Servitude, or Transportation to which such Offender shall have been previously sentenced, although the Aggregate of the Terms of Imprisonment, Penal Servitude, or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XXXVIII. Save as herein-before specially provided, every Term of Penal Servitude, Transportation, or of Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall have been signed by the President; and the Place of Imprisonment under the Sentences of General Courts-martial shall be appointed by the Officer commanding the District, Garrison, Island, or Colony, and under the Sentence of any other Court-martial shall be appointed by the Officer confirming the Proceedings of such Court-martial,

martial, and in default of such Appointment then the Place of Imprisonment shall be appointed by the Officer commanding the Regiment or Corps to which the Offender belongs or is attached.

Trials for Desertion after subsequent Re-enlistment.

XLV. Every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted, although he may of right belong to another Corps and be a Deserter therefrom, and whether such Soldier shall be tried for Desertion from the Corps to which he may of right belong, or whether such Soldier shall be tried for deserting from the Corps to which he may of right belong, or from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards.

LII. Any Person enlisted into Her Majesty's Service as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the Disembodied Militia, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable to be summoned before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service, by any Capias, Writ, Summons, Order, Judgment, Process, or Execution issued by or by the Authority of any Court or Inferior Court for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for deserting or having deserted, or for leaving or having left chargeable to any Parish, Township, or Union, any Wife, or any Child or Children, legitimate or illegitimate, or other Relation, which such Soldier or Person would, if not in Her Majesty's Service, be liable by Law to support or maintain, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour, except in the Case of an Apprentice, or of an indentured Labourer, as herein-after described; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void, to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body; provided also, that nothing herein contained, relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, or to indentured Labourers, as herein-after prescribed.

Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

Offences connected with Enlistment.

LVII. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in Her Majesty's Service, or in the Service of the *East India* Company, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot

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be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary-at-War, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall have enlisted into and been attested for Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them upon being attested to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity, or to have designedly made any false Representation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or into the Service of the *East India* Company, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act
7 & 8 G. 4. c. 29. passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King
9 G. 4. c. 55. *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed, taken by the Recruit on his Attestation, and the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnance, Navy, or Marines, or to the Forces of the *East India* Company, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall, upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice in the United Kingdom, or before a Regimental or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Regular Forces, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall,

shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces into which he shall have so enlisted: Provided always, that every such Person shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted if he shall neglect or refuse to join and serve in such Corps as aforesaid.

Enlistment and Re-enlistment abroad.

LIX. 'And whereas it is expedient that Provision should be made for enlisting and attesting of 'Soldiers desirous of re-enlisting and others desirous of enlisting abroad:' Be it therefore enacted, That it shall be lawful for Her Majesty, by any Warrant signed by the Secretary-at-War in that Behalf, to authorize the Governors of Colonies, and of the several Presidencies in *India*, to appoint any Person, not being a General Officer nor holding any Regimental Commission, to enlist or attest, or for any Justice of the Peace or Magistrate acting for the Place of such Re-enlistment or Enlistment, and not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service; and any Person so appointed shall have the same Powers in that Behalf as are given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past, and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so enlisted or re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier; and every Infantry Soldier consenting to be transferred to the Cavalry or Artillery shall upon such Transfer become liable to serve the limited Period prescribed for the Cavalry or Artillery, as the Case may be, notwithstanding his original Engagement to serve in the Infantry for a shorter Period.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

LXI. Any Person duly bound as an Apprentice in *Great Britain* or *Ireland*, or as an indentured Labourer in any of Her Majesty's Colonies or Possessions abroad, who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, and shall state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice or indentured Labourer as aforesaid, shall be deemed guilty of obtaining Money under false Pretences within the true Intent and Meaning of the before-recited Acts, if in *England* or in *Ireland*, or in the Colonies or Possessions aforesaid, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, or of his Indenture as a Labourer, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in any of Her Majesty's Regular Forces, or in the Forces of the *East India* Company, according to the Terms of the Enlistment, and if on the Expiration of his Apprenticeship, or of his Indenture as a Labourer, he shall not deliver himself up to some Officer authorized to receive Recruits, may be taken as a Deserter from Her Majesty's Forces.

Claims of Masters to Apprentices.

LXII. No Master shall be entitled to claim an Apprentice or an indentured Labourer as aforesaid who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, unless he shall, within One Calendar Month after such Apprentice or indentured Labourer shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and if in *Scotland* for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured

indentured for the Sea Service, or of any indentured Labourer in Her Majesty's Colonies or Possessions abroad, shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice or indentured Labourer may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of his Apprentice or of his Labourer as aforesaid within One Month after the enlisting of such Apprentice or indentured Labourer shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice or an indentured Labourer.

Punishment of Apprentices enlisting.

LXIII. No Apprentice or indentured Labourer as aforesaid claimed by his Master shall be taken from any Corps or Recruiting Party but under a Warrant of a Justice residing near, and within whose Jurisdiction such Apprentice or indentured Labourer shall then happen to be, before whom he shall be carried; and such Justice shall inquire into the Matter upon Oath, which Oath he is hereby empowered to administer, and shall require the Production and Proof of the Indenture, and that Notice of the said Warrant has been given to the Commanding Officer, and a Copy thereof left with some Officer or Non-commissioned Officer of the Party, and that such Person so enlisted declared that he was no Apprentice or indentured Labourer; and such Justice, if required by such Officer or Non-commissioned Officer, shall commit the Offender to the Common Gaol of the said Place, and shall keep the Indenture to be produced when required, and shall bind over such Person as he may think proper to give Evidence against the Offender, who shall be tried at the next or at the Sessions immediately succeeding the next General or Quarter Sessions of the County, Division, or Place, unless the Court shall on just Cause put off the Trial; and the Production of the Indenture, with the Certificate of the Justices that the same was proved, shall be sufficient Evidence of the said Indenture; and every such Offender, in *Scotland*, may be tried by the Judge Ordinary in the County or Stewartry, in such and the like Manner as any Person may be tried in *Scotland* for any Offence not inferring a Capital Punishment: Provided always, that any Justice not required as aforesaid to commit such Apprentice or indentured Labourer may deliver him to his Master.

Supply of Carriages in Cases of Emergency.

LXXV. It shall be lawful for Her Majesty, or the Lord Lieutenant or Chief Governors of *Ireland* by Her or their Order, distinctly stating that a Case of Emergency doth exist, signified by the Secretary-at-War, or if in *Ireland* by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department, to authorize any General or Field Officer commanding Her Majesty's Forces in any District or Place, or to the Chief Acting Agent for the Supply of Stores and Provisions, by Writing under his Hand reciting such Order of Her Majesty or Lord Lieutenant or Chief Governor aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages, kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River, as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, or by any Officer of the Commissariat or Ordnance Department, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act, as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment, according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon, not only the Baggage, Provisions, and Military Stores of such Regiment or Detachment, but also the Officers, Soldiers, Servants, Women, Children, and other Persons of and belonging to the same.

Tolls.

LXXVIII. All Her Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses, (but not when passing in any hired or private Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies;

Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Duration of this Act.

CIV. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-four inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and fifty-five; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-four inclusive until the First Day of *May* One thousand eight hundred and fifty-five; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and fifty-four inclusive until the First Day of *August* One thousand eight hundred and fifty-five; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and fifty-four inclusive to the First Day of *September* One thousand eight hundred and fifty-five; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and fifty-five inclusive until the First Day of *January* One thousand eight hundred and fifty-six; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and fifty-six inclusive until the First Day of *February* One thousand eight hundred and fifty-seven: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULE referred to by the foregoing Act.

QUESTIONS to be put separately by the JUSTICE to a RECRUIT ON ENLISTING.

[*Questions* 1 *to* 11 *and* 13 *to* 15 *inclusive remain unaltered from* 16 *&* 17 *Vict. c.* 10.]

12. Do you now belong to the Militia, or to the Naval Coast Volunteers?

Note.—The Justice is directed in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to forfeit One Penny a Day of his Pay for Eighteen Months if attested, and to Fourteen Days Imprisonment if he is not attested, and if he belong to the Naval Coast Volunteers he is liable under the Act 16 and 17 Victoria c. 73. to Imprisonment for Six Months, and his Enlistment will be null and void.

FORM of OATH to be taken by a MASTER whose indentured LABOURER in any of Her Majesty's Colonies or Possessions has absconded.

I of do make Oath, That was bound to me to serve as an indentured Labourer by Indenture dated the Day of for the Term of Years, and that the said did on or about the Day of abscond and quit my Service without my Consent.

Witness, *&c.* [*as for Apprentice.*]

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an indentured LABOURER.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of and made Oath that was bound to serve as an indentured Labourer to him by Indenture dated the Day of for the Term of Years, and that the said indentured Labourer did on or about the Day of abscond and quit the Service of the said without his Consent.

CAP. V.

An Act to admit Foreign Ships to the Coasting Trade. [23d *March* 1854.]

Recital of 16 & 17 Vict. c. 107. ss. 152. & 191.

'WHEREAS by the One hundred and fifty-second Section of the Customs Consolidation Act, 1853, it is enacted, that no Goods or Passengers shall be carried Coastwise from one Part of the United Kingdom to another, except in *British* Ships: And whereas by the One hundred and ninety-first Section of the same Act it is enacted, that no Goods or Passengers shall be imported into the United Kingdom

'from the *Channel Islands* or exported from the United Kingdom to the said Islands, or carried from 'one of the said Islands to another, or from one Part of any of the said Islands to another Part thereof, 'except in *British* Ships: And whereas it is expedient to remove the Restrictions contained in the said 'recited Enactments:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of the recited Enactments.

I. The Enactments herein-before recited, that is to say, the One hundred and fifty-second and the One hundred and ninety-first Sections of the said Customs Consolidation Act, 1853, shall be repealed from the passing of this Act: Provided, that it shall be lawful for Her Majesty to exercise, in respect of Foreign Ships employed in the Coasting Trade as aforesaid, and of Goods carried Coastwise in such Ships, such or the like Powers as are conferred on Her Majesty by the Three hundred and twenty-fourth, Three hundred and twenty-fifth, and Three hundred and twenty-sixth Sections of the said Customs Consolidation Act, 1853, in respect of Foreign Ships employed in the Oversea Trade, and of Goods exported or imported in such Ships.

The Queen enabled to exercise retaliatory Powers as in 16 & 17 Vict. c. 107. ss. 324, 325, & 326.

Foreign Ships in the Coasting Trade to be subject to the same Rules as British Ships.

II. Every Foreign Ship which after the passing of this Act is employed in carrying Goods or Passengers Coastwise from one Part of the United Kingdom to another, or from the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to the United Kingdom, or from the United Kingdom to any of the said Islands, or from any of the said Islands to any other of them, or from any Part of any one of the said Islands to any other Part of the same, shall be subject, as to Stores for the Use of the Crew, and in all other respects, to the same Laws, Rules, and Regulations to which *British* Ships when so employed are now subject.

Foreign Ships employed in the Coasting Trade not to be subject to higher Rates than British Ships.

III. No Foreign Ship which after the passing of this Act is employed in the Coasting Trade as aforesaid, nor any Goods carried in any such Ship, shall, during the Time such Ship is so employed, be subject to any higher or other Rate of Dock, Pier, Harbour, Light, Pilotage, Tonnage, or other Dues, Duties, Tolls, Rates, or other Charges whatsoever, or to any other Rules as to the Employment of Pilots, or any other Rules or Restrictions whatsoever, than *British* Ships employed in like Manner, or Goods carried in such Ships, any Law, Charter, special Privilege, or Grant to the contrary notwithstanding; nor shall any Body Corporate or Person having or claiming any Right or Title to any such higher or other Rates, Dues, Duties, Tolls, or other Charges as aforesaid be entitled to any Compensation in respect thereof under any Law or Statute relating thereto, or otherwise howsoever.

Foreign Steam Vessels carrying Passengers Coastwise to be subject to Provisions of 14 & 15 Vict. c. 79.

IV. 'And whereas it is expedient to provide for the Safety of Passenger Steamers:' Be it enacted, That every Foreign Steam Vessel carrying Passengers from one Place to another on the Coasts of the United Kingdom of *Great Britain* and *Ireland* and the *Channel Islands* shall be subject to the Provisions of the Steam Navigation Act, 1851.

CAP. VI.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[23d *March* 1854.]

[*This Act is the same, except as to Dates and the Parts here inserted, as* 16 & 17 *Vict. c.* 10.]

President of Court-martial.

XV. The President of every Court-martial shall be appointed by the Authority convening such Courts, and shall in no Case be the confirming Officer, or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned, nor, in the Case of a General Court-martial, under the Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Divisional or Detachment Court-martial holden on the Line of March, or on board a Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions the Officer convening such Court may be the President thereof.

Swearing and summoning Witnesses.

XVII. All General and other Courts-martial shall have Power and Authority and are hereby required to administer an Oath to every Witness or other Person who shall be examined before such Court in any Matter relating to any Proceeding before the same; and every Person, as well Civil as Military, who may be required to give or produce Evidence before a Court-martial, shall, in the Case of General Courts-martial, be summoned by the Judge Advocate, or the Person officiating as such, and in the Case of all other Courts-martial by the President of the Court; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Courts, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or of the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies*, or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge by any Affidavit in a summary Way that such Witness was arrested in going to, attending upon, or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who shall

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not attend on such Courts, or attending shall refuse to be sworn, or not produce the Documents being under their Power or Control required to be produced by them, or, being sworn, shall refuse to give Evidence or to answer all such Questions as the Court may legally demand of them, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or in the Court of Session, or Sheriff Depute or Stewarts Depute or their respective Substitutes within their several Shires and Stewartries, in *Scotland*, or in the Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness had, after being duly summoned or subpœnaed, neglected to attend on a Trial in any Proceeding in the Court in which such Complaint shall be made: Provided always, that nothing in this Act contained shall be construed to render an Oath necessary in any Case where by Law a solemn Affirmation may be made instead thereof.

Previous Convictions to be put in Evidence.

XVIII. After a Prisoner has been found guilty of any Charge or Charges the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial; and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Divisional or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in such Books or any of them, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Crimes punishable with Death.

XXI. If any Person who is or shall be commissioned or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non-commissioned Officer, Drummer, or Private Man in Her Majesty's Royal Marine Forces, shall at any Time during the Continuance of this Act, while on shore in any Place within the said Kingdom, or in any other of Her Majesty's Dominions, or in any Foreign Parts out of such Dominions, or on board any Transport Ship, or Merchant Ship or Vessel, or any Ship or Vessel of Her Majesty, or on board any Convict Hulk or Ship, or any other Ship or Vessel, or in any Place whatever, where or while being in any Circumstances in which he shall not be subject to, or not be liable to or punishable by, the Laws relating to the Government of Her Majesty's Forces by Sea, begin, excite, cause, or join in any Mutiny or Sedition in Her Majesty's Marine or other Forces, or shall not use his utmost Endeavours to suppress any such Mutiny or Sedition, or coming to the Knowledge of any Mutiny or intended Mutiny shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post, or Guard committed to his Charge, or which he shall have been commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress, or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or any other to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post, or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before being regularly relieved, or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel, Pirate, or Enemy of Her Majesty, either by Letters, Messages, Signs, Tokens, or any other Ways or Means whatever; or shall treat or enter into any Terms with any such Rebel, Pirate, or Enemy, without the Licence of the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid,

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for the Time being; or shall strike or use or offer any Violence against his Superior Officer being in the Execution of his Office, or shall disobey any lawful Command of his Superior Officer; or who being confined in a Military Prison shall offer any Violence against a Visitor or other Officer being in the Execution of his Office, or shall violate any Law or Regulation of or relating to any Military Prison; or shall desert Her Majesty's Service; every Person so offending in any of the Matters before mentioned shall suffer Death or such other Punishment as by a Court-martial shall be awarded: Provided always, that any Non-commissioned Officer or Marine enlisted or in Pay in any Division or Company who shall, without having first obtained a regular Discharge therefrom, enlist himself in any other Division or Company, may be deemed to have deserted Her Majesty's Service, and shall be liable to be punished accordingly.

Commutation of Death for Transportation.

XXIII. Whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to Penal Servitude or to be transported as a Felon for Life or for a certain Term of Years not less than Fourteen Years, or may sentence him to general Service as a Marine or as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Marine or as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions (the *Ionian Islands* excepted) for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude or to be transported as a Felon either for Life or for a certain Term of Years not less than Fourteen, or to Penal Servitude or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions (the *Ionian Islands* excepted), to the Officers commanding as aforesaid.

Embezzlement punishable by Transportation.

XXIV. Every Officer and other Person employed in any Manner in the Care or Distribution of any Money, Provisions, Forage, or Stores belonging to Her Majesty's Royal Marine Forces or for their Use, who shall embezzle or fraudulently misapply, wilfully damage, steal, or be concerned in or connive at the Embezzlement, fraudulent Misapplication, wilful Damage, or Theft of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Military or Royal Marine Stores, may be tried for the same by a General Court-martial, which may adjudge any such Offender to Penal Servitude or to be transported as a Felon for Life, or for any certain Term of Years not less than Fourteen, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, and Incapacity of serving Her Majesty in any Office, Civil or Military, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, which shall have been ascertained by such Court-martial; and in every such Case the Court is required to ascertain by Evidence the Amount of the Loss or Damage incurred, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known; and every Commissioned Officer sentenced to Penal Servitude or to be transported as a Felon, when such Sentence shall be duly confirmed, shall thereupon cease to belong to Her Majesty's Service, and for ever be incapable of serving Her Majesty in any Military Capacity.

Transportation of Offenders.

XXV. Whenever Her Majesty shall intend that any Sentence of Penal Servitude or of Transportation heretofore or hereafter to be passed upon any Offender by any Court-martial shall be carried into execution for the Term specified in such Sentence, or for any shorter Term, or shall be graciously pleased to commute, as herein provided, any Sentence of Death which shall have been passed by any such Court, such Sentence, together with Her Majesty's Pleasure upon the same, shall be notified in Writing by the Lord High Admiral, or by any Two or more of the Commissioners for executing the said Office of Lord High Admiral for the Time being, to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude or Transportation of such Offender upon the Terms and for the Time which shall be specified in such Notification, and shall also do all such other Acts consequent upon such Notification as any such Justice or Baron is authorized to make or do by any Statute or Statutes in force at the Time of making any such Orders in relation to the Penal Servitude or Transportation of Offenders; and such Order, and other Acts to be so made and done as aforesaid, shall be obeyed and executed by such Person in whose Custody such Offender shall at that Time be, and by all other Persons whom it may concern, and shall be as effectual, and have all the same Consequences, as any Order made under the Authority of any Statute with respect to any Offender in such Statute mentioned; and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the

the aforesaid Order and Orders, be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience or interrupting the Execution of such Order, as they would be if the same had been made under the Authority of any such Act of Parliament; and every Person so ordered to Penal Servitude or to be transported as aforesaid shall be subject respectively to all and every the Penalties and Provisions made by Law and in force concerning Persons convicted of any Crime and sentenced to Penal Servitude or to be transported, or receiving Her Majesty's Pardon on Condition of Penal Servitude or Transportation; and from the Time when such Order of Penal Servitude or Transportation shall be made every Law and Statute in force touching the Escape of Felons, or their afterwards returning or their being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave, of any such Offender; and the Judge who shall make any Order of Penal Servitude or Transportation as aforesaid shall direct the Notification of Her Majesty's Pleasure, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench; and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or Her Majesty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude or Transportation was given; which Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms in which such Order for his Penal Servitude or Transportation was given, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

In the Colonies.

XXVI. Whenever any Sentence of Penal Servitude or Transportation heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death has been or shall as aforesaid be commuted to Penal Servitude or Transportation, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or Transportation or intermediate Custody of such Offender in like Manner as for the Penal Servitude or Transportation or intermediate Custody of any other Convict; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed to some Colony or Place in obedience to the Directions for the Removal of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender on being so removed shall undergo the Sentence of Penal Servitude or Transportation which has been passed upon upon him in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be there imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude or Transportation by the Judgment of a Court of competent Jurisdiction in the Colony or Place to which he has been so removed or sent: Provided always, that in any Case where a Sentence of Penal Servitude or Transportation shall have been awarded by a General Court-martial or Detachment General Court-martial, it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned for a Term not exceeding Two Years, either with or without Hard Labour and Solitary Confinement not exceeding the Period herein-after prescribed.

Convict after Sentence of Transportation

XXVII. When any Sentence of Death shall be commuted for Penal Servitude or Transportation, or when any Marine shall by Court-martial be adjudged to Penal Servitude or to be transported as authorized by this Act, it shall be lawful for the Commanding Officer of the Division to which such Marine shall have belonged or may belong to cause him to be detained and conveyed to any Gaol or Prison, there to remain in safe Custody until he shall be removed therefrom by due Authority under an Order for his Penal Servitude or Transportation to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid; and that a Certificate of his Sentence, after the same shall have been approved by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, (such Certificate to be signed by the Commanding Officer of the Division from which he shall be sent,) shall be a sufficient Order, Requisition, and Authority to the Governor, Keeper, or Superintendent of the Gaol or Prison to receive and detain him: Provided always, that in case of any such Offender being so conveyed to Gaol or Prison the usual Allowance of Sixpence *per Diem* shall be made to the Keeper of the Gaol or Prison for the Subsistence of such Offender during his Detention therein, which Allowance shall be paid by the Paymaster of the Division, upon Production to him, by the said Governor, Keeper, or Superintendent, of a Declaration, to be made by him before One of Her Majesty's

Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender shall have been so detained and subsisted in such Gaol or Prison.

Power to commute Corporal Punishment.

XXX. In all Cases in which Corporal Punishment shall form the whole or any Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Forty-two Days, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, either solitary or with or without Hard Labour, for any Period not exceeding Twenty Days, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes; provided that such Commutation of Punishment to Solitary Confinement shall in no Case exceed the Period herein-after prescribed.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXXI. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Marine unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on Conviction of Desertion or Felony.

XXXII. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed therein, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service in addition to any Punishment which such Court may award.

Discharge with Ignominy.

XXXVII. Whenever any Marine shall have been convicted of any such disgraceful Conduct herein-before described, or of Desertion, and the Court in respect thereof shall have made the Forfeiture of all Claim to Pension on Discharge a Part of the Sentence passed on such Marine, such Court may further recommend that he be discharged with Ignominy from Her Majesty's Service.

Imprisonment of Offenders already under Sentence for previous Offence.

XL. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence of a Court-martial for any Offence of which he has been before convicted, it shall be lawful for the Court to award Imprisonment for the Offence for which he is under Trial, upon Conviction thereof, to commence at the Expiration of the Imprisonment to which such Offender shall have been previously sentenced; and where such Offender shall be already under Sentence, either of Imprisonment, of Penal Servitude, or Transportation, the Court, if empowered to pass Sentence of Penal Servitude or of Transportation, may award such Sentence for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude or Transportation to which such Offender shall have been previously sentenced, although the aggregate of the Terms of Imprisonment, Penal Servitude, or Transportation respectively may exceed the Term for which either of those Punishments would be otherwise awarded.

Term and Place of Imprisonment.

XLI. Save as herein specially provided, every Term of Penal Servitude, Transportation, or Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceeding shall have been signed by the President;

President; and the Place of Imprisonment under the Sentences of Courts-martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Commanding Officer of the Division to which the Offender belongs or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Trials for Desertion after subsequent Re-enlistment.

XLIX. Every Marine shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted, although he may of right belong to another Corps, and be a Deserter therefrom; and whether such Marine shall be tried for deserting from the Corps to which he may of right belong, or from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial.

Offences connected with Enlistment.

LXI. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to any Regiment, or to the Marines, Ordnance, or Navy, or the Forces of the *East India* Company, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed taken by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marine or Ordnance, or to the Forces of the *East India*

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

Company, or that he designedly made any false Representation of any Particular contained in the said Oaths and Certificates or either of them before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice of the United Kingdom, or before a Divisional or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Forces, Army, Ordnance, or Marines, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted: Provided also, that every such Person shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines if he shall neglect or refuse to join and serve therein.

Providing for Supply of Carriages, &c. in Cases of Emergency.

LXXIII. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Lord Lieutenant or Chief Governors of *Ireland*, by their or his Orders distinctly stating that a Case of Emergency doth exist, signified by the Secretary of the Admiralty, or, if in *Ireland*, by the Chief Secretary or Under Secretary, or the First Clerk in the Military Department to authorize any Commanding Officer of Her Majesty's Royal Marine Forces in any District or Place, or to the chief acting Agents for the Supply of Stores and Provisions, by Writing under his Hand, reciting such Order of the Lord High Admiral, or the said Commissioners, or Lord Lieutenant or Chief Governors aforesaid, to require all Justices within their several Jurisdictions in *England* and *Ireland* to issue their Warrants for the Provision, not only of Waggons, Wains, Carts, and Cars kept by or belonging to any Person and for any Use whatsoever, but also of Saddle Horses, Coaches, Postchaises, Chaises, and other Four-wheeled Carriages kept for Hire, and of all Horses kept to draw Carriages licensed to carry Passengers, and also of Boats, Barges, and other Vessels used for the Transport of any Commodities whatsoever upon any Canal or navigable River as shall be mentioned in the said Warrants, therein specifying the Place and Distance to which such Carriages or Vessels shall go; and on the Production of such Requisition, or a Copy thereof certified by the Commanding Officer, to such Justice, by any Officer of the Corps ordered to be conveyed, such Justice shall take all the same Proceedings in regard to such additional Supply so required on the said Emergency as he is by this Act required to take for the ordinary Provision of Carriages; and all Provisions whatsoever of this Act as regards the procuring of the ordinary Supply of Carriages, and the Duties of Officers and Non-commissioned Officers, Justices, Constables, and Owners of Carriages in that Behalf, shall be to all Intents and Purposes applicable for the providing and Payment according to the Rates of Posting or of Hire usually paid for such other Description of Carriages or Vessels so required on Emergency, according to the Length of the Journey or Voyage in each Case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River, or Lock Tolls, which Duty or Tolls are hereby declared not to be demandable for such Carriages and Vessels while employed in such Service or returning therefrom; and it shall be lawful to convey thereon not only the Baggage, Provisions, and Military Stores of such Detachment, but also the Officers, Marines, Servants, Women, Children, and other Persons of and belonging to the same.

LXXVI. All

Exemption from Tolls.

LXXVI. All Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses, (but not when passing in any private or hired Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order, or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalty for purchasing Clothes, &c. from any Marine.

LXXXII. Any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine, or shall be employed by any Marine, knowing him to be such, to sell any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, whether on shore or afloat, and whether the Marine or Marine Deserter or other Person be or be not borne on the Books of any One of Her Majesty's Ships, or be or be not embarked, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles, which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, or Necessaries to be changed or defaced, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law.

SCHEDULE referred to by this Act.

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

[*Questions* 1 *to* 8 *inclusive, and* 10, 11, 13, 14, *and* 15 *remain unaltered from* 16 *Vict. c.* 10.]

9. At what Place, on what Day, at what Hour of the Day, and by whom, were you enlisted?

*12. Do you now belong to the Militia, or to the Naval Coast Volunteers?

*, The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to forfeit One Penny a Day of his Pay for Eighteen Calendar Months, and to Fourteen Days Imprisonment if he is not attested; and if he belongs to the Naval Coast Volunteers he is liable, under the Act Sixteenth and Seventeenth Victoria, Chapter Seventy-three, to Imprisonment for Six Months, and his Enlistment will be null and void.

CAP. VII.

An Act for extending the Time limited for putting into execution the Act of the Fourteenth and Fifteenth Years of Her present Majesty, for the better Management and Control of Highways in *South Wales*. [12th *May* 1854.]

14 & 15 Vict. c. 16.

'WHEREAS by an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, intituled *An Act for the better Management and Control of the Highways in* South Wales, it was enacted that the County Roads Board of each County in *South Wales*, constituted as therein recited, should, at their First General Meeting after the passing of the said Act, or at some Adjournment thereof, proceed to divide the County into so many Districts for the separate Management of the several Highways therein as should in their Judgment be most convenient, in manner therein provided, and that such Board should make an Order for the Formation of such Districts, and should cause such Order, together with a Description or Statement of the Boundaries of such Districts, to be published, as therein mentioned, One Month at least before the Twenty-fifth Day of *March* then next: And whereas it is expedient to enlarge the Time for carrying the said Act into execution as to some of the said Counties:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the County Roads Board of each County in *South Wales* in which the said recited Act has not already been put in execution shall at their First General Annual Meeting after the passing of this Act, or at some Adjournment thereof, proceed in manner in the said recited Act provided to divide the County into so many Districts for the separate Management of the several Highways therein respectively as shall in their Judgment be most convenient; and that the said Board shall make an Order for the Formation of such Districts, and shall cause such Order, together with a Description or Statement of the Boundaries of such Districts, or of the Parishes comprised therein respectively, to be published by Advertisement in One or more of the Newspapers circulating in their County One Month at least before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five; and thereupon all such Proceedings as were required or authorized by the said recited Act after the Publication of such Notice as is therein required shall be had and take place as if the Time hereby authorized for the making of the said Order and the Publication thereof, with such Description or Statement of the Boundaries as aforesaid, had been inserted in the said recited Act; and that all the Powers and Provisions, Matters and Things, contained in the said recited Act, shall, so far as the same are not varied by this Act, extend to this Act as fully and effectually as if the same had been expressly repeated and re-enacted in and by this Act.

County Roads Boards shall, at First Meeting after passing of this Act, proceed to put recited Act into execution.

CAP. VIII.

An Act further to amend an Act relating to the Valuation of rateable Property in *Ireland*. [12th *May* 1854.]

15 & 16 Vict. c. 63.
16 & 17 Vict. c. 7.

'WHEREAS an Act was passed in the Session holden in the Fifteenth and Sixteenth Years of Her Majesty (Chapter Sixty-three), "to amend the Laws relating the Valuation of rateable "Property in *Ireland*," and such Act was amended by an Act of the last Session of Parliament, Chapter Seven: And whereas it is expedient further to amend the said Act of the Fifteenth and Sixteenth Years of Her Majesty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 7., and Sections 15., 29., and 30., and Part of Sect. 25. of 15 & 16 Vict. c. 63., repealed.

I. The said Act of the last Session of Parliament, and Sections Fifteen, Twenty-nine, and Thirty of the firstly herein-before mentioned Act, and so much of Section Twenty-five of the same Act as enacts that on the Receipt by the Treasurer of any County of such final Lists as therein mentioned of any Barony or of the whole Number of Baronies in such County such Treasurer shall strike out from the Columns in such final Lists relating to Buildings the Valuations of each and every House in each Tenement and Townland the net annual Value of which House as therein stated shall not exceed Five Pounds, and shall deduct the Sum of such Valuations of Houses valued under Five Pounds and so struck out from the total Amount of the Valuation of such respective Tenement and Townland, and that the Valuation of each Tenement and Townland after such Deduction shall be deemed to be the Value thereof for the Purposes of County Assessments, shall be repealed.

II. In

Commissioner shall distinguish all Houses used for a Public Nature, &c., which shall be exempted from Assessment.

II. In making out the Lists or Tables of Valuation mentioned in the said firstly herein-before mentioned Act, the Commissioner of Valuation shall distinguish all Hereditaments and Tenements, or Portions of the same, of a public Nature, or used for charitable Purposes, or for the Purposes of Science, Literature, and the Fine Arts, as specified in an Act of the Sixth and Seventh Years of Her Majesty, Chapter Thirty-six; and all such Hereditaments or Tenements, or Portions of the same, so distinguished, shall, so long as they shall continue to be of a public Nature, and occupied for the public Service, or used for the Purposes aforesaid, be deemed exempt from all Assessment for the Relief of the destitute Poor in *Ireland* and for Grand Jury and County Rates: Provided always, that Half the annual Rent derived by the Owner or other Person interested in any Tenements or Hereditaments so distinguished shall be included in such List or Tables, so far as the same can or may be ascertained by the said Commissioner of Valuation.

Half of Rent derived by Owner, &c. to be entered in Valuation Lists.

Grand Jury may direct Lists to be acted upon at the First Assizes after their Receipt, although the Spring Assizes.

III. Where the Assizes for any County next ensuing the Day on which any final Lists of Valuation mentioned in Section Twenty-six of the firstly herein-before mentioned Act shall be received by the Treasurer of such County happen to be the Spring Assizes, it shall be lawful for the Grand Jury of such County at such Assizes, if they so think fit, to direct that the Valuations contained in such final Lists shall, from and after the Commencement of such Assizes, be in force and be acted upon for the Purposes mentioned in the said Section as if such Assizes were the Summer Assizes next ensuing the Day of such Receipt of such final Lists respectively, and such Lists shall be so acted upon accordingly.

Revision of the Valuation of Tenements liable to frequent Alteration.

IV. And for the Purpose of providing for the necessary Revision of the Valuation of the rateable Tenements and Hereditaments the Limits whereof shall become altered, and also of rateable Tenements or Hereditaments the annual Value of which is liable to frequent Alteration, such as Fisheries, Railways, Canals, Tolls of Roads, Bridges, Mines, Gas and Water Works, and Buildings, be it enacted, That on the Fifteenth Day of *November* in each Year every Collector of Poor Rates within each Poor Law Union within which the Valuation of the rateable Hereditaments and Tenements has been or shall have been completed and shall be in operation shall make out and deliver to the Clerk of such Union, to be by him laid before the Board of Guardians of such Union, a List of all the Tenements or Hereditaments situate within every Townland in the said Union and within his District the Valuation of which Tenements shall require Revision for any of the Reasons aforesaid, or in respect of any Property the annual Value of which is liable to frequent Alteration as aforesaid; and if any such Collector shall fail or neglect to make out such List according to the best of his Ability, and deliver the same to the Clerk of the Union as aforesaid, within the Period aforesaid, he shall for every such Neglect or Default be liable to a Penalty not exceeding Five Pounds; and any Ratepayer within any Poor Law Union may within the same Period make out and deliver to the Clerk of the Union, to be by him laid before the Board of Guardians thereof, a List of any Tenements the Valuation of which shall in his Opinion require Revision; and the Clerk of each Poor Law Union shall for Ten Days after receiving any such List leave the same open for public Inspection at the Workhouse of such Union, and permit Extracts to be made therefrom, and shall on or before the Twenty-seventh Day of *November* in each Year make out a full and complete List of all Tenements and Property mentioned in such Lists delivered to him as aforesaid on or before the Fifteenth Day of the same Month, and transmit the List so made out by him to the Commissioner of Valuation, with the Opinion of the said Board of Guardians whether such Revision is necessary on account of such Changes or Alterations.

Penalty on Collector for not returning List for Revision.

Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit a List to the Guardians of the Union, and to the Treasurer of the County, &c.

V. On or before the First Day of Summer Assizes to be held for any County next after the Receipt of such Lists for the several Poor Law Unions in such County, the Commissioner of Valuation shall cause a Revision to be made of the Valuation of the Tenements in the several Townlands and Parishes within such County, or any Barony or Poor Law Union therein, and appoint fit and proper Persons to revise the Valuation of the Tenements so requiring Revision, and the Person making such Revision shall have regard to the total Valuation of the Lands, independently of Buildings, within each respective Townland or other Denomination, as finally decided on by the Commissioner of Valuation, or by the Court at any General or Quarter Sessions of the Peace, under the Provisions of the firstly herein-before mentioned Act, and shall not increase or lessen such total Valuation, except in Cases in which a clerical Error shall have been discovered, when the same may be rectified; and as soon as the said Revision shall have been completed the Commissioner of Valuation shall make out and prepare a revised List or Lists of the Valuation of the rateable Hereditaments and Tenements within such County or any Barony thereof, or within such Poor Law Union, or a List of the Tenements, so revised as aforesaid, and shall sign the same, and transmit printed or written Copies of such List or Lists, so signed by him, in the Form set forth in the Schedule to the firstly herein-before mentioned Act annexed, to the Guardians of each Union, and to the Town Council of any Borough within which any Tenements contained in any such List are situate, and likewise to the Treasurer of the County; and the Clerk of such Union shall forthwith make every such List public by all and every the same Ways and Means as are directed by Section Twenty-eight of such Act concerning the Lists in such Section mentioned.

15 & 16 Vict. c. 63. and this Act to be as One Act.

VI. The firstly herein-before mentioned Act and this Act shall be construed together as One Act.

CAP. IX.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [12th *May* 1854.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their 'Ninth Annual General Report certified their Opinion that such Inclosures would be expedient; but the 'same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures mentioned in Schedule may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1854," or "The Acts for the Inclosure, Exchange, "and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Heavers Wood Common	Surrey	3d March 1853.
Lampeter-pont-Stephen	Cardigan	10th June 1853.
Iping	Sussex	2d June 1853.
Cardigan	Cardigan	2d December 1853.
Barlby	York	31st December 1853.
Church Brough Intake	Westmorland	2d December 1853.
Curdridge	Southampton	12th January 1854.
Porlock	Somerset	25th January 1854.
Bursledon	Southampton	12th January 1854.
The Oakcutts Woods	Southampton	23d January 1854.
Wootton Courtney	Somerset	26th January 1854.
Hawkridge	Somerset	26th January 1854.
Tinhead	Wilts	28th January 1854.

CAP. X.

An Act for granting to Her Majesty additional Duties on Profits arising from Property, Professions, Trades, and Offices. [12th *May* 1854.]

Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great* '*Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray 'Your Majesty's public Expenses, and making an Addition to the public Revenue, have freely and 'voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after 'mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Additional Duties to be charged on Property, &c. for the Year commencing on 6th April 1854.

I. There shall be charged, raised, levied, collected, and paid, unto and for the Use of Her Majesty, Her Heirs and Successors, for the Year commencing on the Sixth Day of *April* One thousand eight hundred and fifty-four, for and in respect of all Property, Profits, and Gains chargeable in or for the said Year with the Rates and Duties granted by the Act passed in the last Session of Parliament, Chapter Thirty-four, additional Rates and Duties amounting to One Moiety of the whole of the Duties which by virtue of the said Act shall be charged and assessed or shall become payable, under any Contract of Composition or otherwise, in respect of such Property, Profits, and Gains respectively for the said Year; and the whole Amount of the said additional Duties shall be collected and paid with and over and above the First Moiety of the Duties assessed or charged by virtue of the said Act for the Year aforesaid.

Duties to be assessed and raised under the Provision of recited Act.

II. The said Duties hereby granted shall be charged, raised, levied, and collected under the Regulations and Provisions of the said Act passed in the last Session of Parliament, and of the several Acts therein mentioned or referred to; and all Powers, Authorities, Rules, Regulations, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts, and in force with respect to the Duties granted by the said first-mentioned Act, shall (so far as the same are or may be applicable consistently with

with the express Provisions of this Act) respectively be duly observed, applied, and put in execution for charging, raising, levying, collecting, receiving, accounting for, and securing the said Duties hereby granted, and otherwise relating thereto.

CAP. XI.

An Act to amend the Laws relating to Ministers Money, and the Church Temporalities (*Ireland*) Act. [12th *May* 1854.]

'WHEREAS by an Act of the Session of the Parliament of *Ireland* holden in the Seventeenth and Eighteenth Years of King *Charles* the Second, Chapter Seven, Provision was made for charging Sums of Money to be paid in every Year to the several Incumbents having Cure of Souls in the several Parishes within the City and Suburbs of *Dublin* and Liberties thereunto adjoining, and other Cities and Towns Corporate in *Ireland*, out of the Houses belonging to the several Parishes, according to the annual Value of such Houses, to be previously ascertained by Commissioners as therein mentioned, and the Sums so allotted and charged were to be received by the Churchwardens, and by them paid to the Incumbents, and Power was thereby given to the Churchwardens, on the Refusal or Delay of Payment by the Inhabitants, to recover such Sums by Distress: And whereas by an Act passed in the Seventh and Eighth Years of King *George* the Fourth, Chapter Thirty-four, the Incumbents within the City and Suburbs of *Dublin* and Liberties thereunto adjoining, and within other Cities and Towns Corporate in *Ireland*, were authorized to appoint Collectors of all Sums allotted or charged according to the said Act of the Seventeenth and Eighteenth Years of King *Charles* the Second, with such Powers as by the last-mentioned Act were given to the Churchwardens: And whereas, from the diminished Value of Houses in certain Parts of the said City and Suburbs of *Dublin* and the Liberties thereunto adjoining, and of the several other Cities and Towns Corporate in *Ireland*, namely, the Cities and Boroughs of *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kilkenny*, *Clonmel*, and *Kinsale*, the Burden of the Sums charged under the said Act of King *Charles* the Second, commonly called and herein-after referred to as Ministers Money, has become unequal, and from that Cause and from other Causes the Collection of the said Ministers Money has been found difficult, and in many Cases oppressive, to the poor Inhabitants of the Houses charged therewith, and it is expedient to amend the Law in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

17 & 18 Car. 2 c. 7. (I.)

7 & 8 G. 4. c. 34.

Existing Charges of Ministers Money to cease.

I. From and after the First Day of *October* One thousand eight hundred and fifty-four the said Act of King *Charles* the Second shall be and is hereby repealed, and no Allotment or Charge of Sums shall thereafter be made under the Provisions thereof: Provided always, that all Arrears of such Ministers Money then due and payable shall and may be paid and recovered as if this Act had not been passed.

The Charge of Ministers Money for the Year ending 31st Dec. 1853, to be ascertained, all Houses rated to the Poor at or under 10*l.* being deducted, and Amounts to be certified to Collector General of Rates, Town Clerks, and Clerks to Boards of Guardians.

II. The Lord Lieutenant of *Ireland* shall cause to be ascertained, in a Return to be made by Persons to be by him for that Purpose appointed by Commission under the Great Seal of *Ireland*, the Amount payable during the Year ended the Thirty-first Day of *December* One thousand eight hundred and fifty-three for Ministers Money out of each House in each Parish within the said City and Suburbs of *Dublin* and the Liberties thereunto adjoining, and in the said other Cities and Boroughs liable to the Payment of Ministers Money, and in such Portions of Parishes liable to the Payment of Ministers Money as lie outside the Boundaries of the said Cities and Boroughs, distinguishing therein all Sums payable in respect of Houses of and under the annual Value of Ten Pounds (such Value to be estimated in the same Manner in which the same may be or should be estimated for the Purposes of a Rate for the Relief of the Poor), which said Commission shall be returned, under the Hands and Seals of the Commissioners or any Two of them, to the Clerk of the Council of *Ireland* for the Time being; and after the Amount ascertained thereby with respect to each such Parish shall have been approved by the Lord Lieutenant and Privy Council of *Ireland*, the Clerk of the Council shall certify under his Hand to the Collector General of Rates in the City of *Dublin*, and to the respective Clerks to the several and respective Boards of Guardians in whose Unions such Parts of the Suburbs of the City of *Dublin* or of the Liberties thereunto formerly adjoining as are not within the Limits of the Municipal District of *Dublin* are comprised, and to the Town Clerk of each of the Cities or Boroughs herein-after mentioned, (that is to say,) *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kilkenny*, and *Clonmel*, and to the Clerk to the Town Commissioners of *Kinsale*, and to the respective Clerks to the several and respective Boards of Guardians in whose Unions any Portions of such Parishes liable to the Payment of Ministers Money may be comprised, the Amount ascertained and approved with respect to all Houses in each Parish therein respectively of more than the Value of Ten Pounds.

The Sums so certified to be raised in each Parish by means of a Rate upon all Houses now

III. The said Collector General of Rates within the said Municipal District of *Dublin*, and the said Boards of Guardians, and the Council of each of the said Cities or Boroughs of *Cork*, *Limerick*, *Waterford*, *Drogheda*, *Kilkenny*, and *Clonmel*, and the said Town Commissioners of *Kinsale* in their respective Districts, shall cause to be raised in each Parish now liable to the Payment of Ministers Money, in every Year, in Two equal Sums, the Amount so ascertained, approved, and certified with respect to such Parish, by

chargeable except those rated at or under 10*l.*

by means of a Rate to be assessed and levied on all Houses, save as hereafter mentioned, situate in each such Parish respectively now liable to the Payment of Ministers Money, and of the rated Value of more than Ten Pounds, provided that no House shall be liable to a greater annual Payment for such Rate than it is now liable to pay for Ministers Money, and that no uninhabited House shall be liable to be rated for the Period during which it shall be uninhabited, nor shall any Rate be payable in respect of such House during such Period; and, subject as aforesaid, the Rates to be so assessed shall, by the said Collector General, be assessed, levied, and collected in the same Manner and under and subject to the same Provisions as the Rates now assessed, levied, and collected by him, and shall, by the respective Councils of the said Cities and Boroughs, be assessed, levied, and collected in the same Manner and under and subject to the same Provisions as the Borough Rate, and shall in the Town or Borough of *Kinsale* be assessed, levied, and collected in the same Manner and under and subject to the Provisions concerning the Rates authorized to be raised and levied under the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, or any Act amending the same; and the Rates to be assessed under this Act by Boards of Guardians shall be assessed, levied, and collected in the same Manner and under and subject to the same Provisions as the Rates for the Relief of the Poor, such Sums to be so raised at such Times as will secure the Payment of the Sums required to be raised in each Half Year to the Paymaster of Civil Services under the Provision herein-after contained before the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* in every Year, and the First of such half-yearly Sums to be raised and paid over as aforesaid before the Twenty-ninth Day of *September* One thousand eight hundred and fifty-five: Provided always, that no Assessment under this Act shall be made upon the Occupier or Owner of any House rated to the Relief of the Poor upon an annual Value of Ten Pounds or less than Ten Pounds; provided also, that it shall be lawful for the Lord Lieutenant of *Ireland* to order and direct that for the Collection of the Rates to be made under this Act, and any Expenses attending the same, such Per-centage shall be allowed upon the Sums actually collected as such Lord Lieutenant may think fit.

Sums raised to be paid over to the Paymaster of Civil Services, and be by him transferred to the Ecclesiastical Commissioners.

IV. The Monies levied under this Act by and under the Authority of the said Councils and Town Commissioners shall be paid to the respective Treasurers of the Cities and Towns in which the same are levied, and the Monies levied under this Act by and under the Authority of the said Boards of Guardians shall be paid to the Treasurers of their respective Unions to a separate Account; and all Monies levied under this Act by such Collector General of Rates, and the Monies to be paid under this Act to the said Treasurers, shall be carried to separate Accounts, and, after deducting such Sums as may be allowed as Per-centage and Expenses as aforesaid, shall be paid by them respectively into the Bank of *Ireland*, to be there placed to a separate Account in the Name of the Paymaster of Civil Services in *Ireland*, to be entitled "Account of Ministers Money," and all Sums to be paid to such Paymaster shall be paid by him to the "Ecclesiastical Commissioners for *Ireland*," and such Commissioners shall keep a separate Account of the Monies so paid to them as aforesaid.

How Monies are to be recovered in case of Default to raise the same by Rates under this Act.

V. In case in any Half Year the Sums due on the Houses liable as aforesaid be not raised and paid over to the Paymaster of Civil Services as aforesaid, the same, or so much thereof as shall not be paid, or shall not arise out of Houses exempt as herein-before provided by reason of being uninhabited, shall, in case of such Default with respect to any Parish in the Municipal District of *Dublin*, or in any of the said other Cities or Boroughs herein mentioned, become and be a Debt due to the Crown, and recoverable as such from the said City of *Dublin*, or of such other City or Borough in which the Default may happen; and in the Case of such Default with respect to any Parish in which Rates are to be raised under this Act by Boards of Guardians, the said Sum, or so much thereof as aforesaid, shall become and be a Debt due to the Crown, and recoverable as such from such Board of Guardians; and the Lord Lieutenant of *Ireland* shall order all Sums which shall become due to the Crown as aforesaid to be recovered and paid to the Ecclesiastical Commissioners for *Ireland*; and it shall be lawful for the said Councils, Town Commissioners, and Boards of Guardians to recover the Sums so recovered from them as aforesaid from the defaulting Occupiers or Owners of the Houses in respect of which such Default has accrued, according to the respective separate Liability of such Occupiers or Owners.

Owners or Occupiers may redeem Rates.

VI. It shall be lawful for the Owner or Occupier of any House liable to be rated under this Act to redeem the Rates to which such House may so be liable, on Payment to the said Paymaster of Civil Services of all Arrears (if any) of such Rates, and of such Sum, not exceeding Fourteen Times the annual Amount at which such House may be liable to be rated under this Act, as may be fixed and settled by the Ecclesiastical Commissioners with the Assent of the Lord Lieutenant in Council; and from and after such Redemption such House shall cease to be rated under this Act; and in case the said Rate be purchased and redeemed by the Owner he may add the Amount thereof to the Rent of the House, and shall be entitled to recover the same in the same Manner and with the like Powers as the Rent is recoverable.

Redemption Monies to be paid to Ecclesiastical Commissioners.

VII. All Redemption Monies which shall be so paid to the said Paymaster of Civil Services shall be paid by him to the said Ecclesiastial Commissioners for *Ireland* in like Manner as herein provided with respect to Monies arising from Rates under this Act.

Ecclesiastical Commissioners

VIII. The Ecclesiastical Commissioners for *Ireland* shall pay to the several Incumbents for the Time being of the Parishes now liable to the Payments of Ministers Money under the said Act of the Seventeenth

Seventeenth and Eighteenth Years of King *Charles* the Second, by quarterly Payments on the First Day of *January*, the First Day of *April*, the First Day of *July*, and the First Day of *October* in every Year, a yearly Sum, to be computed after the Rate of Seventy-five Pounds for every One hundred Pounds of the Sum payable in such Parishes respectively for Ministers Money during the Year One thousand eight hundred and fifty-three, the first of such Payments to be made on the First Day of *January* One thousand eight hundred and fifty-five; anything in an Act passed in the Session of the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Thirty-seven, or any Act amending the same, to the contrary notwithstanding: Provided always, that, in every Case where the Revenues of any such Benefice may be charged with the Payment of Curates and such other Charges as are allowed to be deducted in fixing the net Income of Benefices taxable to the Ecclesiastical Commissioners, the Portion of the gross Revenue employed in defraying such Charges shall not be reduced to the aforesaid Seventy-five *per Cent.*, but shall be paid in full, *Cent. per Cent.*, (that is to say,) that the said Ecclesiastical Commissioners shall pay to the Incumbents of such Benefices respectively, in addition to the aforesaid Seventy-five *per Cent.*, and in like quarterly Proportions, but exempt from Taxation, a further Sum after the Rate of Twenty-five Pounds for every One hundred Pounds actually expended by such Incumbents in defraying such Charges.

to pay to Incumbents 75*l.* *per Cent. on the Sum payable for Ministers Money during the Year 1853.*

IX. The said Ecclesiastical Commissioners shall from Time to Time, at their Discretion, invest all or any Part of such Monies as shall at any Time by or under the Provisions of this Act be paid to them as aforesaid in the Purchase of Government or Parliamentary Funds, Stocks, or Securities, and no other, either in *England* or *Ireland*, and from Time to Time change, transfer, or sell out such Stocks, Funds, or Securities, or any Part thereof, and reinvest the Produce thereof, as they may find necessary or convenient.

Ecclesiastical Commissioners to invest Monies in Government Securities, &c.

X. It shall and may be lawful for the said Ecclesiastical Commissioners, when and as in their Judgment it may be proper, but with the previous Approval of the Lord Lieutenant of *Ireland* in Council, to apply any Monies which may be in their Hands or at their Disposal (after answering and providing for the Payments to be made by them under this Act to the Incumbents for the Time being of the Parishes now liable to the Payment of Ministers Money) for the Augmentation of the Incomes of Incumbents having Cure of Souls, or for increasing the Number of Officiating Clergymen of the Established Church within the said City and Suburbs of *Dublin* and Liberties thereunto adjoining, and the said other Cities and Boroughs now liable to the Payment of Ministers Money.

Funds in Hands of Commissioners may be applied to Augmentation of Benefices or increasing Number of Clergymen.

XI. The said Rate shall not be deemed to be a Cess Rate or Tax the Payment of which is necessary to enable any Occupier or other Person to be admitted or enrolled as a Burgess of any City or Corporate Town in *Ireland*, or to vote at any Election of Municipal Commissioners in any Town in *Ireland*.

Nonpayment of Rate not to prevent Persons being admitted Burgesses, &c.

CAP. XII.

An Act for raising the Sum of Sixteen millions twenty-four thousand one hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-four. [12th *May* 1854.]

CAP. XIII.

An Act to amend the Acts relating to the Militia of the United Kingdom. [12th *May* 1854.]

'WHEREAS under the Acts now in force concerning the Militia of the United Kingdom the Militia can only be drawn out and embodied, in *England* and *Scotland* respectively, in Cases of actual Invasion or upon imminent Danger thereof, or in Cases of Rebellion or Insurrection, and in *Ireland*, in Cases of actual Invasion, Rebellion, or Insurrection, or upon immediate Danger thereof: And whereas it is expedient that the said Acts should be amended as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever a State of War exists between Her Majesty and any Foreign Power it shall be lawful for Her Majesty and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* respectively to cause all or any Part of the respective Militias in *England*, *Scotland*, and *Ireland* to be drawn out and embodied in like Manner as by the said Acts authorized in the Cases therein mentioned; and all the Provisions of the said Acts, and of all other Acts now in force, applicable for and in the Case of the drawing out and embodying of such respective Militias in the Cases therein mentioned, and to such respective Militias when so embodied, shall be applicable for and in the Case of the drawing out and embodying of such respective Militias under the Authority of this Act, and to such respective Militias when so embodied.

42 Geo. 3. c. 90. s. 111. 42 Geo. 3. c. 91. s. 197. 42 Geo. 3. c. 120. s. 55.

Militia may be embodied whenever a State of War exists.

II. It shall be lawful for Her Majesty, when any Regiment, Battalion, or Corps of the Militia in *England* is actually assembled for Training and Exercise for a less Period than Fifty-six Days, or at any Time after the Notices to the Men of such Regiment, Battalion, or Corps to attend Training and Exercise for any such less Period have been given by Order signified under the Hand of One of the Principal Secretaries of State to the Lieutenant of the County, Riding, or Place for which such Regiment,

The Time of Training may be extended after a Corps or Militia is called out.

ment, Battalion, or Corps is enrolled, or in his Absence to Three or more Deputy Lieutenants of such County, Riding, or Place, to extend the Period of such Training and Exercise for such Period as to Her Majesty may seem fit, not exceeding with the Time for which such Regiment, Battalion, or Corps may have been called out for such Training and Exercise the Period of Fifty-six Days, and it shall not be necessary in any such Case as aforesaid to give fresh Notices to attend Training and Exercise; and all Provisions applicable to such Militia during the Time of Training and Exercise shall be applicable to such Regiment, Battalion, or Corps during such extended Period as if the Notices for calling out such Regiment, Battalion, or Corps for such Training and Exercise had been given for such extended Period, and the same had been authorized by Law.

Time of Drill not to be reckoned.

III. In case any of the Commissioned Officers or Privates of such Regiment, Battalion, or Corps shall, previously to the assembling of the same for Training and Exercise, have been sent to their Head Quarters or attached to any Corps of Her Majesty's Regular Forces for Purposes of Instruction, the Time during which they shall have remained at their own Head Quarters, or with the said Corps, for Instruction as aforesaid, shall not be reckoned as any Part of the Period of Fifty-six Days during which such then Commissioned Officers and Privates may be kept assembled for Training and Exercise as herein-before provided.

Notice of the Time and Place of Meeting to be sent by the Commanding Officer by Post to the Residences of the Men as stated in their Attestations, and to be deemed sufficient.

IV. Provided, That in the Case of drawing out and embodying the Militia in *England*, or any Part thereof, under the Authority of this Act, the Notices to the Militia Men to attend at the Time and Place mentioned in the Order of Her Majesty for drawing out and embodying the Regiment, Battalion, or Corps to which they shall belong shall be sent by the Colonel or Commanding Officer of such Regiment, Battalion, or Corps, by the Post, to the Residences of the several Men as stated on their Attestations, or as subsequently certified by them, and such Notices shall be sufficient in all respects; and any Militia Man not appearing at the Time and Place appointed in such Notice shall be deemed to have disobeyed Her Majesty's Order for drawing out and embodying the Regiment, Battalion, or Corps to which he belongs, and shall be liable to be punished and dealt with accordingly; and the Provisions of the One hundred and sixteenth Section of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, shall be applicable to such Militia Man, and to any Person knowingly harbouring and concealing him.

CAP. XIV.

An Act to continue Her Majesty's Commission for building new Churches. [12th *May* 1854.]

58 G. 3. c. 45.
59 G. 3. c. 134.
3 G. 4. c. 72.
5 G. 4. c. 103.
7 & 8 G. 4. c. 72.
1 & 2 W. 4. c. 38.
2 & 3 W. 4. c. 61.
7 W. 4. and 1 Vict. c. 75.
1 & 2 Vict. c. 107.
2 & 3 Vict. c. 49.
3 & 4 Vict. c. 60.
7 & 8 Vict. c. 56.
8 & 9 Vict. c. 70.
9 & 10 Vict. c. 88.
9 & 10 Vict. c. 68.
11 & 12 Vict. c. 37.
11 & 12 Vict. c. 71.
14 & 15 Vict. c. 97.

'WHEREAS the following Acts have been passed for building and promoting the building of additional Churches in populous Parishes in *England*, and are commonly referred to as the 'Church Building Acts; (that is to say,) an Act of the Fifty-eighth Year of King *George* the Third, 'Chapter Forty-five; an Act of the Fifty-ninth Year of King *George* the Third, Chapter One hundred 'and thirty-four; an Act of the Third Year of King *George* the Fourth, Chapter Seventy-two; an 'Act of the Fifth Year of King *George* the Fourth, Chapter One hundred and three; an Act of the 'Session holden in the Seventh and Eighth Years of King *George* the Fourth, Chapter Seventy-two; 'an Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter 'Thirty-eight; an Act of the Session holden in the Second and Third Years of King *William* the 'Fourth, Chapter Sixty-one; an Act of the Session holden in the Seventh Year of King *William* the 'Fourth and the First Year of Her Majesty, Chapter Seventy-five; an Act of the Session holden in the 'First and Second Years of Her Majesty, Chapter One hundred and seven; an Act of the Session 'holden in the Second and Third Years of Her Majesty, Chapter Forty-nine; an Act of the Session 'holden in the Third and Fourth Years of Her Majesty, Chapter Sixty; an Act of the Session holden 'in the Seventh and Eighth Years of Her Majesty, Chapter Fifty-six; an Act of the Session holden 'in the Eighth and Ninth Years of Her Majesty, Chapter Seventy; an Act of the Session holden in 'the Ninth and Tenth Years of Her Majesty, Chapter Eighty-eight; an Act of the same Session, 'Chapter Sixty-eight; an Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, 'Chapter Thirty-seven; an Act of the same Session of Parliament, Chapter Seventy-one; and an Act 'of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Ninety-seven: 'And whereas by the said Act of the Fifty-eighth Year of King *George* the Third it was enacted, that 'it should be lawful for His Majesty by Letters Patent to appoint such Persons as His Majesty should 'deem fit to be His Commissioners for carrying into execution the Purposes of the said Act, and that 'the said Commission should continue in force for the Term of Ten Years from the Date thereof, unless 'His Majesty should think fit sooner to alter or revoke the same: And whereas by the said Act of the 'Seventh and Eighth Years of King *George* the Fourth the said Commission was continued in force for 'the Term of Ten Years from the Twentieth Day of *July* One thousand eight hundred and twenty-eight, 'unless His Majesty, His Heirs or Successors, should think fit sooner to revoke the said Commission: 'And whereas by the said Act of the Session holden in the Seventh Year of King *William* the Fourth 'and the First Year of Her Majesty it was enacted, that the Persons then appointed to be His Majesty's 'Commissioners for building new Churches, or thereafter to be appointed to be Her Majesty's Commis-

'sioners

'sioners for building new Churches, should continue to be such Commissioners, and that the Name and 'Style of the said Commissioners should be "Her Majesty's Commissioners for building new Churches," 'and that the said Commission should continue in force for the Term of Ten Years from the Twentieth 'Day of *July* One thousand eight hundred and thirty-eight, and thence unto the End of the next 'Session of Parliament, unless Her Majesty should think fit sooner to revoke the said Commission: And 'whereas by the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter Seventy-one, 'the said Commission was continued in force until the Twentieth Day of *July* One thousand eight hun-'dred and fifty-three, and thence to the End of the then next Session of Parliament, unless Her Majesty 'should think fit sooner to revoke the said Commission: And whereas it is expedient that the said Com-'mission should be further continued as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Persons now or hereafter to be appointed to be Her Majesty's Commissioners for building new Churches shall continue to be such Commissioners, and the said Commission shall continue in force until the Twentieth Day of *July* One thousand eight hundred and fifty-six, unless Her Majesty shall think fit sooner to revoke the said Commission.

Commissioners for building new Churches continued.

CAP. XV.

An Act to empower the Commissioners of the Admiralty to construct a Tunnel between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory Yard at *Keyham*, and to acquire certain Property for Her Majesty's Service. [2d *June* 1854.]

'WHEREAS it is expedient that the Commissioners for executing the Office of Lord High Admiral 'of the United Kingdom of *Great Britain* and *Ireland* should be empowered to make and construct 'a Communication between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory 'Yard at *Keyham*, by means of a Tunnel, or partly by a Tunnel and partly by open Cutting, for the 'exclusive Use of Her Majesty's Service, and that the said Commissioners should be empowered to 'acquire the Fee Simple of all such Portions of the said Dockyard at *Devonport*, and the Use in 'perpetuity of the Roadways, Ways, and Passages in connexion therewith, the Fee Simple of which 'may not now be vested in Her Majesty, or in the said Commissioners in trust for Her Majesty, Her 'Heirs and Successors, for the Public Service, and also the Fee Simple of certain Lands at or near the 'Entrance of the said Steam Factory Yard at *Keyham*, mentioned or referred to in the Second Part of 'the First Schedule to this Act, whether such Lands may or may not be required for the said Tunnel; 'and as such Objects cannot be effected without the Aid and Authority of Parliament,' be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The several Provisions of "The Lands Clauses Consolidation Act, 1845," shall, so far as the same may be applicable to and are not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act, and shall be applicable to the Purposes aforesaid.

8 & 9 Vict. c. 18., incorporated with this Act.

II. For the Purposes of this Act the Word "Lands," where used in the "Lands Clauses Consolidation Act, 1845," and in this Act, or either of them, shall extend to Messuages, Lands, Tenements, and Hereditaments of every Tenure, and to the Right and Privilege of making and acquiring the said Communication, with Shafts and Entrances thereto, and the Space or Portion of Ground required, and which may be purchased or acquired for the same, and to all such Portions as aforesaid of Her Majesty's Dockyard at *Devonport*, and the free Use in perpetuity of the Roadways, Ways, and Passages held therewith, and all other Lands, Rights, and Property, Estates and Interests, which the said Commissioners are hereby empowered to purchase or acquire; and the Words "Commissioners of the Admiralty," where used in this Act, shall mean any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being; and the Word "Tunnel," where used in this Act, shall mean any Communication between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory Yard at *Keyham* in the County of *Devon*, whether the same be made solely by a Tunnel or solely by open Cutting, or partly by a Tunnel and partly by open Cutting; and the Commissioners of the Admiralty shall be and be deemed to be the Promoters of the Undertaking.

Interpretation Clause.

III. Subject to the Provisions of this Act, it shall be lawful for the Commissioners of the Admiralty and they are hereby authorized and empowered, if they think fit, to make and construct a Tunnel for the exclusive Use of Her Majesty's Service between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory Yard at *Keyham* aforesaid, according to the Plans and Sections thereof deposited with the Clerk of the Peace for the County of *Devon*, with Shafts, Entrances, and other necessary Works thereto, or any Portion of such Tunnel and Works, and to lay down and work a Railway or Railways in the said Tunnel or otherwise use the same Tunnel, and for that Purpose to purchase or otherwise acquire the Right and Privilege of constructing such Tunnel and Works under, in, or through all or any of the several Lands delineated on the said Plans and mentioned or referred to in the Book of Reference deposited

Powers for constructing the Tunnel.

sited with the said Clerk of the Peace, and also the Space or Portion of Ground required for the same, and if necessary to purchase or acquire the Entirety of all or any of such Lands absolutely, and all Estates and Interests therein which are not now vested in the said Commissioners; and for the Purpose of constructing the said Tunnel and Works the said Commissioners are hereby authorized and empowered, subject to the Provisions of this Act, to dig, bore, and excavate in, under, or through all or any Houses, Lands, Buildings, Streets, Roads, Highways, Railways, Tramways, Rivers, Brooks, Streams, Canals, Wells, Springs, Sewers, Drains, Waters, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages under, in, or through which the said Tunnel, Shafts, Entrances, and other Works may be constructed, and also permanently or temporarily to stop or take up, divert, raise, and in any Manner alter all or any of such Streets, Roads, Highways, Railways, Tramways, Rivers, Brooks, Streams, Canals, Wells, Springs, Sewers, Drains, Waters, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages which may interfere with the said Tunnel or the Construction thereof, the said Commissioners re-opening, reinstating, or restoring as far and as soon as practicable, consistent with the Purposes of this Act, the said Streets, Roads, Highways, Railways, Tramways, Rivers, Brooks, Streams, Canals, Wells, Springs, Sewers, Drains, Waters, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages which may be only temporarily diverted, taken, or stopped up, raised, or in any Manner altered under the Provisions of this Act, and, if necessary, constructing, making, and laying down other Streets, Roads, Highways, Railways, Tramways, Canals, Wells, Springs, Sewers, Drains, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages for and in lieu of those which may be permanently stopped or taken up or permanently diverted: Provided always, that nothing in this Act contained shall enable the Commissioners of the Admiralty to sink any Shaft in or through the Surface of any public Street, Lane, or Passage across, through, or under which the said Tunnel shall pass; and wherever the present Levels of any Sewers shall be prejudicially altered by the Commissioners of the Admiralty, such Commissioners shall continue the new Levels to the present Outlets, or make new Outlets for such Sewers, so that such Sewers may not be obstructed or impeded in their Course to the Sea, by means of any Alteration therein which may be made by the said Commissioners; and to effect any such Objects the Commissioners of the Admiralty are hereby authorized and empowered to enter upon any Lands whatsoever for the Purpose of altering such Sewers, and to alter and construct Sewers and Outlets accordingly, making full Compensation to the Owners of such Lands for any Damage or Loss thereby sustained, the Amount of such Compensation to be settled and paid as Compensation for Lands required for the other Purposes of this Act; or the Commissioners of *Devonport* shall, on the Requirement of the Commissioners of the Admiralty, at any Time or Times, at the Cost of Her Majesty, Her Heirs and Successors, alter and construct such Sewers and Outlets as aforesaid, and during the Progress of the Works in, under, or across *Moon Street* hereby authorized the present Footways therein shall be retained as at present, or the Commissioners of the Admiralty shall construct, and during the Execution of such Works in such Street maintain, on either Side of the said Street, a good and efficient Footway through such Street for its Inhabitants and other Passengers.

As to Deviation of Tunnel.

IV. If the Commissioners of the Admiralty shall deem it expedient to make any Deviation from the Line or Level of the said Tunnel as delineated and shown on the said Plans and Sections, it shall be lawful for the said Commissioners and they are hereby empowered to make such Deviation, provided the same shall not extend beyond the Limits of Deviation defined upon the said Plans; but, with the previous Consent of the Owners of the Lands thereby affected or interfered with, it shall be lawful for the said Commissioners to make any Deviation which they may deem expedient.

As to Compensation for Tunnel.

V. Before the Commissioners of the Admiralty, or any Person or Persons employed by them or acting under their Authority, shall, for the Purpose of forming or excavating the said Tunnel, Shafts, Entrances, and other Works, bore or dig in, under, or through any Lands, Dwelling Houses, or Buildings not now vested in them, the said Commissioners shall, if required by the Owners or Lessees thereof respectively, purchase, by Agreement or by Arbitration, or by the Assessment of a Jury, as directed by the "Lands Clauses Consolidation Act, 1845," the Estates and Interests of the Parties making any such Requisition in the Dwelling Houses so to be bored or dug in or under, or, at the Option of such Owners or Lessees, make Compensations for the Space or Portion of Ground thereunder required for the said Tunnel, and for the Damage done or to be done to such Dwelling Houses or to their Interests or Estates therein; and in the Case of any other Buildings not being Dwelling Houses, and of Lands not having any Building thereon, so to be bored or dug in or under, the said Commissioners shall, if required by the Owners or Lessees thereof, make Compensation (to be ascertained by the Ways and Means aforesaid or one of them) for the Space or Portion of Ground required for the said Tunnel, and for the Damage which may be done to such Buildings and Lands; but in the Case of public Streets, Roads, Ways, Paths, Courts, or Passages no Compensation shall be made for the same, nor shall any Compensation be made for boring or digging under or over any Sewers, Drains, Mains, Pipes, Gas Pipes, Water Pipes, or Aqueduct, or for diverting or altering the same for the Purposes of the said Tunnel, or for constructing the same.

Commissioners to keep Tunnel and Roads in repair.

VI. The Commissioners of the Admiralty shall and they are hereby required from Time to Time and at all Times to keep or cause to be kept the said Tunnel and the Walls thereof in good and substantial Repair, and shall, from and after the Use of the Roadways referred to in the First Part of the First

Schedule

Schedule to this Act shall have been purchased by them, repair, amend, and keep up, at the Charge of Her Majesty, Her Heirs and Successors, the same Roads and Ways, and where needful fence in that Road or Way which in the said Schedule is designated by No. 2.

Power for Commissioners to purchase Lands in First Schedule to Act.

VII. It shall also be lawful for the Commissioners of the Admiralty and they are hereby authorized and empowered, if they think fit, subject to the Provisions herein and in the "Lands Clauses Consolidation "Act, 1845," contained, to purchase all or any of the Lands mentioned or referred to in the First Schedule to this Act, and all Estates and Interests therein which are not vested in the said Commissioners at the Time of the passing of this Act.

After Purchase of Leasehold Parts of Devonport Yard, to be used as One of Her Majesty's Dockyards.

VIII. That all such Parts of Her Majesty's Dockyard at *Devonport* the Fee Simple of which may be purchased under or by virtue of the Provisions of this Act shall, from and after the Completion of any such Purchase or Purchases, be always thereafter used for One or for Part of One of Her Majesty's Dockyards, and for Buildings, Erections, and other Works necessary for the same, and for no other Purpose whatsoever.

A certain Piece of Ground to be always used as a Footway.

IX. That the Piece or Parcel of Land or Ground described in the Second Schedule to this Act shall for ever hereafter be and be used as a public Highway or Footway or Part of a public Highway or Footway, and for no other Purpose, and no Building or Erection whatsoever shall ever be constructed or commenced thereon or on any Part thereof.

Errors and Omissions in Book of Reference and Schedules may be corrected by Two Justices, who may certify the same.

Certificate to be deposited.

X. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands referred to in the said Book of Reference or mentioned in the Schedules to this Act annexed or either of them, the Commissioners of the Admiralty, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited with the said Clerk of the Peace, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Book of Reference, Schedules or Schedule, shall be deemed to be corrected according to such Certificate, and the said Commissioners may take any Lands in accordance with such Certificate as if such Omission, Mis-statement, or wrong Description had not been made.

Powers for compulsory Purchase of Lands limited.

XI. The Powers of the Commissioners of the Admiralty for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers given to Commissioners to apply to Purchases made as well as those to be made.

XII. The Powers and Authorities by this Act given to the Commissioners of the Admiralty relative to the Lands mentioned and comprised in the said Book of Reference and in the Schedules to this Act annexed or either of them, shall, so far as the Commissioners of the Admiralty may at any Time or Times deem expedient for effecting any of the Objects of this Act, be applicable as well to any of such Lands already purchased or taken, or agreed to be purchased or taken, as to such as shall hereafter be purchased or taken under the Provisions of this Act.

All Lands purchased or taken by Commissioners to vest in them in trust.

XIII. Subject to the Provisions of this Act, the Lands which shall be purchased, taken, or acquired by the Commissioners of the Admiralty for the Purposes of this Act or under the Provisions of this Act, or which may have been purchased or been agreed to be purchased as aforesaid, shall be vested in the said Commissioners, their Successors in Office and Assigns, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and no other Commissioners nor any Trustees nor other Persons shall after such Purchase, taking, or acquiring as aforesaid lay down or construct any Road or Way, or any Pipe for Gas, Water, or otherwise, or any Drain, Sewer, or Watercourse, in, under, through, or over the said Lands, or interfere in any Manner therewith, except in such Manner as may be previously approved of by the Commissioners of the Admiralty in Writing under the Hand of the Secretary of the Admiralty.

Commissioners may sell or let Lands.

XIV. It shall be lawful for the Commissioners of the Admiralty to sell, exchange, or in any Manner dispose of or to let or demise all or any of the Lands purchased, taken, or acquired by or vested in them under the Authority of this Act, with their respective Appurtenances (save and except the Property mentioned in the Eighth Section of this Act), which shall not at any Time or Times in the Opinion of the said Commissioners be required for the Purposes thereof, either by public Auction or private Contract; and it shall be lawful for them to convey and assign or to grant or demise the same or any Part thereof to any Person who shall be willing to purchase or take the same, and for that Purpose to make and execute all such Conveyances, Assurances, Leases, and Agreements as may be thought proper, and also to do any other Act, Matter, or Thing in relation to such Lands which shall by the said Commissioners be deemed beneficial for the Public Service in relation thereto, or for the better Management thereof, and which might be done by any other Person having the absolute Fee Simple in any such Lands.

Monies produced by Sale of Lands to be paid to Her

XV. The Monies to arise and to be produced by Sale or Exchange of any Lands which shall be sold or exchanged or conveyed under the Provisions of this Act shall be paid by the Purchaser thereof, or the Person making any such Exchange, to Her Majesty's Paymaster General for the Time being, and the Receipt of the said Paymaster General for any such Monies (such Receipt to be indorsed on every such

such Conveyance as aforesaid) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be so paid.

Majesty's Paymaster-General.

XVI. Immediately from and after the Payment of such Purchase Money and the Execution of every such Conveyance as aforesaid, the Purchaser therein named shall be deemed to stand seised and possessed of the Lands which shall be so purchased by and conveyed or made over to him freed and absolutely discharged of and from all and all manner of prior Estates, Rights, Interests, Charges, Incumbrances, and Demands whatsoever which can or may be had, made, or set up in respect of such Lands by any Person whomsoever, by, from, under, or in trust for Her Majesty, Her Heirs and Successors, or on any Account whatsoever, save and except such Estates, Rights, Interests, Charges, Incumbrances, Claims, and Demands (if any) as in any such Conveyance shall be excepted.

After Payment, Purchaser to stand possessed of the Lands so purchased.

Moon Cove not to be built upon without Consent of Admiralty.

XVII. From and after the passing of this Act, no Part of what now forms the Creek or Cove called *Moon Cove*, referred to in the Second Part of the First Schedule to this Act, shall be filled up or interfered with, nor shall the Soil thereof or of any Part thereof be built upon, without the previous Consent of the Commissioners of the Admiralty signified by Writing under the Hand of their Secretary.

All Works connected with the Gas Company to be executed to Satisfaction of their Engineer.

XVIII. 'And whereas in the Execution of the Works by this Act authorized the Mains, Pipes, 'Syphons, Plugs, and other Works belonging to the *Devonport* Gas and Coke Company may be inter- 'sected or otherwise interfered with, and it is expedient that such Company should have full Control 'over the Execution of all Works in any way affecting the Supply by them of Gas, so as effectually to 'provide against the Supply thereof being impeded:' Therefore all Works, Matters, or Things which, under the Provisions of "The Lands Clauses Consolidation Act, 1845," or this Act, the Commissioners of the Admiralty may be empowered or required to do or execute with reference to the Mains, Pipes, Syphons, Plugs, or other Works of such Company respectively, shall be done and executed by and at the Cost of Her Majesty, Her Heirs and Successors, but to the Satisfaction and under the Direction of and in such Manner as shall be required by the Engineer for the Time being of the said Gas Company.

To prevent Interruption of the Supply of Gas.

XIX. If any Interruption whatsoever in the Supply of Gas by the said Company shall be in any way occasioned by the Agents, Workmen, Servants, or any other Person in the Service of Her Majesty, or any or either of them, Compensation shall be made by Her Majesty, Her Heirs and Successors, to the said Company, for the Loss sustained, at the Rate of Ten Shillings for every Hour during which such Interruption shall continue.

As to Repairs of Pipes, &c. in certain Cases.

XX. Provided also, That the Expense of all Repairs or Renewals of the said Pipes or Mains, or any Works in connexion therewith, which may at any Time hereafter be rendered necessary by the Acts or Defaults of any Contractors, Agents, Workmen, Servants, or any other Person in the Service of Her Majesty, shall be borne and paid by Her Majesty, Her Heirs and Successors.

Powers for the Gas Company after Execution of Works.

XXI. If, after the Construction of the said Tunnel across, along, or under any Street or public Thoroughfare in which the said Gas and Coke Company are authorized to lay down Mains or Pipes, such Company shall require to lay down Mains or Pipes across, under, over, or along the said Tunnel, it shall be lawful for such Company, having first given at least Ten Days Notice to the Commissioners of the Admiralty, by leaving the same with the Superintendent of Her Majesty's Dockyard at *Devonport*, (except in Cases of Emergency, when as long a Notice as practicable shall be given to the said Superintendent before the Ground is opened,) to open the Ground over or along the Course of the said Tunnel, for the Purpose of laying down, repairing, cleansing, or inspecting such Mains or Pipes, and to lay down, repair, cleanse, and inspect such Mains or Pipes as often as may be requisite; provided, nevertheless, that such Works shall be executed only according to Plans which shall be previously submitted to the Commissioners of the Admiralty by the *Devonport* Gas and Coke Company, and approved of by the Commissioners of the Admiralty; and the Security of the said Tunnel and its efficient working shall not be interfered with by any such Works.

Saving Clause for the Devonport Gas and Coke Company.

XXII. Except as by this Act expressly enacted, this Act or anything herein contained shall not take away, lessen, or prejudicially affect any of the Powers, Authorities, or Immunities granted or conferred by the *Devonport* Gas and Coke Act, 1853.

The FIRST SCHEDULE to which the foregoing Act refers.

First Part thereof.

All such Parts of Her Majesty's Dockyard at Devonport in the County of Devon, the Fee Simple of which may not at the Time of the passing of this Act be vested in Her Majesty, Her Heirs and Successors, or in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and also the free Use in perpetuity of all the Roads, Roadways, Ways, and Passages following; that is to say,

No. 1. A certain Roadway or Passage for all Foot Passengers, and Horses, Carts, and Carriages whatsoever, adjoining the outer Wall of the said Dockyard on the North, South, and East Sides thereof, and is known by the Names following; that is to say, North Corner, Holman's Buildings, Queen Street, Dock-

wall

wall Street, James Street, and Mutton Cove, and extends in Length about Three thousand eight hundred Feet, and in Width from the said Dockyard Wall Thirty Feet.

No. 2. A certain Roadway or Passage for all Foot Passengers, and Horses, Carts, and Carriages whatsoever, in, over, through, or upon all that Roadway or Passage of Thirty Feet broad or thereabouts in every Part thereof, extending in an Easterly Direction from a Gate or Place at the West End of Fore Street, Devonport, in the Parish of Stoke Damerel in the said County of Devon, called or known by the Name of the Dockyard Gate, unto or near a Gate or Place now or heretofore called Parsons Gate, which said Roadway or Passage is Seven hundred and two Yards in Length or thereabouts, and forms Part of Fore Street aforesaid, and of the High Road from Devonport aforesaid to the Borough of Tavistock in the said County of Devon, and which said Roadway contains Seven thousand and twenty Square Yards Superficial Measure or thereabouts, and is bounded on the North and South partly by other Parts of Fore Street aforesaid, and partly by Lands, Buildings, Fortifications, and Works belonging to the Principal Officers of Her Majesty's Ordnance in trust for Her Majesty, on the West partly by the said Dockyard Gate, and partly by a Portion of the Wall of Her Majesty's Dockyard at Devonport aforesaid, and on the East by the Turnpike Road leading to Tavistock aforesaid.

The SECOND PART of the said First Schedule.

All that Piece or Parcel of Ground situate, lying, and being in Morice Town in the Borough of Devonport in the Parish of Stoke Damerel in the County of Devon, including the following, namely:

Firstly. The whole of a Yard known by the Name of Bird's Timber Yard, containing Twenty-two thousand five hundred and ninety-four Feet and Seven Inches or thereabouts Superficial Measure.

Secondly. The Northern Portion of a Yard known as Colwell's Yard, situate on the Western Side of the said last-named Yard, such Portion of Colwell's Yard being in Length on the Eastern Side thereof Seventy-four Feet or thereabouts, and on the Western Side thereof Twenty-three Feet or thereabouts, which said Portion containing by Admeasurement Two thousand eight hundred and eleven Feet and Eleven Inches or thereabouts Superficial Measure.

Thirdly. The Northern Portion of a Yard known as Cornish's Yard, situate on the Western Side of Colwell's Yard aforesaid, which said Portion of Cornish's Yard is in Length on the Eastern Side thereof Twenty-three Feet or thereabouts, and terminates at a Point at the North-western Corner of Cornish's Yard aforesaid, which said last named Portion contains by Admeasurement One thousand and fifty-nine Superficial Feet or thereabouts.

Fourthly. A Slip or Portion of Ground immediately adjoining the first-named Yard on its Eastern Side, now occupied as a Plantation and Roadway, and containing by Admeasurement Five hundred and ninety-seven Feet Eight Inches or thereabouts Superficial Measure, the whole of which said Piece or Parcel of Ground (comprising the Premises firstly, secondly, thirdly, and fourthly in this Second Part of the said First Schedule described) is bounded on the North by the Keyham Steamyard and a Portion of a Creek or Cove known as Moon Cove, on the South by the Path or Footway of a Street or Road leading from the Northern End of William Street to the Northern End of Tamar Street, both in Morice Town aforesaid, and Portions of the said Colwell's Yard and Cornish's Yard, on the East by a Piece of Ground forming a Portion of the Western Footpath of Morice Place in Morice Town aforesaid, and on the West by a Portion of Colwell's Yard aforesaid and Moon Cove aforesaid, which said Piece or Parcel of Ground (comprising the Premises firstly, secondly, thirdly, and fourthly in this Second Part of the said First Schedule described,) contains in the whole Twenty-seven thousand and sixty-three Feet and Two Inches or thereabouts Superficial Measure.

The SECOND SCHEDULE to which the foregoing Act refers.

All that Piece or Parcel of Ground situate and being in Morice Town in the Borough of Devonport in the Parish of Stoke Damerel in the County of Devon, forming or which is intended to form a Portion of the Western Footpath of Morice Place in Morice Town aforesaid, which said Portion of Footpath was lately dedicated or intended to be dedicated by the Trustees of the Lord of the Manor of Stoke Damerel to the Use of the Public, and containing by Admeasurement Eight hundred and ninety-six Square Feet and Four Inches or thereabouts Superficial Measure, which said Piece or Parcel of Ground is bounded on the North by the Keyham Steamyard, on the South by the Northern Footpath of a Road or Street leading from the Northern End of William Street to the Northern End of Tamar Street in Morice Town aforesaid, on the East by the Western Footpath of Morice Place in Morice Town aforesaid, and on the West by a Slip of Ground occupied as a Plantation and Roadway.

CAP. XVI.

An Act to amend the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, and the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four. [2d *June* 1854.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That

Right of Appeal given by s. 14. of 13 & 14 Vict. c. 61. to extend to Cases in which Jurisdiction is given by s. 17.

I. That the Right and Mode of Appeal given by the Fourteenth Section of the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, as amended by the Second and Third Sections of the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four, shall extend to all Cases decided after the passing of this Act in which Jurisdiction is given by the Seventeenth Section of the said first-mentioned Act in consequence of the Agreement of Parties; but it shall be lawful, when both Parties shall desire that the Decision of the County Court Judge shall be final, to exclude such Right of Appeal, by expressing such their Desire in the Memorandum of Agreement directed by the said Seventeenth Section to be filed with the Clerk of the Court.

Petitions for Protection from Process to be within the Provisions of the 8th Section of 15 & 16 Vict. c. 54.

II. The Provisions of the Eighteenth Section of the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four, shall extend to all Cases of Petitions for Protection from Process made to a County Court under the Provisions of the Acts of the Fifth and Sixth *Victoria*, Chapter One hundred and sixteen, of the Seventh and Eighth *Victoria*, Chapter Ninety-six, and of the Tenth and Eleventh *Victoria*, Chapter One hundred and two, as fully as if the filing of every such Petition had been required to be registered by the said Eighteenth Section of the first-recited Act.

CAP. XVII.

An Act to make further Provision for defining the Boundaries of Counties, Baronies, Half Baronies, Parishes, Town Lands, and other Divisions and Denominations of Land in *Ireland* for public Purposes. [2d *June* 1854.]

'WHEREAS by an Act passed in a Session of Parliament held in the Sixth Year of the Reign of 'His late Majesty King *George* the Fourth, Chapter Ninety-nine, it was amongst other Matters 'enacted, that from and after the passing of the said Act it should and might be lawful for the Lord 'Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time or Times and from Time 'to Time, as to him or them should or might seem fitting and expedient, to nominate and appoint any 'Person or Persons, as such Lord Lieutenant or other Chief Governor or Governors should think 'necessary and expedient, to ascertain and mark out the reputed Boundaries of all and every or any 'Barony, Half Barony, Townland, Parish, or other Division or Denomination of Land, by what Name 'soever any such Division or Denomination should or might be known or called, in any and every Part 'of *Ireland*, and to appoint any and every such Person or Persons to be Surveyors or a Surveyor for 'the carrying into effect the Purposes of said Act: And whereas in pursuance of the said Act such 'Boundaries were duly ascertained and marked out; but in consequence of the recent Alterations of 'the Course of Rivers and other Changes which have taken place in such Boundaries, or where, in 'consequence of Land having been reclaimed from the Sea or a tidal River or a Lake, it is necessary, 'for the Purpose of the Ordnance Survey, and also for other public Purposes, that Provision should be 'made for the Revision of such Boundaries:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Lord-Lieutenant to appoint Surveyors to ascertain the Boundaries of Baronies, Townlands, Parishes, &c. and remove them during Pleasure.

I. From and after the passing of this Act, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time or Times and from Time to Time, as to him or them shall seem fitting and expedient, to nominate any One or more Persons to ascertain and mark out any such Alterations in the reputed Boundaries of all and every or any County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land, by what Name soever any such Division or Denomination shall or may be known or called, in any and every Part of *Ireland*, and that the Lord Lieutenant may from Time to Time remove such Person or Persons, and upon the Removal, Resignation, or Death of any such Person or Persons so appointed shall and may nominate any other Person in the Place or Stead of the Person so dying, resigning, or removed.

Power to Boundary Surveyors to appoint Assistant Surveyors.

II. Every Person so from Time to Time to be appointed shall be called the "Boundary Surveyor;" and it shall and may be lawful for every such Boundary Surveyor to appoint and employ such Surveyors and other Persons as he may deem necessary to assist him in carrying this Act into execution, and from Time to Time to discharge and remove such Persons or any of them, and to appoint other Persons in their Stead: Provided nevertheless, that the Appointment or Removal of any such Surveyor or other Person shall not be valid or effectual until the same respectively shall have been approved of by the Lord Lieutenant or other Chief Governor of *Ireland* by Writing under the Hand of the Chief or Under Secretary for the Time being.

Power to Surveyor to mark out and define altered Boundaries, &c.

III. When the Boundary Surveyor for the Time being shall find that any Change or Alteration has taken place in the Course of any River, Stream, or Fence which had before formed the Boundary of any County, Barony, Parish, Townland, or other Division or Denomination of Land, or in any Part of such Boundary, as marked out under the said recited Act, or that any Land has been reclaimed from the Sea or a Tidal River or a Lake, it shall be lawful for such Boundary Surveyor to ascertain, define, and mark out the present acknowledged or reputed Boundaries of every such County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land, or of such Portion or Portions thereof respectively, as such Boundary Surveyor may deem it necessary to ascertain, define, or mark out.

IV. For

Surveyor, &c. empowered to enter Lands to fix Boundaries.

IV. For the Execution of the Purposes of this Act, it shall and may be lawful for any Surveyor appointed under this Act, and for any other Person acting in aid or under the Orders of such Surveyor, and for any Officer or Person appointed by or acting under the Orders of the Master General and Board of Ordnance, and they are hereby respectively authorized and empowered, from Time to Time to enter into and upon any Land or Ground of any Person or Persons whomsoever, for the Purpose of making and carrying on any Survey authorized by this Act, or by the Order of the Master General and Board of Ordnance, and for the Purpose of fixing any Object to be used in the Survey, or any Post, Stone, or Boundary Mark whatsoever, and to fix and place any such Object, Post, Stone, or Boundary Mark whatsoever in the Land or Ground, or upon any Wall, Tree, or Post in the Land or Ground of any Person or Persons whomsoever, and to dig up any Ground for the Purpose of fixing any such Object, Post, Stone, or Boundary Mark, and also to enter upon any Lands or Grounds through which any such Surveyor shall deem it necessary and proper to carry any Boundary Line for the Purposes of this Act, at any Time or Times whatever: Provided always, that such Surveyor and his Assistants and Workmen shall do as little Damage as may be in the Execution of the several Powers to them granted by this Act.

Surveyor shall ascertain Boundaries and mark out the same.

V. When it shall appear to such Boundary Surveyor that the Boundary or Portion of the Boundary (as the Case may be) of any County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land is sufficiently ascertained, such Boundary shall be marked out by such Boundary Surveyor or such other Person or Persons as he shall appoint for that Purpose in such substantial and durable Manner as he or they shall think fit and necessary.

Penalty on obstructing Surveyor, &c. in Execution of Duties.

VI. If any Person or Persons shall wilfully obstruct or hinder any Surveyor in the Execution of his Duty in or about the ascertaining and marking out of the Boundaries of any County, Barony, Half Barony, Townland, Parish, or Division, under the Provisions of this Act, or shall assault any such Surveyor, or shall in any way resist such Surveyor in the Performance of his Duty under this Act, or shall obstruct, hinder, assault, or resist any Collector, or any Workman or other Person acting in aid of any such Surveyor in the Execution of this Act, every Person so offending, and being thereof convicted in manner herein-after mentioned, shall forfeit and pay a Sum not exceeding Ten Pounds and not less than Two Pounds, in the Discretion of the Justice before whom such Offender shall be convicted.

Penalty on removing or defacing Boundaries, Stones, &c.

VII. If any Person shall fill up any Trench, or take away, remove, or displace or alter the Situation of any Boundary Stone, Post, or Mark which shall be set up and placed for the Purposes of this Act, or shall wilfully deface, mutilate, break, or destroy any such Boundary Stone, Post, or Mark, every Person so offending, and being thereof convicted in manner herein-after mentioned, shall forfeit and pay a Sum not exceeding Ten Pounds and not less than Two Pounds, in the Discretion of the Justice before whom such Offender shall be convicted.

Penalties may be recovered before Justices.

VIII. All Penalties imposed by this Act may be recovered before any Justice of the Peace under the Provisions of the Petty Sessions *(Ireland)* Act, One thousand eight hundred and fifty-one.

Appeal against Boundaries may be made to Quarter Sessions.

IX. If any Person or Persons interested in any such Boundaries shall be dissatisfied with or shall have any Objection to any Boundary Line or any Part thereof, as marked out by any Surveyor under the Provisions of this Act, it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the Division of the County in which such Boundary Line or any Part thereof so objected to shall be situate, and every Person so appealing shall (if there shall be sufficient Time after the Cause of Complaint shall have arisen) first give or cause to be given Twenty-one Days Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matters thereof, to the Clerk of the Peace of such County, and within Seven Days next after the Date of such Notice shall enter into a Recognizance before some Justice of the Peace of such County, with Two sufficient Sureties, conditioned to bring such Appeal to a Hearing, and to abide by or to submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such Division of such County, and the Clerk of the Peace, within Six Days after the Receipt thereof, shall give Notice of such Appeal to the Boundary Surveyor, and also to the Churchwardens or Churchwarden of the Parish or Parishes within or between which such Boundary Line or such Part thereof as shall be objected to shall be situate, and such Churchwardens or Churchwarden shall post Copies of such Notice, or shall cause the same to be posted and affixed, on the most public Doors of the Churches and other Places of Public Worship within such Parish or Parishes, and at such other Places as are appointed by Law for the posting of Notices in such Parishes, on the *Sunday* next after the Receipt of such Notice by such Churchwardens or Churchwarden; and the Justices at such First or Second Sessions or any Adjournment thereof, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall and may award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, whether such Appeal shall have been entered and tried or not; and it shall be lawful for such Justices at such Sessions, by their Order or Warrant, to levy such Costs so awarded

by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for such County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Boundary Surveyor to submit to Grand Jury a Report, &c. of proposed Alterations in any County or Barony, &c.

X. In all Cases in which it is proposed to make any Alteration of the Boundary of any County or Barony, the Boundary Surveyor shall submit to the Grand Jury of such County for Approval a Report setting forth the Detail of the proposed Alterations in such Boundaries, with the Grounds for making the same, accompanied by a Map showing the Boundary or Boundaries as originally laid down on the Ordnance Plans of such County or Barony; and in all Cases of Alteration in the Boundary between Counties a Report and explanatory Map shall be submitted for Approval to the Grand Juries of both Counties, and shall, after such Approval, be fiated by the Judge of Assize in each County at the same Spring or Summer Assizes, as the Case may be, before any further Proceedings take place in regard to the Alteration of such County Boundary: Provided always, that in case any Appeal shall have been lodged to Quarter Sessions against any such Alterations, such Reports shall not be so submitted until such Appeal shall have been determined.

Boundary Surveyor to submit Map, &c. to Lord Lieutenant, showing original and altered Boundaries, who may direct that new Boundary shall, for public Purposes, be deemed the Boundary of such County, &c.

XI. In all Cases in which it is proposed to make an Alteration in any Boundary from that heretofore laid down on the Ordnance Plan of any County, whether such Alteration refers to the Boundaries of Counties, Baronies, Parishes, Townlands, or other Denomination, the Boundary Surveyor shall, with all convenient Speed after such Alterations shall have been so fiated, prepare and make out a Report in detail of the proposed Alteration in any of such Boundaries, with the Grounds for making such Alteration, accompanied by a Plan or Plans showing in detail the original Boundaries as laid down on the Ordnance Plans, and those which it is proposed to substitute for them, and shall submit the same to the Lord Lieutenant and Privy Council, who may, if he or they shall think fit so to do, make Order directing that the new Boundary so marked out by the Boundary Surveyor, or so altered by the Justices on the hearing of such Appeal, (as the Case may be,) or such Portion or Portions of either of such Boundary Lines as such Lord Lieutenant shall think proper, shall for all public Purposes be and be deemed and taken to be the Boundary of or Portions of the Boundary, as the Case may be, of such County, Barony, Parish, Townland, or other Division or Denomination of Land.

Lord Lieutenant may declare from what Period the same shall take effect, and adjust all Matters in respect to Right of voting at Elections, &c.

XII. The said Lord Lieutenant in Council shall and may by every such Order as aforesaid fix and declare from what Period the same shall take effect, and settle and adjust all such Matters in respect of the Right of voting at Elections of Members to serve in Parliament by Persons holding or occupying Houses, Lands, or Tenements in such County or Barony, and for the Alteration or Amendment of the Lists or Registers of Electors accordingly, and in respect of the Assessment, Applotment, and Levy of Grand Jury, and all other Rates and Assessments, and in respect of all other Matters and Things proper or necessary to be settled and adjusted in consequence of such Order; and the Order of the said Lord Lieutenant in Council shall be conclusive and binding in Law in respect of the several Matters and Things therein contained; and every such Order shall be published in the *Dublin Gazette;* and a Copy or Copies of such Order, certified under the Hand of the Clerk of the said Council, shall be transmitted to the Clerk of the Peace for each County to which such Order shall in any way relate, to be by him kept and preserved in his Office, and exhibited at all reasonable Hours to any Person or Persons who may desire to inspect the same, without Fee or Reward.

Lord Lieutenant may make supplemental Order for removing Doubts or settling Disputes, &c.

XIII. It shall be lawful for the said Lord Lieutenant in Council, from Time to Time, as Occasion may require, to make any supplemental Order or Orders for removing such Doubts or settling such Disputes as may arise in consequence of the Changes effected by virtue of the Provisions herein-before contained; and every such supplemental Order shall be published, and transmitted to the Clerk of the Peace, to be by him preserved, and exhibited for Inspection in like Manner as herein-before provided in respect of any original Order; and every such supplemental Order shall have the same Force and Effect as if it had formed Part of any original Order made under the Provisions of this Act.

Act not to affect the Boundaries of Lands with respect to Rights of Owners.

XIV. No Order made in pursuance of this Act shall in any way affect the Boundary or Boundaries of any Land with reference to any Right, Title, Claim, Possession, or Interest therein; nor shall the Description or Denomination in any Pleadings or Proceedings, Criminal or Civil, in any Court of Law or Equity, pending or instituted previous to the Time limited for such Order taking effect, be in any way vitiated or affected thereby; and in the Case of any Suit or Proceeding, Criminal or Civil, pending or instituted previous to the Time assigned in and by such Order for the same taking effect, such Suit or Proceeding shall and may be continued as if no such Order had been made, and without regard thereto, and the said Order shall in respect of such Suit or Proceeding, and any and every Matter relating thereto, be void, and of none effect; and wherever, in any Deed or Instrument made previous to the Time appointed for such Order taking effect, any Portion or Portions of Land shall have been described or denominated by the Name of the County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which the same may have originally belonged, such Portion or Portions of Land shall be deemed and taken to have been described or denominated by the Name of the County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which it shall be by such Order united, as if such last-mentioned County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which the same originally belonged; and such Portion or Portions

Portions of Land shall and may, in all Suits and Proceedings at Law or Equity at any Time afterwards instituted, be described and denominated as belonging to the County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which it shall be so united by such Order.

Lord Lieutenant to fix Remuneration of Boundary Surveyor, &c.

XV. The Boundary Surveyor and every other Surveyor or Person who shall be employed in the Execution of this Act shall be entitled to receive for his Trouble and Loss of Time such Sum and Sums of Money and Allowance for Travelling and Hotel Expenses as shall be fixed by the Lord Lieutenant; which Sums of Money and Allowances shall be paid by the Commissioners of Her Majesty's Treasury, at such Times and under such Regulations as shall be fixed by the Lord Lieutenant and the said Commissioners, out of Monies to be provided by Parliament for that Purpose.

Construction of certain Terms.

XVI. In the Construction of this Act the Word "Lord Lieutenant" shall be deemed to mean Lord Lieutenant or other Chief Governor or Governors of *Ireland;* the Word "County" shall include County of a City, County of a Town, and Towns Corporate, and where Counties have been divided into Ridings, each Riding shall for the Purposes of this Act be deemed and taken to be a separate County; the Word "Parish" shall include all Chapelries or Divisions of Parishes, or extra-parochial Divisions, and all Unions of Parishes.

Extent of Act.

XVII. This Act shall extend to *Ireland* only.

CAP. XVIII.

An Act for the Encouragement of Seamen and the more effectual Manning of Her Majesty's Navy during the present War. [2d *June* 1854.]

'WHEREAS Her Majesty, by Her Order in Council, dated the Twenty-ninth Day of *March* in 'the Year One thousand eight hundred and fifty-four, was pleased to order that general Re-'prisals be granted against the Ships, Vessels, and Goods of the Emperor of All the *Russias*, his 'Subjects, and others inhabiting within any of his Countries, Territories, or Dominions, so that Her 'Majesty's Fleets and Ships shall and may lawfully seize all Ships, Vessels, and Goods belonging to the 'Emperor of All the *Russias*, or his Subjects, or others inhabiting within any of his Territories, 'Countries, or Dominions, and bring the same to Judgment in such Courts of Admiralty within Her 'Majesty's Dominions, Possessions, or Colonies, as shall be duly commissioned to take cognizance 'thereof: And whereas Her Majesty hath of Her Royal Munificence been graciously pleased, by Her 'Proclamation bearing the same Date, to declare Her Intention to give the Benefit of all Prizes taken 'during the present War to the Captors thereof, being in Her Majesty's Service (save as therein 'excepted): Now for the Encouragement of the Officers and Crews of Her Majesty's Ships and 'Vessels of War, and for inducing all *British* Seamen, who may be in any Foreign Service to return 'into this Kingdom, and become serviceable to Her Majesty; and for the more effectually securing and 'extending the Trade of Her Majesty's Subjects;' be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

I. This Act may for all Purposes be cited as "The Prize Act, *Russia*, 1854."

Commencement of Act.

II. This Act shall come into operation on the First Day of *June* One thousand eight hundred and fifty-four.

Interpretation of certain Terms in this Act.

III. In the Construction of this Act, the following Terms shall have the Meanings hereby assigned to them, if not inconsistent with the Context or Subject Matter:

"Her Majesty" shall include Her Majesty, Her Heirs and Successors:

"Lords of the Admiralty" shall include the Lord High Admiral and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being:

"Court of Admiralty" shall include the High Court of Admiralty of *England* and all Admiralty, Vice-Admiralty, and other Courts, having or exercising Admiralty Jurisdiction within Her Majesty's Dominions, which shall be duly authorized to take cognizance of and judicially to proceed in Matters of Prize:

"Vice-Admiralty Courts" shall include all such Courts other than the High Court of Admiralty of *England:*

"Judge" shall include any Judge, Deputy Judge, Surrogate, or other Person duly appointed to act as Judge in any Court of Admiralty:

"Ship and Vessel" shall include all and all Manner of Ships, Vessels, and Boats:

"Her Majesty's Ships and Vessels of War" shall include all Ships and Vessels belonging to Her Majesty, as also any hired armed Ships or Vessels in Her Majesty's Service:

"Officers and Crew" shall include all Flag Officers, Commanders, other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships or Vessels of War:

"Government Accountant" shall include any Officer in charge of public Money, whether belonging to the Commissariat, Customs, or any other Department, who may have been, or may be hereafter, appointed by the Lords of the Treasury or Admiralty.

Vice-Admiralty Courts to enforce Orders of High Court of Admiralty.

IV. All Vice-Admiralty Courts within Her Majesty's Dominions are hereby empowered, directed, and required to enforce upon all Persons within their respective Jurisdictions all Orders whatsoever of the High Court of Admiralty of *England*, whether relating to Prizes or to any Matter or Thing arising therefrom.

Ships and Goods taken by Her Majesty's Ships and adjudged as Prize, to be divided according to Her Majesty's Proclamation.

Share reserved when Allies act in conjunction.

V. The Officers and Crew of any of Her Majesty's Ships or Vessels of War shall have the whole Right and Interest to and in the Proceeds of all and every Ship, Vessel, Goods, and Merchandise which they have taken or shall hereafter take during the Continuance of Hostilities against the Emperor of All the *Russias*, after the same shall have been adjudged lawful Prize in any Court of Admiralty, such Proceeds to be divided in such Proportions and after such Manner as Her Majesty by Her Proclamation has already ordered and directed, or as Her Majesty shall think fit to order and direct by any Proclamation hereafter to be issued: Provided nevertheless, that whenever any Prize shall be taken by any of Her Majesty's Fleets, Squadrons, Ships, or Vessels of War, while acting in conjunction with any Fleets, Squadrons, Ships, or Vessels of War of any other Power in alliance with Her Majesty, the Court of Admiralty adjudicating thereon shall apportion to such Ally a Share of the Proceeds of such Prize, after the same has been condemned, proportionate to the Number of Officers and Men present and employed by such Ally, as compared with the Number of Officers and Men present and employed on the Part of Her Majesty, in taking such Prize, and without reference to their respective Ranks; and the Share so apportioned to such Ally shall be transmitted to such Persons as may be duly authorized on behalf of such Ally to receive the same.

Arms, Stores, &c. taken by Her Majesty's Ships in any Fortress on Land, and Ships and Goods in any Creek, &c. defended thereby, to be divided as other Prize.

VI. The Officers and Crews of any of Her Majesty's Ships or Vessels of War who shall take any Fortress, or any Arms, Ammunition, Stores of War, Goods, Merchandise, or Treasure belonging to the State, or to any public trading Company of any of Her Majesty's Enemies upon the Land, or any Ship or Vessel, or Goods or Merchandise laden on board the same, in any Creek, River, Haven, or Road belonging to or defended by such Fortress, or in any way whatsoever belonging to such Enemies, shall have the sole Right and Interest to and in the Proceeds of all and every such Ship or Vessel, Arms, Ammunition, Stores of War, Goods, Merchandise, and Treasure, after final Adjudication thereof as lawful Prize to Her Majesty in the Court of Admiralty; and such Court is hereby required judicially to proceed thereon as in other Cases of Prize, and such Proceeds shall be apportioned in such Manner and Proportions, both as to Her Majesty's Allies and otherwise, as in other Cases of Prize.

As to Divisions of Prize taken in conjunct Expeditions of the Army and Navy.

VII. In conjunct Expeditions of the Navy and Army against any Fortress or Possession of Her Majesty's Enemies upon the Land, the Flag and General Officers, Field Officers of the Army, Captains, Commanders of the Navy, and other Officers, Engineers, Seamen, Marines, Soldiers, and others acting on such conjunct Expedition, shall have such proportional Right and Interest as Her Majesty shall think fit to order and direct in all the Arms, Ammunition, Stores of War, Goods, Wares, Merchandise, and Treasure belonging to the State, or to any public trading Company of such Enemies, which shall be found in such Fortress or Possession, and also in every Ship or Vessel, with the Arms, Ammunition, Tackle, Apparel, and Furniture thereof, and all the Goods, Wares, and Merchandise and other Effects on board the same, which shall be captured in any Road, Haven, River, or Creek belonging to or defended by such Fortress or Possession, after final Adjudication thereof as lawful Prize to Her Majesty in any of the Courts aforesaid; and such Courts are hereby required to proceed and adjudicate thereon as in other Cases of Prize, and the Share assigned to the Fleet by such Directions shall be distributed in the same Manner and Proportions as in other Cases of Prize, and the Share assigned to the Army shall be distributed amongst the Officers and Soldiers, in such Manner as Her Majesty shall under Her Sign Manual be pleased to direct: Provided nevertheless, that the Right and Interest hereby given to the Army employed on such conjunct Expeditions shall not entitle the said Army to share in the Distribution of any Ship, Vessel, Goods, or Merchandise, or other Effects, captured in the Voyage to or from such Fortress or Possession.

Proviso.

Naval Stores found on board Foreign Ships may be purchased by the Admiralty for the Public Service.

VIII. 'And whereas Ships and Vessels of Foreign Nations may pass the Seas laden with Naval and 'Victualling Stores intended to be carried to the Ports of Countries at War with Her Majesty, whereby 'Her Majesty's Enemies may be supplied with Materials to build, fit out, and provision Ships and 'Vessels of War: And whereas divers Ships and Vessels of Foreign Nations laden as aforesaid may be 'taken and brought into the Ports of *Great Britain*, and the Purchase of such Stores laden on board 'such Ships and Vessels of Foreign Nations for the Service of Her Majesty may in many Cases be 'expedient without proceeding to the Condemnation thereof:' Be it therefore enacted, That the Lords of the Admiralty or their Officers or Agents, may purchase on the Account or for the Service of Her Majesty all or any such Stores found on board any such Ships or Vessels of Foreign Nations brought into Port as aforesaid; and the Commissioners and Officers of the Customs for the Time being may permit such Stores so purchased as aforesaid to be entered and landed within any of the Ports of Her Majesty's Dominions.

British Ships and Vessels recaptured to be restored on Payment of Salvage.

IX. Any Ship, Vessel, Goods, or Merchandise belonging to any of Her Majesty's Subjects captured by any of Her Majesty's Enemies, and afterwards recaptured from the Enemy, by any of Her Majesty's Ships or Vessels of War, shall be adjudged by the Decree of the Court of Admiralty to be restored to the Owner or Proprietor thereof upon Payment for and in lieu of Salvage of One Eighth Part of the true Value of the said Ship, Vessel, Goods, or Merchandise respectively, and such Salvage of One Eighth shall be divided and distributed in such Manner and Proportion as is herein-before directed in Cases of Prize;

Prize: Provided nevertheless, that if any such Ship or Vessel captured and recaptured as aforesaid shall have been by Her Majesty's Enemies set forth or used as a Ship or Vessel of War, it shall not be restored to the former Owner or Proprietor thereof, but shall be adjudged lawful Prize for the Benefit of the Captors. In what Case to be decreed as lawful Prize.

X. Any Ship, or Vessel, belonging to any of Her Majesty's Subjects, whether in Ballast, or laden with any Goods or Merchandise belonging to the same, which shall have been captured by the Enemy and recaptured by any of Her Majesty's Ships and Vessels of War before the same shall have been carried into an Enemy's Port, may, with the Consent of the Recaptors, prosecute her Voyage, and it shall not be necessary for the Recaptors to proceed to Adjudication till the Return of the Ship or Vessel to some Port within the United Kingdom; and the Master or Owner thereof, or his Agent, may, with the Consent of the Recaptor, unlade and dispose of the Cargo before Adjudication; and in case the Ship or Vessel shall not within Six Months return to some Port within the United Kingdom, the Re-captor may, notwithstanding, institute Proceedings against the said Ship or Vessel, Goods, or Merchandise, in the High Court of Admiralty of *England*, and the said Court may thereupon award One Eighth Part of the Value of the said Ship, Vessel, Goods, or Merchandise to the Recaptor thereof, and may enforce the Payment thereof either by Warrant of Arrest against the said Ship or Vessel, Goods or Merchandise respectively, or by Monition and Attachment against the respective Owners thereof. Ships of Her Majesty's Subjects recaptured before carried into Port may be allowed to prosecute their Voyage.

XI. 'Whereas it is expedient to give Encouragement to the Officers and Crews of Her Majesty's Ships 'and Vessels of War to attack and destroy any armed Ships or Vessels of War, or Privateers, belonging 'to the Enemy:' Be it enacted, That the Officers and Crews of any of Her Majesty's Ships or Vessels of War who shall have been actually present at the taking, sinking, burning, or otherwise destroying of any Ship or Vessel of War or Privateer belonging to Her Majesty's Enemies shall be entitled to a Bounty of Five Pounds of lawful Money of *Great Britain* for each and every Person who was alive on board any such Ship or Vessel of War or Privateer belonging to Her Majesty's Enemies at the Beginning of the Attack or Engagement between them, the Numbers of such Persons respectively to be proved by the Ship's Papers or by the Oaths of Three or more of the Persons, belonging to the said Enemy's Ship or Vessel of War or Privateer, if so many shall survive, or by the Oaths of the Survivors, or if there be no Survivor, then by the Oaths of Three or more of the Officers and Crew of the capturing Ship or Vessel, or by such other Evidence as under the Circumstances of the Case shall by the Judge of the Court of Admiralty be deemed sufficient Proof thereof; and such Bounties shall be paid out of any Monies voted by Parliament for that Purpose, or out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, upon the Production of an Official Copy of the Decree of the said Court of Admiralty, setting forth the Number of Persons who were alive on board such Ship or Vessel of War or Privateer belonging to the Enemy at the Beginning of the Attack or Engagement between them; provided that every such Decree shall be subject to Appeal as is herein-after provided in Cases of Prize. Bounties to be granted on Capture of Enemy's armed Ships or Privateers.

XII. All Provisions contained in this Act respecting the Distribution of Prize shall apply to Bounty Money, Salvage upon Re-capture, as well as to any Shares of Prize which may be awarded by the Prize Court of any Ally to the Officers and Crews of Her Majesty's Ships and Vessels of War present at the Capture of any such Prize. Regulations of Prize to apply to Bounty, &c. assigned by Allies.

XIII. Ships, Vessels, Goods, and Merchandise captured by any private Ship or Vessel hired by or in the Service of Her Majesty's Commissioners of Customs or Inland Revenue shall belong to Her Majesty in Her Office of Admiralty, and be applied and disposed of in such Manner as Her Majesty under Her Sign Manual shall order and direct, after legal Adjudication thereof. Exception as to Vessels in the Service of the Customs or Inland Revenue.

XIV. For the Encouragement of the Capture of armed Ships and Vessels belonging to the Enemy, be it enacted, that it shall be lawful for the Captors to include in One Adjudication any Number, not exceeding Six of such small armed Ships, having a Commission or Letter of Marque from the Enemy, not exceeding Seventy Tons each, and which shall have been taken within the Space of Three Months preceding the Application to the Court of Admiralty for such Adjudication. How many small armed Ships may be included in One Adjudication.

XV. All Ships, Vessels, Goods, and Merchandise which shall be brought into Port within the Jurisdiction of the Court of Admiralty, in order to be proceeded against to Condemnation as Prize, shall be forthwith, and without breaking Bulk, delivered up to and remain in the Custody and Care of the Marshal, his Substitute, or other Officer to be appointed by the said Court, or if there be no such Officer, then shall be delivered up to the Collector or Comptroller or other principal Officer of the Customs or of Navigation Laws at such Port, and shall remain in such Custody and Care subject to the Decree of the Court. Captures brought into Port to be handed over to Marshal or Officer of Customs.

XVI. That upon any Ship, Vessel, Goods, or Merchandise, captured as Prize, being brought into Port, the Captor, or One of his Chief Officers, or some other Person present at the Capture, shall bring or send, as soon as possibly may be, Three or Four of the principal Persons belonging to the captured Ship or Vessel (Two of whom shall always if possible be either the Master, Supercargo, Mate, or Boatswain,) before the Judge of the Court of Admiralty, or such Person as shall be lawfully commissioned in that Behalf, by whom they shall be sworn and examined upon the standing Interrogatories; and within Five Days after Request made to the Judge of the Court of Admiralty the preparatory Examinations on the standing Interrogatories shall be concluded, unless good and sufficient Reason be shown for an Extension of such Time. Mode of Procedure against Prize. Examination of Witnesses on standing Interrogatories.

XVII. The

Affidavit as to Letters and Papers found on board.

XVII. The Captor shall, at the Time of producing the aforesaid Persons to be examined, and before any Monition shall be issued, bring and deliver into the Registry of the said Court of Admiralty all such Books, Papers, Passes, Sea Briefs, Charter-parties, Bills of Lading, Cockets, Letters, and other Documents and Writings whatsoever as shall be delivered up or found on board any such Ship or Vessel; and the Captor, or One of his Chief Officers, or some other Person who was present at the Capture, and saw the said Papers and Writings delivered up or otherwise found on board at the Time of the Capture, shall make Oath that the said Papers and Writings are brought and delivered in as they were received and taken, without any Fraud or Addition, Subduction, Alteration, or Embezzlement whatever, or otherwise shall account for the Absence or for the altered Plight and Condition of the same, upon Oath to the Satisfaction of the Court, and in the event of no such Books, Papers, Passes, Sea Briefs, Charter-parties, Bills of Lading, Cockets, Letters, or other Documents or Writings, being delivered up as found on board such Ship or Vessel, such Captor, Chief Officer, or other Person shall make Oath to that Effect.

What Documents to be translated for the Use of the Cause.

XVIII. In order to save unnecessary Delay and Expense, the Captor and Claimant may agree, or in case there shall be no Claimant, the Captor may direct which and what Parts (if any) of the several Books, Papers, Passes, Sea Briefs, Charter-parties, Bills of Lading, Cockets, Letters, and other Documents and Writings delivered up or found on board the captured Ship or Vessel shall be translated, in order to the same being used in the Cause.

Where there is no Claim, or no Security for Costs is given by the Claimant.

Monition for Adjudication.

XIX. In case no Claim in respect of any captured Ship, Vessel, Goods, or Merchandise shall be duly entered in the usual Form, and verified on Oath, or if there be any Claim, and the Claimant shall neglect or refuse to give Security for Costs in the Sum of Sixty Pounds Sterling within Five Days from the Time of entering such Claim, the Judge of the Court of Admiralty shall, within Three Days after Request in that Behalf made to him, decree the usual Monition, returnable within Twenty Days, citing all Persons in general to show Cause why the said Ship, Vessel, Goods, or Merchandise should not be condemned as lawful Prize; and upon the Return of such Monition duly executed the said Judge shall, upon the Production to him of the said preparatory Examinations or a Copy thereof, as also of all the aforesaid Books, Papers, Sea Briefs, Charter-parties, Bills of Lading, Cockets, Letters, and other Documents and Writings, proceed with all convenient Speed either to release or condemn the said Ship, Vessel, Goods, or Merchandise, or may allow further Time either for a Claim to be entered or Security to be given.

Where Claim and Security for Costs is given.

Monition to proceed to Adjudication.

XX. In case a Claim verified upon Oath shall be duly entered, and Security as aforesaid be given thereupon, and there shall appear no Occasion to call for any further Proof, as herein-after mentioned, the Judge shall, as soon as conveniently may be, after such Claim shall have been entered and Security given, proceed to sentence as aforesaid touching such captured Ship, Vessel, Goods, or Merchandise.

XXI. Whenever any Ship, Vessel, Goods, or Merchandise shall have been captured and brought in by any of Her Majesty's Ships and Vessels of War, but the Captors shall neglect or refuse, notwithstanding such Capture and Seizure as aforesaid, to institute Proceedings in the Court of Admiralty in order to bring the said Ship, Vessel, Goods, or Merchandise to Adjudication, the Judge of such Court shall, upon the Request of any Claimant, who shall have duly entered his Claim verified upon Oath, and shall have given good and sufficient Security as aforesaid, decree a Monition against the Captors, returnable within Six Days, citing them to appear and proceed to the legal Adjudication of such Ship, Vessel, Goods, or Merchandise; and upon the Return of such Monition duly served, the Judge of such Court shall forthwith proceed to the Adjudication thereof.

Court may order further Proof.

XXII. Whenever it shall appear doubtful to the Judge of the Court of Admiralty, upon the Production to him of the aforesaid preparatory Examinations and Papers, whether the said Capture be lawful Prize or not, he may direct further Proof to be adduced either by Affidavit, or by examining Witnesses on Pleadings, or by the Production of any further Papers or Documents, as to him shall seem meet, and upon the Production of such further Proof may proceed to adjudicate thereupon.

Claim of joint Capture to be admitted only on Security being given for Proportion of Expenses, Costs, and Damages.

XXIII. Before Condemnation no Claim on behalf of any asserted Joint Captor shall be admitted until Security shall have been given by or on behalf of such asserted Joint Captor to contribute to the actual Captor his Proportion of the Expenses, Costs, and Damages that may be incurred by or awarded against the actual Captor on Account of the Capture and Detention of the said Ship, Vessel, Goods, or Merchandise; and after final Condemnation no such Claim shall be admitted until the asserted Joint Captor has paid his Proportion of all such Expenses as shall have attended the obtaining the final Condemnation, and unless he show sufficient Cause to the Court why such Claim was not asserted at or before the Return of the Monition: Provided always, that nothing herein contained shall extend to the asserted Interest of any Flag Officer claiming to share in any Prize by virtue of his Flag.

Ship, Vessel, or Goods may be appraised, and after Appraisement may be sold, by Decree of the Court.

XXIV. Whenever it appears desirable, either from the Nature of the Property captured, the probable Length of the Proceedings, or any other sufficient Cause, that the Ship, Vessel, Goods, or Merchandise, or any Part thereof, should be sold, the Judge of the Court of Admiralty may direct the same to be appraised by competent Persons, sworn to appraise the same according to the best of their Skill and Knowledge, and for this Purpose may direct the said Goods or Merchandise to be unladen, and an Inventory thereof to be taken, and after such Appraisement may direct the same or any Part thereof to be warehoused, under safe and proper Keeping, or may direct the same, or any Part thereof, to be sold, and the proceeds to be paid to the Account of Her Majesty's Paymaster General at the Bank of

England

England on account of Naval Prize, or to some Government Accountant in Her Majesty's Dominions, in order that the same may be transferred to the said Account; and in case the said Ship, Vessel, Goods, or Merchandise should be decreed to be restored to any Claimant thereof, the Proceeds arising therefrom, and which shall have been so paid to the Naval Prize Account or to a Government Accountant as aforesaid, shall be repaid to such Claimant; but in case the same shall be condemned as lawful Prize, such Proceeds shall be distributed to and amongst the Captors in manner herein-after directed.

In case Ship, &c. decreed to be restored.

XXV. The Judge of the Court of Admiralty may, upon the Appplication of the Claimant, direct any Ship, Vessel, Goods, or Merchandise brought before it for Adjudication to be delivered up to him upon the same being appraised by competent Persons as aforesaid, and upon his giving good and sufficient Security to pay the Captor the appraised Value thereof, in case the same should be adjudged lawful Prize; and may direct the Captor to give good and sufficient Security to pay such Costs and Damages as to him may seem meet, in case such Ship, Vessel, Goods, or Merchandise shall not be condemned as lawful Prize.

Court may direct the Ships or Goods to be delivered up to the Claimant on giving Security.

XXVI. Whenever any Ship, Vessel, Goods, or Merchandise has been condemned as Prize in the Court of Admiralty, the Judge of the said Court shall forthwith direct the same to be appraised and sold by the Officers of the Court, or by Persons authorized by the Court for that Purpose, and the Proceeds thereof to be forthwith paid to the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or to some Government Accountant within Her Majesty's Dominions, in order that the same may be transferred to the said Account.

Sale of Vessel after Condemnation.

XXVII. Any Bounty, Salvage, or other Monies, payable and distributable under the Provisions of this Act, and amongst the Officers and Crews of any of Her Majesty's Ships and Vessels of War, shall in like Manner be forthwith paid to the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or to some Government Accountant within Her Majesty's Dominions, in order that the same may be transferred to the said Account.

Bounty, Salvage, &c. to be paid to the Account of the Paymaster General.

XXVIII. Whenever the Proceeds of any Ship, Vessel, Goods, or Merchandise condemned as Prize, or any Bounty, Salvage, or other Monies payable and distributable under the Provisions of this Act, have been paid into the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or to some Government Accountant within Her Majesty's Dominions, in order that the same may be transferred to the said Account, the High Court of Admiralty of *England*, or the Court which shall have condemned the said Prize or awarded the said Bounty, Salvage, or other Monies, may direct the Payment thereout of all Costs, Charges, and Expenses which may be chargeable against the the same, or which may have been incurred by the Captor, his Attorney or Agent, after such Costs, Charges, and Expenses shall have been taxed or allowed by the Registrar of such Court, or his Deputy; and the Balance of such Prize, Bounty, Salvage, or other Monies shall thereupon, and after the Time for appealing shall have expired, be distributed by the Lords of the Admiralty to and amongst the Persons entitled thereto, after the same shall have been notified in the *London Gazette*.

Final Distribution of Bounty, Salvage, &c.

XXIX. The Lords of the Admiralty or any Party claiming any Interest in any Prize, Bounty, Salvage, or other Monies payable and distributable under the Provisions of this Act, and which have been paid or transferred to the Naval Prize Account as aforesaid, may, prior to the Distribution thereof, resort to the High Court of Admiralty of *England* for the Purpose of obtaining the Judgment of the said Court in that Behalf, and the Judge of the said Court shall proceed to hear and determine the same, and may make such Order in the Premises as to him shall seem right.

Parties claiming Benefit under this Act may resort to the Court of Admiralty of England.

XXX. The Registrars of the Vice-Admiralty Courts or their Deputies shall, on the First Day of *January* and First Day of *July* in every Year, transmit to the Registry of the High Court of Admiralty of *England*, to remain of Record therein, in such Form as the Lords of the Admiralty may direct, a List or Return of all Cases which have been adjudged in their respective Courts under the Provisions of this Act during the Six Months next preceding; provided that it shall be lawful for the Lords of the Admiralty, from Time to Time, to vary or alter such Form as to them may seem meet; and the Registrar of the High Court of Admiralty of *England* shall, as soon as conveniently may be after the Receipt thereof, transmit a Copy of such List or Return to the Lords of the Admiralty, to be by them laid before both Houses of Parliament.

Registrars of Vice-Admiralty Courts shall transmit Accounts.

XXXI. The Judge of the High Court of Admiralty of *England* may, on the Application of the Lords of the Admiralty or of any Person interested in the Proceeds of any Prize, or in any Salvage, Bounty, or other Monies, and on an Affidavit setting forth the Circumstances of the Case, compel, by Process of the Court and by Monition and Attachment, the Production of any Books, Papers, or other Documents relating thereto, and the paying or transferring of such Proceeds, Salvage, Bounty, or other Monies into the Naval Prize Account as aforesaid, and the answering to such Interrogatories touching the same as the Court may approve, and may make such Order in the Premises touching and concerning the same, and the Costs of such Proceedings, as to it shall seem meet.

High Court of Admiralty of England may compel Production of Proceeds, &c.

XXXII. Any Captor or other Person who shall acquire or retain the Proceeds of any Prize or any Salvage, Bounty, or other Monies contrary to the Provisions of this Act, except for reasonable Cause to be allowed by the Court of Admiralty, shall pay Interest thereon not exceeding the Rate of One Pound *per Centum per* Month for such Time as the same shall so be in his Custody or Possession, in addition

Penalty of One Pound per Cent. per Month on retaining Proceeds contrary to this Act.

addition to any other Penalties imposed by this Act, and such Interest shall be deemed to be Part of such Proceeds, and be paid and applied accordingly.

Provisions for Appeal.

XXXIII. The Captor or Claimant may appeal from any Sentence or any Interlocutory Decree having the Force of a Definitive Sentence, given or pronounced in the Court of Admiralty, to Her Majesty in Council, and when required shall give good and sufficient Security that he will effectually prosecute such Appeal, and pay such Costs, Damages, and Expenses as may be awarded by Her Majesty or by the Judicial Committee of the Privy Council; and every such Appeal shall be made in such Manner and Form, and subject to such Rules, Orders, and Regulations, as are now or for the Time being may be in force in respect to any Ecclesiastical and Maritime Causes of Appeal.

Jurisdiction of the Judicial Committee in Prize Appeals.

XXXIV. The Judicial Committee of the Privy Council shall have full Power, Jurisdiction, and Authority to proceed to hear and report upon all and all Manner of Causes of Appeal relating to Captures, Re-captures, Bounties, Seizures, Prizes, and Reprisals of all Ships, Vessels, Goods, and Merchandise already seized and taken, or which shall be hereafter seized and taken, that may be brought before them from the Court of Admiralty, and may therein exercise all such Powers as now appertain to them in respect of Appeals from any Ecclesiastical Court or Court of Admiralty, and in addition thereto shall have and exercise all such Powers as are by this Act given to the Court of Admiralty, and all such Powers as heretofore have been wont to be exercised by the Commissioners of Appeal in Prize Causes.

Custody of Processes, Papers, &c.

XXXV. All Processes, Papers, and other Documents, required for the Purposes of any Appeal under the Provisions of this Act shall be transmitted to and remain in the Custody and Possession of the Registrar of Her Majesty in Ecclesiastical and Maritime Causes; and the said Registrar shall, if he shall so think fit, either in Person or by Deputy, attend the Hearing by the said Judicial Committee of all Prize Appeals, and shall do all such Things, and shall have and exercise the same Powers and Privileges in respect to such Prize Appeals, as he now does, or has, or exercises in respect to Appeals in Ecclesiastical and Maritime Causes.

Persons intervening on Appeal must enter a Claim.

XXXVI. In case any Person who was not an original Party in the Cause shall intervene, or interpose an Appeal from any Sentence or Interlocutory Decree having the Force of a Definitive Sentence given or pronounced in the Court of Admiralty, he shall at the same Time enter his Claim, verified upon Oath, and shall give good and sufficient Security for Costs, otherwise such Appeal shall be null and void.

Limit of Time of Appeal.

XXXVII. In every Appeal from a Sentence or Interlocutory Decree having the Force of a Definitive Sentence given or pronounced in any Court of Admiralty the usual Inhibition shall be extracted from the Registry of Her Majesty in Ecclesiastical or Maritime Causes, within Three Months if the Appeal be from the High Court of Admiralty of *England*, and within Six Months if the Appeal be from the Vice-Admiralty Court of the *Cape of Good Hope*, or from any Vice-Admiralty Court on this Side of the *Cape of Good Hope* or *Cape Horn*, and within Twelve Months if the Appeal be from any Vice-Admiralty Court beyond the *Cape of Good Hope* or *Cape Horn*, from the Date of such Sentence or Interlocutory Decree as aforesaid, otherwise the Appeal shall be null and void to all Intents and Purposes: Provided nevertheless, that the said Judicial Committee may, upon sufficient Cause shown, allow the Inhibition to be extracted and the Appeal to be prosecuted after the Expiration of the aforesaid respective Periods.

Prize Goods and Merchandise to be liable to Duties.

XXXVIII. Nothing herein contained shall be taken to exempt any Goods or Merchandise condemned as Prize and sold under the Provisions of this Act from the Payment of any Duties to which they would otherwise be subject upon Importation: Provided nevertheless, that if any such Goods or Merchandise brought into this Kingdom be unfit for the Markets thereof, the Commissioners of Her Majesty's Treasury may remit the whole or any Part of such Duties, upon Proof that the said Goods or Merchandise are unfit for the Markets of this Kingdom, or that the Proceeds of such Sale, after Payment of Duties, will be insufficient to satisfy the just and reasonable Claims thereon, in either of which Cases such Goods or Merchandise shall be exported or destroyed under the Direction of the Commissioners of Customs: Provided always, that whenever any such Goods or Merchandise shall be brought into the United Kingdom the Master or other Person in charge or command of the Vessel in which the same are brought shall on Arrival in any Part of the United Kingdom "bring to" at the Stations appointed by the Commissioners of Her Majesty's Customs for the boarding of Ships by the Officers of Customs, and shall on the Arrival of the Ship at her Place of Mooring in such Port forthwith give Notice to the Collector or Controller of such Port, who shall thereupon place any Officer or Officers on board such Ship in charge or command of the Goods until the same are duly lodged in some approved Warehouse for Security of the Duties due thereon, or until such Goods are otherwise legally disposed of or discharged out of the Custody of the Customs.

Deserters not entitled to Bounty, &c.

XXXIX. No Person or Persons belonging to any of Her Majesty's Ships or Vessels of War, or to any Merchant Ship employed in Her Majesty's Service, who shall run away or withdraw himself or themselves from the Ship or Vessel by which any Prize or Prizes shall be taken from any of Her Majesty's Enemies, or shall otherwise desert or withdraw himself or themselves from Her Majesty's Service before or after Notification, as by Law directed, shall be given of the Day appointed for the Payment of the several Shares to the Captors of the said Prize or Prizes, or who shall be marked in the Books of any Ship or Vessel in the Service of Her Majesty as having run therefrom, shall have or be entitled to have

or claim any Interest or Benefit from the said Share or Shares of the said Prize or Prizes, or of the Bounty Money herein-before mentioned or any Part thereof that shall then remain unpaid, but such Shares, as well as all other Shares which shall not be legally demanded within Six Years after the same shall have been duly notified, shall, at the Discretion of the Lords of the Admiralty, be paid into the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided nevertheless, that with respect to such forfeited or unclaimed Shares the Commissioners of Her Majesty's Treasury may, upon the Recommendation of the Lords of the Admiralty, and upon sufficient Cause being shown, make an Order for the Repayment thereof out of the Consolidated Fund to the Parties entitled thereto, or the Lords of the Admiralty may remit or pay the same to such Parties out of any Monies then remaining at the Credit of the Naval Prize Account.

Penalty on Masters of Merchant Vessels under Convoy for disobeying Signals or Orders or deserting Convoy.

XL. If the Master or other Person having the Command of any Merchant Ship or Vessel under Convoy shall wilfully disobey any Signals or Instructions or any other lawful Commands of the Commander of the Convoy, or shall desert such Convoy without Notice given and Leave obtained for that Purpose, he shall be liable to be articled for such Offence in the High Court of Admiralty of *England* at the Suit of the Queen in Her Office of Admiralty, and upon Conviction thereof shall be fined, at the Discretion of the said Court, in any Sum not exceeding Five hundred Pounds, and shall suffer such Imprisonment, not exceeding One Year, as the said Court shall adjudge.

Penalty on collusive Captures.

XLI. If any Ship, Vessel, Goods, or Merchandise be taken, by Collusion or Connivance with the Enemy, by any Officer commanding any of Her Majesty's Ships or Vessels of War, the said Ship, Vessel, Goods, and Merchandise may be declared and adjudged by the Court of Admiralty to be good Prize to Her Majesty, and shall remain at the Disposal of Her Majesty, and the Officer so offending may be articled in the High Court of Admiralty of *England* at the Suit of Her Majesty in Her Office of Admiralty, and upon Conviction shall forfeit a Sum not exceeding One thousand Pounds, one Moiety thereof to the Use of Her Majesty, and the other Moiety to the Use of the Person who shall sue for the said Penalty.

No Ships or Goods belonging to Her Majesty's Subjects to be ransomed.

Contracts for Ransom void.

XLII. It shall not be lawful for any of Her Majesty's Subjects to ransom or to enter into any Contract or Agreement for ransoming any Ship, Vessel, Goods, or Merchandise belonging to any of Her Majesty's Subjects which shall be captured by any of Her Majesty's Enemies; and all Contracts and Agreements which shall be entered into, and all Bills, Notes, and other Securities, which shall be given by any Person for Ransom of any Ship, Vessel, Goods, or Merchandise, contrary to the Provisions of this Act, shall be absolutely null and void.

Penalty on Persons ransoming.

XLIII. Any Person who shall ransom or enter into any Contract or Agreement for ransoming any Ship, Vessel, Goods, or Merchandise contrary to the Provisions of this Act, shall for every such Offence be liable to be articled in the High Court of Admiralty of *England* at the Suit of the Queen in Her Office of Admiralty, and upon Conviction thereof shall incur a Penalty not exceeding Five hundred Pounds, to be imposed by the Judge of the said Court, unless it shall appear that the Circumstances of the Case were such as to justify the said ransoming or Contract or Agreement for the same.

Penalty on Commanders ransoming or collusively restoring Ships or Goods taken as Prize.

XLIV. Any Commander of any of Her Majesty's Ships or Vessels of War who shall agree with any Person whomsoever for the ransoming of any Ship, Vessel, Goods, or Merchandise, or any Part thereof, after the same shall have been taken as Prize, and shall, in pursuance of such Agreement, or otherwise by Collusion, actually quit, set at liberty, restore, or discharge any such Ship, Vessel, Goods, or Merchandise, or any Part thereof, shall for every such Offence be liable to be articled in the High Court of Admiralty of *England* at the Suit of Her Majesty in Her Office of Admiralty, and upon Conviction thereof shall forfeit and suffer such Penalty or Fine as the said Court shall adjudge, unless it shall appear to such Court that the Circumstances of the Case were such as to have justified the same.

Penalties for breaking Bulk and Embezzlement.

XLV. If any Person belonging to any of Her Majesty's Ships or Vessels of War shall break Bulk on board of any Prize, with a view to embezzle any Money, Jewels, Plate, Goods, Merchandise, Tackle, Furniture, or Apparel of or belonging thereto, such Person shall be liable to be articled for every such Offence before the High Court of Admiralty of *England* at the Suit of Her Majesty in Her Office of Admiralty, and upon Conviction thereof shall forfeit to Her Majesty his whole Share in such Prize, as also treble the Value of all such Money, Jewels, Plate, Goods, Merchandise, Tackle, Furniture, or Apparel, unless it shall appear to the Court that the Circumstances of the Case were such as to have rendered the Appropriation thereof necessary.

Penalty for Offences relating to Prizes or against the Law of Nations.

XLVI. The Court of Admiralty may, upon due Proof of the Breach of any of Her Majesty's Instructions relating to Prizes, or of any Offence against the Law of Nations, committed by the Captor in relation to any Ship, Vessel, Goods, or Merchandise captured as Prize, or to the Persons taken on board the same, condemn such Prize to Her Majesty's Use and Disposal.

Offences committed on board armed Ships of War in Her Majesty's Service to be tried and punished as Offences com-

XLVII. Any Offence committed by any of the Officers and Crew serving on board of or belonging to any hired armed Ship or Vessel in Her Majesty's Service shall be tried and punished in such Manner as the like Offences are tried and punished when committed by any Person serving on board of or belonging to Her Majesty's Fleet; and all such Offenders who are to be tried by a Court-martial shall be placed under all necessary Restraint on board the Ship or Vessel in which such Offence shall be committed until they can be so tried by a Court-martial; and upon Application made to the Lords of the Admiralty, or to the Commander-in-Chief, or Senior Officer of Her Majesty's Ships or Vessels of War

mitted in Her Majesty's Fleet.

War abroad, authorized to assemble and hold Courts-martial, the said Lords of the Admiralty, or such Commander-in-Chief or Senior Officer respectively, may and are hereby required to assemble and hold a Court-martial for the Trial and Punishment of such Offenders; and the Officer commanding every such hired armed Ship or Vessel shall have the same Power in respect of the other Officers and Crew on board the same as Officers commanding Her Majesty's Ships or Vessels of War have over the Officers and Crews of such Ships and Vessels; and the Naval Commander-in-Chief and senior Naval Officers in Her Majesty's Service shall have and exercise the same Powers over the Officers and Crews of such hired armed Ships and Vessels as they have or may exercise over the Officers and Crews belonging to Her Majesty's Ships and Vessels of War.

Offenders to be confined, &c.

Court-martial to be called.

Her Majesty may grant Salaries to Judges of Vice-Admiralty Courts to act as Judges in Prize Causes.

XLVIII. It shall be lawful for Her Majesty, by Order in Council, to assign to the Judge of any Court which may be duly commissioned to take cognizance of Matters of Prize, such Salary not exceeding Five hundred Pounds as to Her Majesty may seem meet, and such Salaries shall be paid out of Monies to be voted by Parliament for that Purpose, at such Times and in such Manner and subject to such Regulations, as Her Majesty by Her said Order in Council may be pleased to direct; provided that no such Judge shall be entitled to any further Emolument arising from Fees or otherwise, in respect of any Prize Business transacted in such Court, but an Account of such Fees shall be kept by the Registrar of such Court, and be at the Disposal of the Commissioners of the Treasury.

Her Majesty may allow such Judges a retiring Pension.

XLIX. Her Majesty may give and grant to any Judge of any Vice-Admiralty Court in Matters of Prize an Annuity or Pension for the Term of his natural Life, in accordance with the Regulations and Provisions of the Fourth and Fifth *William* the Fourth, Chapter Twenty-four.

No Registrar or other Officer of any Court of Admiralty to act as Advocate or Proctor.

L. No Registrar, Deputy or Assistant Registrar, nor any Marshal or Deputy Marshal of or belonging to any Court of Admiralty, or the Court of Appeal therefrom, shall either directly or indirectly act or be in any Manner concerned, either as Advocate, Proctor, or Agent, in any Cause, Matter, or Business whatsoever depending in the Court of which he shall then be the Registrar, Deputy or Assistant Registrar, Marshal or Deputy Marshal respectively; and every Registrar, Deputy or Assistant Registrar, Marshal or Deputy Marshal, who shall be proved to the Satisfaction of such Court, after having been heard in his Defence, to have been guilty of such Offence, shall be dismissed from such Office or Employment.

Proctors to be concerned only for One Party in a Cause.

LI. No Proctor or other Person practising as a Proctor in the Court of Admiralty or in the Court of Appeal therefrom, being employed by One of the Parties in the Cause, shall be concerned, by himself or his Partner, or by any other Person, directly or indirectly, by or on behalf of the adverse Party in such Cause; and every such Proctor or other Person so offending shall, upon Conviction, forfeit to Her Majesty the Sum of Five hundred Pounds, and be thenceforth disqualified and rendered incapable of practising as a Proctor or otherwise in any Court of Admiralty, or before the Judicial Committee of the Privy Council.

Power for the Judge to make Rules of Court.

LII. It shall be lawful for the Judge of the Court of Admiralty from Time to Time to make and submit to Her Majesty in Council such Rules, Orders, and Regulations respecting the Practice and Mode of Proceeding of the said Court, and the Conduct and Duties of the Officers and Practitioners therein in all Matters relating to Prize, as to him shall seem fit, and such Rules, Orders, and Regulations, if approved by Her Majesty in Council, shall take effect and shall remain in force until the same are altered or repealed in like Manner.

Table of Fees to be hung up in Vice-Admiralty Courts.

LIII. Her Majesty may by Order in Council authorize Tables of Fees to be prepared for the several Courts of Admiralty throughout Her Dominions, and for the Practitioners therein, and One of such Tables shall be suspended in some conspicuous Place of the Court for which the same has been prepared, and no Judge or Surrogate, Registrar or Deputy Registrar, Marshal or Deputy Marshal, or any other Officer whatever belonging to any such Court, or any Practitioner in any such Court, shall, either directly or indirectly, receive or take, or be allowed for the Subject to which the Fee relates, any Fee beyond those specified in the said Table: Provided always, that Her Majesty may by Her Order in Council from Time to Time vary, alter, or repeal such Tables of Fees as to Her Majesty shall seem meet.

Punishment of Persons guilty of Perjury.

LIV. Any Person who shall wilfully and corruptly swear, declare, or affirm falsely in any Action, Suit, or other Proceeding under the Provisions of this Act, or in respect to any Matter required to be verified on Oath by this Act, or shall suborn any other Person so to do, shall be deemed guilty of Perjury or of Subornation of Perjury, as the Case may be, and shall be liable to be prosecuted and punished accordingly.

Recovery of Penalties and Forfeitures.

LV. All Penalties and Forfeitures imposed by this Act, wherever the same shall arise and become forfeited, may be recovered in like Manner as any Debt due to Her Majesty in any of Her Majesty's Superior Courts of Record at *Westminster*, or by Monition and Attachment in the High Court of Admiralty of *England*, unless in Cases where any other Mode is by this Act particularly directed; and all such Penalties and Forfeitures which shall arise or become forfeited in any Part of Her Majesty's Dominions abroad may be recovered in any Court of Record of Her Majesty in the Colony, Territory, or Place where the same shall arise or have become forfeited, or in any of Her Majesty's Vice-Admiralty Courts having Jurisdiction there.

Limitation of Actions.

LVI. No Action shall be brought against any Person or Persons whomsoever for any Matter or Thing whatever done or committed under or by virtue or in the Execution of this Act unless such Action shall be brought within Two Years next after the doing or committing of such Matter or Thing

nor,

nor, unless Notice of Action shall have been given, One Calendar Month at least before the Commencement of the same, which Notice shall specify the Cause of the said Action; and if the Plaintiff or Plaintiffs shall be nonsuited, or suffer Discontinuance, or forbear further Prosecution, or if Judgment shall be given for the Defendant or Defendants, such Defendant or Defendants shall recover his Costs to be taxed as between Attorney and Client.

Continuance of Act.

LVII. This Act shall continue in force during the present War, and no longer, save and except as to all such Matters and Things as shall then be depending in Judgment in the Court of Admiralty, or before the Judicial Committee of the Privy Council, or in any Court of Record within Her Majesty's Dominions, at the Time when the present War shall cease, and also save and except as to the carrying out and finally disposing of all such other Matters or Things as shall arise out of the present War in reference to the Provisions of this Act; and also save and except as to all Offences which may have been committed against, and all Penalties and Forfeitures which may have been incurred under the Provisions of this Act, in respect whereof Proceedings shall and may be taken as if this Act still continued in force.

Not to extend to Seizures made by Officers of Customs or Excise.

LVIII. Nothing in this Act shall extend or be deemed or construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer of Customs or Excise for any Breach of the Laws or Regulations relating to the Customs or to Trade or Navigation.

CAP. XIX.

An Act for facilitating the Payment of Her Majesty's Navy, and the Payment and Distribution of Prize, Bounty, Salvage, and other Monies to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War; and for the better Regulation of the Accounts relating thereto. [2d *June* 1854.]

'WHEREAS it is desirable to facilitate the Payment of the Officers and Crews on board Her 'Majesty's Ships and Vessels of War, as also to provide further and more effectual Means for the 'Payment and Distribution of any Prize, Bounty, Salvage, or other Monies which may be payable and 'distributable to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War: 'And whereas, by Her Proclamation bearing Date the Twenty-ninth Day of *December* One thousand 'eight hundred and fifty-three, Her Majesty was pleased to direct the Mode in which the Distribution 'of any such Prize, Bounty, Salvage, or other Monies should be made; and by Her further Proclamation, 'bearing Date the Twenty-ninth Day of *March* One thousand eight hundred and fifty-four, Her 'Majesty was graciously pleased to order and direct that the net Proceeds of all Captures which should 'be made during the present War with *Russia* by any of Her Ships or Vessels of War should be 'for the entire Benefit of the Officers and Crews of such Ships and Vessels of War as might have 'effected such Capture, after the same should have been finally adjudged to Her Majesty as lawful Prize:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may for all Purposes be cited as "The Naval Pay and Prize Act, 1854."

Commencement of Act.

II. This Act shall come into operation on the First Day of *June*, One thousand eight hundred and fifty-four.

Interpretation of Terms.

III. In the Construction of this Act the following Terms shall have the respective Meanings hereinafter assigned to them (if not inconsistent with the Context or Subject Matter); that is to say,

"Her Majesty" shall include Her Majesty, Her Heirs and Successors:

"Lords of the Admiralty" shall include the Lord High Admiral and also the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being:

"Court of Admiralty" shall include the High Court of Admiralty of *England*, and any Admiralty, Vice-Admiralty, or other Court within Her Majesty's Dominions, which shall be duly authorized to take cognizance of and judicially to proceed in Matters of Prize:

"Vice-Admiralty Courts" shall include all such Courts other than the High Court of Admiralty of *England*:

"Judge" shall include any Judge, Deputy Judge, Surrogate, or other Person duly appointed to act as the Judge in any Court of Admiralty:

"Ship and Vessel" shall include all and all Manner of Ships, Vessels, and Boats:

"Her Majesty's Ships and Vessels of War" shall include all Ships and Vessels belonging to Her Majesty, as also any hired armed Ships or Vessels in Her Majesty's Service:

"Officers and Crew" shall include all Flag and other Officers, Engineers, Seamen, Marines, Soldiers, and others on board any of Her Majesty's Ships or Vessels of War.

"Government Accountant" shall include any Officer in charge of public Money, whether belonging to the Commissariat, Customs, or any other Department, who may have been, or may be, hereafter appointed by the Lords of the Treasury or Admiralty.

Proceeds of any Prize to be paid to the Naval Prize Account.

IV. Whenever any Ship, Vessel, Goods, or Merchandise has been condemned in any Court of Admiralty, or other Court having competent Jurisdiction, whether as Prize of War, or in pursuance of any Act of Parliament relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or to the Capture and Destruction of Pirates and piratical Vessels, or on any other Grounds, and the Proceeds arising therefrom have thereby or by Her Majesty's Proclamations become payable and distributable to and amongst the Officers and Crews of any of Her Majesty's Ships and Vessels of War, the Judge of the Court of Admiralty or other Court by which the Decree or Interlocutory Sentence shall have been pronounced shall forthwith direct the said Ship, Vessel, Goods, or Merchandise to be appraised by competent Persons sworn to appraise the same, according to the best of their Skill and Knowledge, and shall direct the same to be sold by the Marshal or other Officer of such Court, or by Persons to be appointed by the Court for that Purpose; and the Proceeds arising therefrom, or if the said Ship, Vessel, Goods, or Merchandise shall have been released on Bail, then the appraised or agreed Value thereof shall be paid to the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions.

Bounties and Salvage to be paid to the Naval Prize Account.

V. All Bounties, whether for the Capture or Destruction of Enemies or Enemies' Ships or Vessels in Time of War, or for Captures or Seizures made under the Provisions of the several Acts of Parliament passed relating to the Revenues of Customs and to Trade and Navigation, or to the Abolition of the Slave Trade, or for the Capture and Destruction of Pirates and piratical Vessels, and all Awards for Salvage or other Services, whether the same shall have been by the Decree of a competent Court or by Agreement, and which shall be payable and distributable to and amongst the Officers and Crews of any of Her Majesty's Ships and Vessels of War, shall be forthwith paid to the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions, in order that the same may be transferred to the said Account.

As to the Distribution of Proceeds, Bounty, Salvage, &c.

VI. Whenever the Proceeds of any Ship, Vessel, Goods, or Merchandise, or any Bounty, Salvage, or other Award as aforesaid, shall have been paid into the Account of Her Majesty's Paymaster General at the Bank of *England* on account of Naval Prize, or into the Hands of some Government Accountant within Her Majesty's Dominions, the High Court of Admiralty of *England* or the Court which may have condemned the said Prize, or awarded the said Bounty, Salvage, or other Monies, may direct the Payment thereout of all Costs, Charges, and Expenses which may be chargeable against the same, or which may have been incurred by the Captor, his Attorney, or Agent, after such Costs, Charges, and Expenses shall have been taxed or allowed by the Registrar of such Court or his Deputy; and the Balance of such Prize, Bounty, Salvage, and other Monies shall thereupon, and after the Time for appealing shall have expired, forthwith be distributed by the Lords of the Admiralty to and amongst the Persons entitled thereto, after the same shall have been notified in the *London Gazette*.

Parties claiming Benefit under this Act may resort to the Court of Admiralty.

VII. The Lords of the Admiralty, or any Party claiming any Interest in the Proceeds of any Prize, or in any Bounty, Salvage, or other Monies payable and distributable under the Provisions of this Act, may, prior to the Distribution thereof, resort to the High Court of Admiralty of *England* for the Purpose of obtaining the Judgment of the said Court in that Behalf, and the Judge of the said Court shall proceed to hear and determine the same, as also any Question of joint Capture which may arise thereon; and such Court shall have and exercise full Power, Authority, and Jurisdiction throughout Her Majesty's Dominions, and may enforce any Decree or Sentence of any Vice-Admiralty Court; and all Vice-Admiralty Courts within Her Majesty's Dominions are hereby empowered, directed, and required to enforce upon all Persons within their respective Jurisdictions all Orders whatsoever of the High Court of Admiralty of *England* relating to any Matter arising under the Provisions of this Act.

High Court of Admiralty of England may compel Production of Proceeds, &c.

VIII. The Judge of the High Court of Admiralty of *England* may, on the Application of the Lords of the Admiralty, or any Persons interested in the Proceeds of any Prize, or in any Bounty, Salvage, or other Monies, and on an Affidavit that the Proceeds of any Prize or of any Bounty, Salvage, or other Monies payable and distributable under the Provisions of this Act, or any Papers or Books relating thereto, are in the Possession of any Person, compel by Process of the Court, and by Monition and Attachment, the Production thereof, and the paying and transferring of such Proceeds into the Naval Prize Account as aforesaid, and the answering to such Interrogatories touching the same as the Court may approve, and may make such Order in the Premises touching and concerning the same, and the Costs of such Proceedings, as to it shall seem meet.

Penalty of One Pound per Cent. per Month on retaining Proceeds contrary to Act.

IX. Any Captor, or other Person who shall acquire or retain the Proceeds of any Prize, Bounty, Salvage, or other Monies contrary to the Provisions of this Act, except for reasonable Cause to be allowed by the Court of Admiralty, shall pay Interest thereon at the Rate of One Pound *per Centum per* Month for such Time as the same shall so be in his Custody or Possession, and such Interest shall be deemed to be Part of such Proceeds, and be paid and applied accordingly.

Power to allow in Paymaster General's Accounts certain Sums without

X. 'Whereas Her Majesty's Paymaster General is required to make up, and transmit to the Commissioners for auditing the Public Accounts, Accounts of the Receipts and Expenditure within his Department: And whereas numerous Payments are made by Her Majesty's Paymaster General by way of Imprest and upon Account, under the Authority of Orders drawn upon him by the Heads of

'Departments

'Departments in favour of Accountants and other Persons, who subsequently account to such Depart- 'ment for the detailed Application of such respective Advances: And whereas numerous other Payments 'are made by Her Majesty's Paymaster General upon Orders in like Manner issued, the Vouchers for 'which are examined by the Department from which such Orders are severally issued, and many of 'which Vouchers are necessarily retained by such Department: And whereas it is expedient that the 'Commissioners for auditing the Public Accounts should be empowered to allow and pass Payments in the 'Accounts of Her Majesty's Paymaster General in manner hereafter provided:' Be it enacted, That the Commissioners for auditing the Public Accounts may allow and pass as final Payments in the Accounts of Her Majesty's Paymaster General all such Sums paid and charged by him in his Accounts, on Production to them of the Warrants, Bills, Orders, or other usual Authorities in respect of which such Payments have been made, with the Acquittances or Endorsements of the Parties to whom such Orders are made payable, whether the same be stamped or not, without requiring the Producton of any subordinate or other Voucher in support of any such Warrant, Bill, Order, or other Authority.

the Production of Vouchers in detail.

XI. 'And whereas certain other Payments are made by Her Majesty's Paymaster General upon Orders 'signed by the Heads of Departments, and which are vouched by Persons present and witnessing the 'same, but no Receipts are given by the Parties to whom such Payments are respectively made:' Be it enacted, That the Commissioners for auditing the Public Accounts may allow and pass in the Accounts of Her Majesty's Paymaster General all such Payments vouched or certified by Persons present and witnessing such respective Payments, without requiring the Receipts of the several Parties to be produced.

Power to allow in Paymaster General's Accounts Sums paid on Certificate.

XII. 'And whereas there are certain other Cases where it has not been found practicable to produce 'to the Commissioners for auditing the Public Accounts any Certificates from Persons present and 'witnessing Payments, or the Receipts of the Parties to whom such Payments were respectively made, 'although such Certificates or Receipts have been produced to the Head of the Department:' Now be it enacted, That the said Commissioners for auditing the Public Accounts may allow and pass in the Accounts of Her Majesty's Paymaster General all Payments not supported by such Certificates or Receipts, on the Production to them of Returns or Statements signed by the Head of the Department.

Power to allow in Paymaster General's Account Sums paid under Certificates of Heads of Departments.

XIII. The Lords of the Admiralty may from Time to Time make such Rules, Orders, and Regulations as may to them appear expedient for facilitating the paying of the Navy, and for distributing the Proceeds of any Prize, or any Bounty, Salvage, or other Monies, as aforesaid, and for keeping the Accounts and Expenses in relation thereto, notwithstanding any Provisions to the contrary contained in the Act of the Eleventh *George* the Fourth, Chapter Twenty, and Fifty-fourth *George* the Third, Chapter Ninety-three, or in any other Act whatsoever; provided always, that such Rules, Orders, and Regulations are not inconsistent with the aforesaid Proclamations, or with any future Proclamation which Her Majesty may see fit to issue in that Behalf, and that the same shall not have any Force or Effect until they have been previously approved by Her Majesty in Council; and such Orders in Council shall be presented to Parliament within Fourteen Days after the Date thereof, or if Parliament be not then sitting, within Fourteen Days next after the meeting of Parliament; and an Account showing all the Receipts and Expenditure on account of Naval Prize to the Thirty-first Day of *March* in each Year, signed by the Accountant General of Her Majesty's Navy, shall be annually laid before Parliament.

Lords of the Admiralty may by Order in Council alter the Mode of paying the Navy, and distributing Prize Money, &c.

XIV. Provided, that nothing in this Act contained shall extend or be construed to extend to any Seizure of Ships, Vessels, Goods, or Merchandise made by any Officer or Officers of Customs, or of Inland Revenue or Excise, for any Breach of the Laws or Regulations relating to the Customs, Inland Revenue, or Excise, or to Trade and Navigation.

Act not to extend to Seizures made by Officers of Customs, &c.

CAP. XX.

An Act to repeal an Act of the Fifty-third Year of King *George* the Third, Chapter Seventy-two, and an Act of the Eighth Year of Her present Majesty, Chapter Twenty-one; and for making Provision for the Appointment and for Remuneration of a Stipendiary Justice for the Division of *Manchester* in the County of *Lancaster*, and of Clerks to such Justice and the Justices for the Borough of *Salford;* and for other Purposes. [2d *June* 1854.]

'WHEREAS by an Act (herein-after called the first-recited Act) passed in the Fifty-third Year of 'the Reign of King *George* the Third, intituled *An Act for the more effectual Administration of* 53 G. 3. c. 72. 'the Office of a Justice of the Peace within the Townships of* Manchester *and* Salford *in the Hundred of* 'Salford *in the County Palatine of* Lancaster, *and to provide, by means of a Rate in the said Townships* 'and otherwise, a competent Salary to a Justice of the Peace acting within the said Townships, and to* 'enable the Constables of* Manchester *and* Salford *to take Recognizances in certain Cases,* it was provided, 'that the Justice to be appointed under the Provisions thereof should reside within One Mile of the 'Exchange in the Town of *Manchester*, or of the *New Bailey* Court House in the Town of *Salford*, and 'should daily (*Sundays* excepted) attend at the *New Bailey* Court House in *Salford;* and it was 'thereby also provided, that the said Township of *Manchester* should contribute Seven Eighth Parts 'and the Township of *Salford* One Eighth Part of the Salary payable to such Justice, which Salary

'was

'was by the said Act fixed at One thousand Pounds *per Annum:* And whereas since the passing of 'the said Act Her present Majesty has granted a Charter of Municipal Incorporation to the said 'Township of *Manchester*, and the adjoining Townships of *Chorlton-upon-Medlock, Hulme, Ardwick,* 'and *Cheetham*, and the Extra-parochial District of *Beswick*, incorporating the same by the Name of 'the Borough of *Manchester*, and has by a subsequent Charter ordained that the Style of the said 'incorporated Borough should thenceforth be the City of *Manchester*, instead of the Borough of *Man-* 'chester: And whereas a separate Commission of the Peace and a separate Court of Quarter Sessions 'have respectively been granted to and for the said City of *Manchester*, and a salaried Police Magistrate 'has been appointed for the same City; and by an Act passed in the Eighth Year of the Reign of Her
7 & 8 Vict. c. 30. 'present Majesty, intituled *An Act to alter and amend an Act of the Fifty-third Year of King* George 'the Third, *for the Appointment of a Stipendiary Magistrate to act within the Townships of* Man- 'chester *and* Salford, all the Powers and Provisions of the said recited Act of the Fifty-third Year of 'King *George* the Third, so far as they authorized or required the Payment by the said Township of '*Manchester* of any Part of the Salary payable to the Police Magistrate thereunder appointed, or which 'authorized the making or levying of any Rate within the said Township of *Manchester* for the Purpose 'of raising such Salary or any Part thereof, and also any Provisions which directed, authorized, or 'required the Payment to the said Township of *Manchester*, or to any Person or Persons on behalf of 'such Township, of any Part or Portion of the Recognizances taken and estreated in the said County 'Palatine of *Lancaster*, have been repealed: And whereas since the passing of the said Act of the Fifty- 'third Year of *George* the Third Her present Majesty has granted a Charter of Municipal Incorporation 'to the said Township of *Salford* and Part of the adjoining Township of *Broughton*, which lies on the 'South Side of the River *Irwell*, and which Charter was confirmed by an Act passed in the Eleventh
11 & 12 Vict. c. 93. 'and Twelfth Years of the Reign of Her present Majesty, intituled *An Act to confirm the Incorporation* 'of certain Boroughs: And whereas by an Act passed in the Sixteenth Year of the Reign of Her
16 Vict. c. xxxii. 'present Majesty, intituled *An Act for the Extension of the Boundaries of the Municipal Borough of* 'Salford, *and otherwise improving the said Borough, and for other Purposes*, the Township of *Pendleton*, 'the remaining Portion of the Township of *Broughton* theretofore not included within the Limits of the 'said Municipal Borough of *Salford*, and that Portion of the Township of *Pendlebury* which is com- 'prised within the Parliamentary Borough of *Salford*, were incorporated, and included within the Limits 'of the said Municipal Borough of *Salford*, subject, however, to a Proviso that the said Act should not 'take effect until One Third in Number of the Inhabitant Householders of the *Broughton* District rated 'in the then last Assessment to the Poor's Rate for the Township of *Broughton* in an Amount 'exceeding One Half of the entire Amount of the said Rate on the Inhabitant Householders within 'the *Broughton* District should have signified under their Hands their Assent to the Incorporation of 'the *Broughton* District with the Municipal Borough of *Salford;* and it was also provided and 'declared by the said Act, that a Certificate under the Hands of Two Justices acting in and for the 'County Palatine of *Lancaster*, not being Burgesses of the then existing Borough, certifying that such 'Assent had been obtained, should be sufficient Evidence thereof: And whereas since the passing of the 'last-mentioned Act a Certificate has been duly given under the Hands of *Charles James Stanley* 'Walker and *James Kershaw*, Esquires, being such Justices as by the said Act in that Behalf is 'required, certifying that such Assent as aforesaid had been obtained: And whereas by an Act, herein- 'after called the fourth-recited Act, passed in the Eighth Year of the Reign of Her present Majesty,
8 & 9 Vict. c. 21. 'intituled *An Act to amend an Act of the Fifty-third Year of* George *the Third, for appointing a* 'Stipendiary Magistrate *for the Townships of* Manchester *and* Salford, *and to provide a Stipendiary* 'Magistrate *for the Division of* Manchester, Provisions were made for the Payment of a Salary 'to the Justice appointed under the herein-before first-recited Act, by Contributions payable by 'the Borough of *Salford*, and the other Townships and Places composing the Division of *Manchester*, 'and for the Appointment and Payment of Clerks to the said Justice and the other Justices, and for 'regulating the Place of Residence and the Times and Places for holding the Sittings of the said Justice: 'And whereas the several Townships or Places of *Worsley, Barton-upon-Irwell, Clifton, Pendlebury,* 'Pendleton, *Flixton, Urmston, Blakeley, Bradford, Broughton, Chorlton-cum-Hardy, Crumpsall,* 'Didsbury, *Failsworth, Gorton, Harpurhey, Levenshulme, Moss Side, Moston, Newton, Openshaw,* 'Reddish, *Rusholme, Salford, Stretford, Withington, Great Heaton, Little Heaton, Prestwich*, and 'Heaton Norris, now compose the Division of *Manchester:* And whereas *Henry Leigh Trafford,* 'Esquire, at the Time of the passing of this Act is the Stipendiary Justice appointed under the first 'and fourth recited Acts: And whereas it is expedient that Alterations should be made in the Times 'and Places of the holding of the Sittings of the said Stipendiary Justice, and in the Amount of 'Remuneration to be paid to him and to the Clerks to the said Stipendiary Justice and the Justices 'for the said Borough of *Salford*, and also that Alterations should be made touching the Appointment, 'Functions, and Duties of the said Stipendiary Justice, and that the said first and fourth recited Acts 'should be repealed; but the same cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. In

Salford Borough and Manchester Division.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The *Manchester* Division Stipendiary Justice Act, 1854." Short Title of Act.

II. That in this Act, and in any Act or Part or Parts of an Act incorporated herewith, and in all Appointments, Warrants, Orders, Convictions, Recognizances, Commitments, Judgments, Certificates, Allowances, and other Documents whatsoever made under the Provisions of this Act, the Words, Expressions, and Phrases respectively following shall be construed to have the Meanings hereby expressly assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation Clause.

"Stipendiary Justice" shall mean the Stipendiary Justice appointed or any Stipendiary Justice hereafter to be appointed under the Provisions of this Act:

'Borough Business" shall mean all Business, Offences, Matters, and Things within the Cognizance o a Justice or Justices of the Peace arising or happening within the Limits of the Municipal Borough of *Salford*, which said Borough comprises the Townships of *Salford*, *Broughton*, and *Pendleton*, and a Portion of the Township of *Pendlebury* as defined by the herein-before recited Act of the Sixteenth Year of the Reign of Her present Majesty:

"Divisional Business" shall mean all Business, Offences, Matters, and Things within the Cognizance of a Justice or Justices of the Peace arising or happening within the said Division of *Manchester* elsewhere than within the Limits of the Municipal Borough of *Salford:*

"Clerk for Borough Business" shall mean a Clerk or Clerks to the Stipendiary Justice and all other Justices having Jurisdiction for the Transaction of Borough Business:

"Clerk for Divisional Business" shall mean a Clerk or Clerks to the Stipendiary Justice for the Transaction of Divisional Business, except such as shall be done at any Sittings holden within the Townships or Places of *Worsley* or *Heaton Norris:*

"Justices of the Division" shall mean Justices of the Peace of and for the County of *Lancaster* acting for the Division of *Manchester* in the said County of *Lancaster:*

"Division of *Manchester*" shall mean the Townships and Places of *Worsley, Barton-upon-Irwell, Clifton,* that Part of *Pendlebury* which is not within the Municipal Borough of *Salford, Flixton, Urmston, Blakeley, Bradford, Burnage, Chorlton-cum-Hardy, Crumpsall, Didsbury, Failsworth, Gorton, Harpurhey, Levenshulme, Moss Side, Moston, Newton, Openshaw, Reddish, Rusholme, Stretford, Withington, Great Heaton, Little Heaton, Prestwich,* and *Heaton Norris:*

"Borough Justices" shall mean Justices of the Peace of and for the Municipal Borough of *Salford*

"Out-District Clerks" shall mean Clerks to the Justices of the Peace for the County of *Lancaster* sitting at the Townships or Places of *Worsley* and *Heaton Norris.*

III. The herein-before first-recited Act of the Fifty-third Year of the Reign of King *George* the Third, Chapter Seventy-two, and the herein-before fourth-recited Act of the Eighth Year of the Reign of Her present Majesty, shall be and the same respectively are hereby repealed. 53 G. 3. c. 72. and 8 Vict. c. 21. repealed.

IV. It shall be lawful for Her Majesty, Her Heirs and Successors, in right of Her Duchy and County Palatine of *Lancaster*, from Time to Time as Occasion may require, by and with the Advice of Her Chancellor and Council of the said Duchy for the Time being, to appoint One fit and able Person, who shall be of the Degree of a Barrister-at-Law, and of Four Years standing at the least, being a Justice of the Peace for the said County, to be a Stipendiary Justice, who shall execute the Office of a Justice of the Peace within the Division of *Manchester*, either by himself or together with such other Justice or Justices of the Peace for the said County Palatine as may think proper to attend, and also within the Borough of *Salford*, and who shall be therefore entitled to such Salary as is herein-after in that Behalf provided. Her Majesty, in right of Her Duchy of Lancaster, to appoint a Barrister as Stipendiary Justice.

V. The Justice continued or appointed under the Provisions of this Act shall be called the Stipendiary Justice for the Division of *Manchester* and the Borough of *Salford.* Style of Stipendiary Justice.

VI. The Stipendiary Justice appointed and now acting under the Provisions of the first and fourth recited Acts, and the Clerk or Clerks to and other Officers and Servants of such Stipendiary Justice and other Justices of the said Division, and for Borough Business, appointed under and by virtue of the said fourth-recited Act, shall, notwithstanding the Alterations hereby made in the Constitution and Duties of the said respective Offices, continue and be the Stipendiary Justice, Clerk and Clerks, and Officers and Servants respectively under this Act, according to the Nature and Tenure of their Appointments and Employments respectively, and they shall respectively be accountable in the same Manner as if at the Time of their respective Appointments and Employments this Act had passed. Present Stipendiary Justice and Clerks to continue in Office;

VII. It shall be lawful for the Stipendiary Justice, during his Residence within the Limits hereinafter prescribed, and whilst he continues to hold the said Office of Stipendiary Justice, to execute the Office of a Justice of the Peace for the County of *Lancaster*, although such Stipendiary Justice may not be possessed or entitled in Law or Equity to an Estate or Interest in Lands, Tenements, or Hereditaments in *England* or *Wales* of the clear annual Value of One hundred Pounds, anything contained in any Act or Acts of Parliament to the contrary notwithstanding, provided that such Person be not disqualified by Law to act as a Justice of the Peace for any other Cause or upon any other Account than in respect of the Want of such Estate or Interest as aforesaid. Not incapacitated for Want of Property Qualification;

VIII. No

Nor to sit in the House of Commons.

VIII. No Stipendiary Justice shall during his continuing to hold such Appointment be capable of being elected or of sitting as a Member of the House of Commons.

Residence of Stipendiary Justice.

IX. The Stipendiary Justice shall reside at some Place within either of the Municipal Boroughs of *Manchester* and *Salford*, or elsewhere within the Division of *Manchester*.

Stipendiary Justice to sit at Town Hall and New Bailey, Salford, and at Worsley.

X. The Stipendiary Justice shall daily, except on *Sundays*, *Christmas Day*, and *Good Friday*, and such other Days as are herein-after excepted, attend at the *New Bailey* Court House in *Salford* aforesaid for the Transaction and Disposal of Divisional Business, and shall also daily (except on *Sundays*, *Christmas Day*, and *Good Friday*,) attend at the Town Hall in the said Borough of *Salford*, for the Transaction and Disposal of Borough Business, and shall also hold a Sitting on One Day at least in every Fortnight at the Court House at *Worsley*, so long as the said Court House shall be allowed by the Owner thereof to be used for that Purpose.

Stipendiary Justice to sit at Heaton Norris.

XI. After proper Court Houses and other Accommodations shall have been provided for the Administration of Justice, at the Cost of the Township herein-after mentioned, then the Stipendiary Justice shall hold a Sitting on One Day at least in every Fortnight at or within the said Township of *Heaton Norris*: Provided always, that nothing herein contained shall limit the Right of any other Justices of the County of *Lancaster* to hold Sittings within the said Townships of *Heaton Norris* and *Worsley*, or either of them.

For Appointment of Out-District Clerks.

XII. 'And whereas it is expedient that Out-District Clerks should be appointed and remunerated:' Be it enacted, That it shall be lawful for the Justices of the Division, if they think fit, when and as Occasion may arise, to appoint an Out-District Clerk for each of the Townships of *Worsley* and *Heaton Norris*, with Salaries not exceeding Fifty Pounds a Year for each Clerk, which said Clerks shall respectively attend as well to the Sittings of the Stipendiary Justice as the Sittings of the Justices of the Division acting for the said Townships respectively; and all Fees taken and received at any Sittings, as well of the Stipendiary Justice as of the Justices of the said Division, shall be brought into the Fee Fund herein-after authorized to be raised and maintained, and paid over to the Treasurer thereof, or, if there shall be no such Treasurer, to the Clerk for Divisional Business, as herein provided: Provided always, that for the Appointment or Removal of a Clerk for or from any of the said last-mentioned Places, the same Course of Proceeding shall be observed as is herein directed with respect to the Appointment or Removal, as herein-after mentioned, of the Clerk for Divisional Business.

Provision for holding Sittings of Stipendiary Justice in other Places.

XIII. It shall be lawful for the Justices of the Division, at any Meeting of such Justices, if they shall think it expedient so to do, from Time to Time to appoint, and from Time to Time to suspend, alter, and discontinue, the holding by the said Stipendiary Justice of any Sitting or Sittings for and at or within any of the Townships or Places which now compose the Division of *Manchester*, except the Townships of *Worsley* and *Heaton Norris*, and the Townships or Parts of Townships comprised within the Municipal Borough of *Salford*, and the Stipendiary Justice shall accordingly from Time to Time attend and hold his Sittings at the Place or Places so from Time to Time appointed.

In Absence of Stipendiary Justice, another Justice may attend.

XIV. The Attendance of the Stipendiary Justice at the said *New Bailey* Court House or elsewhere as aforesaid may be supplied by any other Justice of the Peace for the said County Palatine of *Lancaster*, and the Attendance of the Stipendiary Justice at the Town Hall of *Salford* may be supplied by any Justice of the Peace of or for the said Borough of *Salford*, or by any Justice of the Peace of or for the said County Palatine of *Lancaster*; and the Stipendiary Justice shall not be required to attend at the *New Bailey* Court House aforesaid on any Day which shall be appointed under the Provisions of this Act for his holding any Sitting at any other of the said Townships or Places within the said Division, except the said Town Hall in *Salford* aforesaid: Provided, that the Number of Days on which the said Stipendiary Justice shall be required to attend or hold Sittings at all or any of the Townships or Places comprised within the Division of *Manchester*, except the *New Bailey* Court House and the Town Hall in *Salford*, shall not exceed Three Days in a Week; provided also, that the Stipendiary Justice shall not, by reason of his being required to attend at any other Place, be exempted from attending at the Town Hall in *Salford*.

Provision for suspending and discontinuing certain Sittings.

XV. The Justices of the Division of *Manchester* shall have the Power, at any Meeting of such Justices, to direct that any Sitting or Sittings of the Stipendiary Justice previously directed to be held elsewhere than at the *New Bailey* Court House or Town Hall in *Salford*, or at the Court House at *Worsley*, or within the said Township of *Heaton Norris*, as herein-before authorized, shall be suspended or discontinued, and the same shall thereupon be suspended or discontinued accordingly.

Divisional and Borough Justices to have concurrent Jurisdiction in Borough Business.

XVI. All Justices of the said Division and all Borough Justices shall have Jurisdiction in all Borough Business; and in all Cases where Borough Business shall require the Concurrence of Two or more Justices, a Justice or Justices for the Division and a Borough Justice or Justices may concur in doing such Business, as effectually, to all Intents and Purposes, as if the same were done by the requisite Number of Justices of the Division, or the requisite Number of Borough Justices.

Certain County Justices to be Borough Justices.

XVII. Every Justice of the Peace of and for the said County of *Lancaster* who, at the Time of the passing of this Act, shall be or at any Time thereafter shall become an Inhabitant and reside within the Limits of the said Municipal Borough of *Salford*, as defined by the said Act of the Sixteenth Year of the Reign of Her present Majesty, or who shall be a Burgess of the same Borough, shall be also a

Borough

Borough Justice during such Time as such Justice for the said County shall so continue such Inhabitant or Burgess respectively, and shall have all the Powers and Authorities of a Justice of the Borough.

Clerk for Divisional Business and Clerk for Borough Business to be appointed.

XVIII. The Justices of the Division and the Stipendiary Justice for the Time being respectively shall at a Meeting of the said Justices from Time to Time appoint a Clerk or Clerks for Divisional Business, and a Clerk or Clerks for Out-Districts, and shall and may, if they shall think fit, at a Meeting of the said Justices remove and displace any Clerk or Clerks for Divisional Business or Out-District Business, and the Borough Justices and the Stipendiary Justice for the Time being respectively shall at a Meeting of the same Justices from Time to Time appoint a Clerk or Clerks for Borough Business, and from Time to Time at a like Meeting shall and may, if they shall think fit, remove and displace any Clerk or Clerks for Borough Business.

Duties of the respective Clerks for Divisional and Borough Business.

XIX. The Clerk or Clerks for Divisional Business, or One of them, shall attend upon the Stipendiary Justice and every other Justice sitting for him, for and during the Transaction and Disposal of all Divisional Business, except such as shall be done at any Sittings holden within the Townships or Places of *Worsley* or *Heaton Norris;* and the Clerk or Clerks, or One of them, for Borough Business, shall attend upon the Stipendiary Justice and all other Sittings of a Justice or Justices of the Peace holden at the Town Hall in *Salford,* for and during the Transaction and Disposal of all Borough Business.

Provision for Payment of Salaries to the Stipendiary Justice and Clerk for Divisional Business and Out-District Clerks.

XX. So long as the Stipendiary Justice and the Clerk for Divisional Business and the Out-District Clerks shall respectively continue to discharge the Duties of their respective Offices, there shall be paid, out of the Fund or Monies by this Act authorized to be raised and maintained for that Purpose, to the Stipendiary Justice, the yearly Sum of Eight hundred and forty Pounds, and to the Clerk for Divisional Business a yearly Sum not exceeding Five hundred Pounds, which said last-mentioned yearly Sum shall be paid to and received by the said Clerk in lieu of all Fees and Monies which he would otherwise be entitled to by virtue or in respect of his said Office or Employment, but which said Fees and Monies he is nevertheless hereby required to demand and receive, and is herein-after directed to pay over to the Credit of the General Fee Fund herein-after mentioned and directed to be raised and maintained; and the said last-mentioned yearly Sum shall include as well the Remuneration for the Service of such Clerk as the Payments he may be required to make for all necessary Assistants; and there shall also be paid out of the said Fund to every Out-District Clerk such yearly Sum as, according to the Provisions of this Act, shall be fixed for his Salary, which Sum every such Clerk shall receive in lieu of all Fees and Monies which he would otherwise be entitled to by virtue or in respect of his said Office or Employment, but which Fees and Monies he is nevertheless hereby required to demand and receive, and is herein-after directed to pay over to the Credit of the said General Fee Fund, and which respective Sums so fixed for Salary as aforesaid shall include as well the Remuneration for the Services of every such Clerk as the Payments he may be required to make for all necessary Assistants, the said several Sums to be paid by Four equal quarterly Payments, and so *pro rata* a Proportion of such quarterly Payments up to the Time of the Death of the said Stipendiary Justice or of the said Clerks respectively, or their respectively ceasing to act.

Borough of Salford to contribute its Quota towards the Salary of Stipendiary Justice from Borough Fund.

XXI. So long as the said Stipendiary Justice shall continue to discharge the Duties of his said Office as aforesaid, the Treasurer of the Municipal Borough of *Salford* for the Time being shall, out of the Borough Fund, pay the yearly Sum of Four hundred and twenty Pounds, which said yearly Sum shall be paid by the said Municipal Borough as its Contribution or Quota towards the yearly Salary herein-before directed to be paid to the said Stipendiary Justice, and shall be paid by Four equal quarterly Payments in every Year to the Treasurer for the Time being of the General Fee Fund herein-after mentioned and directed to be raised and maintained, or, if there shall be no such Treasurer, to the Clerk for Divisional Business, who shall carry the same to the Credit of the said General Fee Fund, to be applied as Part thereof; and every such Payment shall discharge as well the Treasurer of the said Borough from all Liability to account for the Money so paid as the said Municipal Borough of *Salford* from all further Liability whatsoever in respect of the Period or Periods on account of which such Payment shall have been made to contribute to the Salary herein-before directed to be paid to the said Stipendiary Justice as aforesaid, or to the said General Fee Fund on any other Account whatsoever, nor shall the said Municipal Borough of *Salford* or any Officer thereof be in any way responsible for the Application of the said General Fee Fund or any Part thereof.

Provision for Payment to Clerk for Borough Business of such annual Sum, not exceeding 500*l.*, as Council may direct.

XXII. The Council of the said Municipal Borough of *Salford* shall from Time to Time order the Payment out of the Borough Fund of the said Municipal Borough to the Clerk or Clerks for Borough Business of such yearly or other Sum or Sums of Money, not exceeding in the whole the yearly Sum of Five hundred Pounds, nor less than the yearly Sum of Three hundred Pounds, commencing at such Times and payable in such Manner as the said Council shall think reasonable and proper in that Behalf, as a Remuneration for the Services of such Clerk or Clerks, and for all Payments he or they may be required to make for all necessary Assistants, and also for conducting the Prosecution of Offences committed within the said Municipal Borough of *Salford;* and the Treasurer for the Time being of the said Municipal Borough shall thereupon pay such Sum or Sums of Money accordingly out of the said Borough Fund, the same to be received by such Clerk or Clerks in lieu of all Fees and Monies to which he or they would otherwise be entitled by virtue or in respect of the said Office or Employment, which

Fees and Monies he or they is and are nevertheless hereby required to demand and receive, and hereinafter directed to pay over to the Treasurer of the said Municipal Borough, in aid of the Borough Fund.

No Fees to be taken except at Places of public Sitting.

XXIII. No Justice of the Division nor any Clerk of any such Justice, nor any Person on behalf of such Justice or Clerk, shall, directly or indirectly, upon any Pretence whatever, take or receive any Fee, Reward, Gratuity, or Recompence for any Act or Business by any such Justices or Clerk done or to be done in the Execution of his said Office or Employment within the said Division elsewhere than at the said *New Bailey* Court House, or the said Town Hall in *Salford* aforesaid, or at *Worsley*, or at *Heaton Norris*, or such other Place or Places as is, are, or shall be appointed under the Authority of this Act for the holding of Sittings of a Justice of the Peace, upon pain of forfeiting the Sum of One hundred Pounds for every such Offence, One Moiety thereof to be paid to the Clerk for Divisional Business, to be by him carried to the Fee Fund herein-after directed to be raised and maintained, and to be considered Part of and applicable to the same Purposes as the said Fund, and the other Moiety thereof, with full Costs of Suit, to the Person who shall sue for the same in any of Her Majesty's Superior Courts of Law: Provided that nothing in this Act contained shall be construed to extend to any Fees taken, payable, or demandable at any Assize or Gaol Delivery, or at any General or Quarter Sessions of the Peace, or from the Treasurer for the Time being of the said County.

Process requiring Appearance of Inhabitants of the Division without the Limits of the same, to be void.

XXIV. Any Summons or other Process which shall after the passing of this Act be issued by any Justice of the Peace of the County of *Lancaster* requiring any Person residing within the said Division of *Manchester* to appear at any Place without the Limits of the said Division, to answer any Information or Complaint touching any Matter arising within the said Division, shall be utterly void and of no Effect, any Law, Custom, or Usage, to the contrary notwithstanding.

Clerk for Borough Business to receive all Fees and render to the Council a quarterly Account thereof, and pay Fees received to the Treasurer of the Borough.

XXV. Some Person to be appointed by the Council of the said Municipal Borough of *Salford* for that Purpose, and until such Appointment shall be made the Clerk or Clerks for Borough Business, shall receive all Fees and Monies chargeable and to be received for and in respect of any Borough Business; and such Person and Clerk or Clerks respectively shall keep a full, true, and particular Account in Writing of all Fees and Monies so chargeable and to be received, and shall once in every Quarter of a Year, or oftener if required, render such Account to the Council of the said Municipal Borough of *Salford*, which said Account shall, if required, be verified by a Declaration of the Person rendering the same of the Correctness thereof, to the best of his Knowledge and Belief, before some Justice of the Division or same Borough Justice (which Declaration every such Justice is hereby empowered to receive); and such Person and Clerk or Clerks respectively shall, at such Time and in such Manner as the said Council shall direct, pay all such Fees and Monies as he shall so from Time to Time receive unto the Treasurer for the Time being of the said Municipal Borough of *Salford*, who shall carry the same to the Account and Credit of the Borough Fund of the same Borough, to be applied as Part thereof.

Clerk for Divisional Business to receive Fees, and render a Quarterly Account thereof to Justices of Division.

XXVI. The Clerk for Divisional Business shall receive all Fees and Monies chargeable and to be received in respect of any Divisional Business, except such as shall be transacted at the Townships or Places of *Worsley* and *Heaton Norris*, or such other Place or Places as is or shall be appointed under the Authority of this Act for the holding of Sittings of a Justice of the Peace, and shall keep a full, true, and particular Account in Writing of all such Fees and Monies so chargeable and to be received, and shall once in every Quarter of a Year, or oftener if required, render to the Justices of the Division a true Account, verified by a Declaration of the Clerk for Divisional Business for the Time being of the Correctness thereof, to the best of his Knowledge and Belief, before some Justice of the Division, (which Declaration every such Justice is hereby authorized and empowered to receive,) of all Fees and Monies received by him, and of all Payments made thereout under the Authority of this Act during the Period of such Account, in such Form and containing such Particulars as the Justices of the Division shall from Time to Time require; and the same Duties as are in this Section contained with respect to the Clerk for Divisional Business shall be performed in like Manner by each of the Out-District Clerks, as fully as if the same were herein repeated with respect to them respectively.

Persons making false Declarations guilty of Misdemeanor.

XXVII. If any Person whose Duty it shall be to make any such Declaration as herein-before mentioned shall in any such Declaration wilfully and corruptly make any false Statement, the Person so making the same shall be guilty of a Misdemeanor.

Clerk for Divisional Business, and Out-District Clerks, to carry all Fees received to Account of General Fee Fund.

XXVIII. All Fees and Monies which the Clerk for Divisional Business and the Out-District Clerks respectively shall so receive as aforesaid shall be carried to the Account of a General Fund herein-after mentioned, called "The Fee Fund of the Justices for the Division of *Manchester*," and which Fund, or so much thereof as shall not be from Time to Time required or applied for the Purposes herein-after mentioned, shall be placed and remain in such Bank within the City of *Manchester* or Borough of *Salford* as the Justices of the Division shall from Time to Time direct: Provided always, that it shall be lawful for the Justices of the Division, at any Meeting, if they shall think it necessary or expedient so to do, from Time to Time to appoint any fit Person, other than the Clerk to the Justices, to be Treasurer of the said Fee Fund, with such yearly or other Salary or Allowance not exceeding the yearly Sum of Fifty Pounds (to be paid out of the same Fund) as the said Justices shall think fit, and to take such Security, in such Form and Manner as may be deemed requisite or advisable, for the due

Justices of Divisions may appoint Treasurer of Fee Fund.

Performance

Performance of his Office by such Treasurer, such Treasurer to be removable from his said Office at the Pleasure of the said Justices; and the said Justices shall have Power from Time to Time to make all such Orders and Regulations for securing the same Fund, and for keeping the Accounts relative thereto, as to such Justices shall seem expedient; and the said Fund shall be from Time to Time applied in or towards the Payment of all necessary Expenses of Printing and Stationery for Divisional Business, and of the respective Salaries and other Charges and Expenses by this Act authorized to be paid thereout, and the Expenses consequent upon any Sittings which may be held elsewhere than at the *New Bailey* Court House, or at the Town Hall in *Salford* aforesaid in pursuance of this Act.

Fee Fund formed under 8 Vict. c. 21. to be the Fee Fund under this Act.

XXIX. 'And whereas under the Authority of the fourth-recited Act a Fund was formed called '"The Fee Fund of the Justices for the Division of *Manchester*," applicable to the Payment of the 'Salaries and other Expenses by that Act authorized to be paid thereout, and there are now divers 'Monies standing to the Credit of and composing the same, and it is desirable that the said Fund 'should be made applicable to the Purposes of this Act:' Be it enacted, That the said Fund, and all Monies and Securities for Money belonging to or composing the same, shall, upon the passing of this Act, become and be "The Fee Fund of the Justices for the Division of *Manchester*," under the Authority of this Act, and that the Person who at the Time of the passing of this Act is the Treasurer of the said Fee Fund formed under the Authority of the said fourth-recited Act, shall be and is hereby appointed the First Treasurer of the Fee Fund of the Justices for the Division of *Manchester* under the Authority of this Act, and all and every Securities and Security given by him, or by any Person or Persons on his Behalf, under the said fourth-recited Act, shall enure and be as good and valid Securities and Security under the Authority of this Act as the same respectively would be if they and it had been given under the Provision for taking Security in this Act contained.

Clerks disqualified from acting as Attorneys in certain Cases.

XXX. No Clerk or Clerks appointed or to be appointed under this Act shall, except as herein-after provided, during the Continuance of his or their Office, or within Six Calendar Months after he or they shall have resigned or shall have been removed from such Office, be concerned, either by himself or themselves or any Partners, or in any Manner, directly or indirectly, as an Attorney or Attorneys or Agent or Agents in any Matter brought or to be brought before the Justice whose Clerk or Clerks he or they is or shall have been, or in any Prosecution at any Court of Sessions of the Peace, or at any Assizes, or before any Court of Oyer and Terminer and Gaol Delivery, arising out of or consequent upon any Proceeding before the Justice whose Clerk he or they is or are or shall have been; and any Clerk who shall offend against this Enactment shall for every such Offence forfeit the Sum of Fifty Pounds, to be recovered, together with Costs of Suit, by any Person who shall sue for the same, by Action of Debt in any of Her Majesty's Superior Courts of Law, to be commenced within Six Calendar Months next after the Commission of any such Offence; but nothing herein contained shall subject any such Clerk or Clerks to any Penalty for any Act done by him or them in the Discharge of his or their official Duty as such Clerk or Clerks: Provided always, that the Clerk or Clerks for Borough Business, being paid by a fixed Salary in lieu of Fees and other Emoluments as aforesaid, as well for conducting the Prosecution of Offences committed within the said Municipal Borough of *Salford* as for his or their Services as such Clerk or Clerks, may and shall and is or are hereby required to conduct all Prosecutions at the General Quarter Sessions of the Peace, or any adjourned Sessions thereof, or at any Assizes, or before any Court of Oyer and Terminer and Gaol Delivery, for any Offences committed within the Limits of the Municipal Borough of *Salford*, and shall and he or they is and are hereby required to account for and pay over all Fees and Emoluments arising from such Prosecution, or received by him or them on account thereof, to the Treasurer of the said Municipal Borough, in aid of the Borough Fund, which Fees and Emoluments the said Clerk or Clerks is or are hereby authorized and required to receive: Provided also, that the said Clerk or Clerks shall be entitled to receive from the said Borough Fund the Sum of Two Guineas *per* Day for every Day during which he or they shall be necessarily attending at the said Assizes, or before any Court of Oyer, Terminer, and Gaol Delivery as aforesaid, for the Purpose of conducting the Prosecution of any such Offence as last herein-before mentioned, and also the Sum of One Guinea *per* Day for every Day during which he or they shall be necessarily attending any Court of Quarter Sessions of the Peace, or any intermediate adjourned Sessions held at the *New Bailey* Court House in *Salford* aforesaid, for the Purpose of conducting the Prosecution of any Offence as herein-before is mentioned, which said Sums the Treasurer of the said Borough for the Time being is hereby authorized and required to pay.

Clerk for Borough Business to conduct Prosecution of Borough Offences.

Justices to make Rates for Payment of Salaries, &c. under this Act.

XXXI. And for the better providing for and securing the Payment of the several Salaries, Charges, and Expenses payable under this Act, it shall be lawful for the Justices of the Peace acting in and for the said County of *Lancaster* at any General Quarter Sessions of the Peace holden by Adjournment within the Hundred of *Salford* aforesaid, and they are hereby required, from Time to Time to make a Rate (not exceeding the Amount herein-after limited) on all the rateable Property within the said Division of *Manchester*, except such as is within the Municipal Boroughs of *Salford* or *Stockport*, for the Purpose of raising so much Money, which, together with the Fee Fund by this Act authorized to be raised and maintained, (the Amount or probable Amount of which shall from Time to Time be ascertained or estimated by the said Justices as correctly as may be,) shall be sufficient for the Payment of

the said several Salaries, Charges, and Expenses herein mentioned, such Rate to be made in the same Manner as is now by Law directed, authorized, or practised for making County Rates.

Mode by which Value of rateable Property may be ascertained.

XXXII. The annual Value of the rateable Property herein-before authorized to be rated, as such Value shall have been or from Time to Time may be ascertained and determined for the Purpose of assessing the County Rate upon the same Property, may be from Time to Time adopted and taken by the said Justices as the Basis of any Assessment and Rating to be made by them for the Purposes of this Act as aforesaid, without any separate or other Valuation of such Property or any Part thereof being made or required.

Powers of Acts relating to County Rates made applicable to this Act.

XXXIII. All and every the Powers, Authorities, Provisions, Clauses, and Regulations given or contained by or in any Acts of Parliament now subsisting and in force for or relating to the making, assessing, collecting, levying, paying, or enforcing of County Rates in *England*, shall, so far as the Nature of the Case will admit, and except as is herein otherwise specially provided, be deemed and taken to apply to the said Rate so by this Act directed or authorized to be made as aforesaid, as if the same Powers, Authorities, Provisions, Clauses, and Regulations were here severally repeated and re-enacted with reference to such last-mentioned Rate, and in the same Manner and as fully and effectually in all respects as if such Rate respectively were a County Rate assessed or to be assessed upon the said rateable Property herein-before made liable to be rated as aforesaid: Provided always, that the Sum to be raised by any Rate under the Authority of this Act as aforesaid shall not in any One Year exceed the Sum of One Penny in the Pound upon the annual Value of the rateable Property hereby made liable to be rated as aforesaid.

Overseers of the Poor to levy Rates.

XXXIV. The Overseers of the Poor of the several Townships or Places in which is situate any Property liable to the Payment of any Rate to be made under the Authority of this Act as aforesaid, and as regards such Portion of the said Township of *Heaton Norris* as is not included in the said Municipal Borough of *Stockport* the Overseers of the Poor of the same Townships or Places respectively, or other the Persons whose Duty it shall be to collect and levy such Rate, shall, within the Time limited or specified for that Purpose in and by an Order to be made on that Behalf by the Justices who shall make such Rate as aforesaid, which Order shall of itself, and without any other Precept or Warrant whatsoever, be a sufficient Authority for the levying of the said Rate to every Person hereby empowered to levy the same, levy and collect such Rate, and pay the Amount thereof into the Hands of the Treasurer for the Time being of the said Fee Fund hereby authorized to be raised and maintained, or if there be no such Treasurer, into the Hands of the Clerk for Divisional Business, who shall carry the same to the Account of the same Fee Fund as aforesaid, and the same, together with the said Fees and other Monies to be from Time to Time received by the said Treasurer or Clerk for Divisional Business as aforesaid, shall constitute the aggregate Fund applicable for the Payment of the said several Salaries and other Charges and Payments by this Act directed or authorized to be paid thereout; and in case any such Overseers of the Poor or other Persons whose Duty it shall be to collect or levy any such Rate as aforesaid shall neglect, make default, or refuse to pay the Amount of such Rate so by them collected or levied within the Time limited or specified for that Purpose as aforesaid, to the said Treasurer or Clerk hereby appointed and authorized to receive the same as aforesaid, it shall and may be lawful for any Justice of the Peace of the said County of *Lancaster*, upon Complaint thereof made by such Treasurer or Clerk as aforesaid, to levy by Distress and Sale of the Offender's Goods the said Amount, together with all Costs of such Distress and Sale.

Application of Penalties.

XXXV. All Forfeitures and Penalties to be inflicted or recoverable under or by virtue of any of the statutable Powers or Provisions hereby extended or made applicable to any Rate hereby directed to be made and levied as aforesaid in respect of any such Rate, or any Proceeding relating thereunto, shall, when recovered, be paid to the said Treasurer for the Time being of the Fee Fund hereby authorized to be maintained, or to the Clerk for Divisional Business, if there shall be no such Treasurer, and shall be by him carried to the Account of the said General Fee Fund hereby authorized to be raised and maintained, and be applied as Part thereof.

Application of Monies received for estreated Recognizances.

XXXVI. It shall be lawful for the Chancellor and Council of the Duchy of *Lancaster* for the Time being, and they are hereby required, from Time to Time to make Orders upon the Receiver General of the said Duchy to pay over the Amount of Monies (not exceeding the Sum of Eight hundred and forty Pounds in any One Year) which shall or may be hereafter levied or received to Her Majesty's Use upon or by reason of Recognizances taken and estreated in the said County Palatine of *Lancaster*, to the Treasurer for the Time being of the Fee Fund hereby authorized to be raised and maintained, or, if there shall be no such Treasurer, to the Clerk for Divisional Business, the same to be by such Treasurer or Clerk carried to the Account and to be applied in aid and as Part of the same General Fee Fund as aforesaid, anything in an Act passed in the First Year of the Reign of Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown*, or any other Law or Statute, to the contrary notwithstanding: Provided always, that nothing herein contained shall control or abridge the Powers of the said Chancellor and Council to relieve and mitigate estreated Recognizances and Levies made therein in certain Cases of Hardship and Distress, as they are used to do.

1 Anne, c. 7.

XXXVII. The

Treasurer of Fee Fund to pay to Treasurer of Borough a Moiety of Monies received for Forfeitures, &c.

XXXVII. The Treasurer of the said Fee Fund, or, if there shall be no such Treasurer, the Clerk for Divisional Business, shall from Time to Time duly account with, and pay over to the Treasurer of the said Borough of *Salford*, to be placed by him to the Account of the said Mayor, Aldermen, and Burgesses, and their Successors, One Moiety or Half Part of all Monies received by the Treasurer of the said Fee Fund or Clerk for Divisional Business for Forfeitures and Penalties and estreated Recognizances, and directed to be carried to the Account of the said General Fee Fund under the Provisions herein-before contained.

Constables to take Recognizances, &c.

XXXVIII. And for the better Administration of the Police within the said Division of *Manchester* it shall and may be lawful for the Constables acting in and for the said Townships comprising the said Division of *Manchester* respectively, or any one of them, or their respective Deputy Constables, on having an Appointment in Writing from their respective principal Constables for that Purpose, to take Recognizances, without any Fee or Reward, from all or any Person or Persons who shall be brought before them or any of them, in the Night-time, on any Charge not amounting to Felony, for the Appearance of such Persons or Person for Examination before the Stipendiary Justice or any other Justice of the Peace for the said County Palatine within the Space of Two Days then next, and that such Recognizances so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before any of Her Majesty's Justices of the Peace.

Notice of Meetings of Justices.

XXXIX. Of every Meeting of Justices to be holden under the Provisions or for the Purposes of this Act Notice in Writing shall be given, either through the Post or otherwise, to every Justice having Authority to attend such Meeting, Ten Days at least before the same shall be held, which Notice shall state the Time and Place for the holding of such Meeting, and the Purposes for which the same is to be held, and it shall not be competent at any such Meeting to entertain any Question or do any Act not mentioned in such Notice.

Notice of Action.

XL. No Action shall be commenced against any Persons for any Act done or purporting to be done under the Authority of this Act until One Month at least after a Notice in Writing of such intended Action shall have been delivered to such Person, or left for him at his usual Place of Abode, by the Party intending to commence such Action, or by his Attorney or Agent, in which said Notice the Cause of Action, and the Court in which the same is intended to be brought, shall be clearly and explicitly stated, and upon the Back thereof shall be endorsed the Name and Place of Abode of the Party so intending to sue, and also the Name and Place of Abode or of Business of the said Attorney or Agent, if such Notice have been served by such Attorney or Agent.

Saving the Rights of the Corporation of Stockport and the Borough Justices.

XLI. Provided always, That nothing in this Act shall extend or be construed to extend to or interfere with the Rights or lessen or prejudice the Privileges, Powers, or Authorities of the Mayor, Aldermen, and Burgesses of the said Borough of *Stockport*, or of the Justices of the said Borough of *Stockport*, or of the Clerk or Clerks of the said Justices, in reference to anything to be done or transacted in the said Borough in and for Matters arising within the said Borough of *Stockport*.

For Payment of Expenses of this Act.

XLII. The Costs, Charges, and Expenses of or incident to the soliciting, obtaining, and passing this Act, incurred or to be incurred under the Order and Authority of the Council of the Municipal Borough of *Salford*, shall be paid out of the Borough Funds of that Borough, and the Treasurer of the said Borough is hereby directed and required to pay the same accordingly.

CAP. XXI.

An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-four. [16th *June* 1854.]

CAP. XXII.

An Act to enable the Collector General of *Dublin* to levy Money to repay a certain Outlay by the Corporation for preserving and improving the Port of *Dublin* in and about repairing the Quay Wall of the River *Liffey*, and for future Repairs thereof, and for repairing and rebuilding Bridges over the said River. [16th *June* 1854.]

'WHEREAS under several Acts of Parliament the Building, Repair, and Preservation of the Quay Walls of the River *Anna Liffey* was intrusted to the Corporation for preserving and improving the Port of *Dublin*, and in consideration thereof a certain Assessment or Frontage Rate was imposed upon Grounds, Houses, and Buildings adjoining and fronting any of the Quays of said River: And whereas by an Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to make further Provisions and to amend the Acts relating to the Harbour of Kingstown and the Port and Harbour of* Dublin, it is recited, that the Quay Walls Westward of the Bridge called *Carlisle Bridge*, and extending to the Bridge called *Barrack Bridge*, had been built, and were then in good Order and Repair, and would not require for the maintaining or repairing of the same a Sum equal to the full Amount of the Duty or Rate theretofore leviable upon the Inhabitants of

1 & 2 Vict. c. 36.

' of that Part of said Quays; and it was thereby enacted, that from and after the First Day of *July* ' One thousand eight hundred and thirty-eight the said Rate or Duty theretofore payable to or leviable ' by the said Corporation within the Limits aforesaid, and all Arrears thereof, should cease and deter- ' mine, and should not be any longer leviable by the said Corporation: And whereas it was by the last- ' mentioned Act further enacted, that whenever the said Corporation should on the First sitting Day of ' any *Easter* or *Michaelmas* Term causeto be laid before the Court of Queen's Bench, signed with the ' proper Names and Handwriting of any Three Members of the said Corporation, and sealed with their ' Corporate Seal, an Estimate of the probable Expense of executing or making any Repairs which at ' any Time or Times should be wanting on or by the said Quay Walls within the Limits aforesaid, ' verified by the Affidavit of Two skilful Persons, or by the Affidavit of the Ballast Master for the ' Time being of the said Corporation, the said Court of Queen's Bench should in each and every such Case ' charge the Grand Jury of the County of the City of *Dublin* and the Grand Jury of the County of ' *Dublin* to meet in One Room at a certain Time to be named by the said Court, and that it should then ' be lawful to and for the said Grand Juries, when so assembled, or any Twenty-four Members thereof, ' and they were thereby required, to present the whole Amount of the Estimate so laid before them to ' be raised and levied by One Instalment or by equal half-yearly Instalments at every *Easter* and ' *Michaelmas* Term on and out of all Houses and other Buildings erected or to be erected within the ' District of the Metropolis, and to be paid by all and every the Owners or Occupiers thereof, and for ' the raising of such Sum on the said Inhabitants, as the Case might be, to present a certain Rate of ' Assessment, which should be agreed on by the said Grand Juries or any Twenty-four Members thereof, ' of a certain Sum in the Pound to be levied on the Value of all such Houses or other Buildings ' according to the Valuation by which they were then or thereafter might be valued or rated for or ' towards the Maintenance of the Police Establishment of the said District, and that it should be lawful ' for the said Grand Juries or any Twenty-four Members thereof to make such Presentment as aforesaid, ' whether they should have been approved of by the Presentment Sessions for such Counties respec- ' tively or not: And whereas in and by an Act of Parliament passed in the Twelfth and Thirteenth ' Years of Her present Majesty's Reign, intituled *An Act to provide for the Collection of Rates in the* ' *City of* Dublin, it is enacted, that from and after the Tenth Day of *December* One thousand eight ' hundred and fifty the several Powers, Duties, and Authorities of applotting, levying, and collecting ' the Rates, Cesses, Taxes, and Rents specified in Schedule (A.) to the said last-mentioned Act annexed ' should cease to be exercised by the Bodies Politic or Corporate, Boards, Commissioners, or Persons ' empowered by any Act or Acts to applot, levy, and collect the same, but should be vested in and exer- ' cised by the Collector General of Rates in the said last-named Act of Parliament mentioned, and should ' be performed in the Manner in the said last-mentioned Act directed: And whereas in and by an Act ' passed in the Twelfth and Thirteenth Years of Her present Majesty's Reign, intituled, "The *Dublin* ' "Improvement Act, 1849," it is enacted, that on and after the Day on which the said Acts should ' come into operation, all the Powers and Duties of the Grand Jury of the County of the City of *Dublin* ' and the Sessions Grand Jury of the City of *Dublin*, in relation to the presenting and levying of Rates ' or Cesses as aforesaid, should cease and determine within the said Borough, and that from the Time ' aforesaid all the Powers theretofore exercised by or vested in relation to the presenting and levying of ' Rates and Cesses for local Purposes within the Borough of *Dublin* in the said Grand Jury or said ' Sessions Grand Jury should be transferred and be solely exercised by the Council of the said Borough; ' and it is thereby enacted, that the Council of the said Borough should fix a Time once in every Year ' to receive Applications for all Things then authorized to be done by the Grand Jury of the County of ' the City of *Dublin* or the said Sessions Grand Jury in relation to fiscal Matters, Rates, or Cesses within ' the Borough of *Dublin*, and that such Applications should be made in like Form as the same were ' then authorized to be made in Cases of Application for Presentments, and that immediately after the ' Day so fixed for receiving such Applications the Council should proceed to investigate such Applica- ' tions, and decide upon them at an open Meeting of the said Council or of a Committee thereof ' authorized in that Behalf, and that a Schedule of such Applications as might be agreed to with respect ' to Grand Jury Cess should be made out by the Town Clerk, who should lodge the same Two clear ' Days before the First Day of *Hilary* Term in the Year One thousand eight hundred and fifty-one, ' and Two clear Days before the First Day of *Michaelmas* Term in said Year One thousand eight hun- ' dred and fifty-one, and Two clear Days before the First Day of *Michaelmas* Term in every succeeding ' Year, with the Clerk of the Crown of the Queen's Bench, and that a Schedule of such Applications as ' might be agreed to with respect to Sessions Grand Jury Cess should be made by the said Town Clerk, ' who should lodge the same in every Year subsequent to the Year One thousand eight hundred and ' fifty-one Two clear Days before the First Day of *October* Quarter Sessions in every succeeding Year ' with the Clerk of the Peace for the City of *Dublin*, and that thereupon it should be lawful for the ' Court of Queen's Bench or any Judge of the said Court and the Recorder of the City of *Dublin* ' respectively to fix Days for the Consideration of the said Presentments, and that on such Days at least ' Twenty Members of the said Council should attend the said Court or Judge or Recorder respectively, ' and that the said Court, Judge, or Recorder respectively, after hearing all Parties affected by or ' interested in such Presentments, should make such Orders therein, and should allow or disallow the

12 & 13 Vict. c. 91.

' same

'same or any of them or any Portion thereof, as to the said Court, Judge, or Recorder respectively 'should seem fit, and should fiat the same or any Portions thereof, according as same should be 'allowed either by the full Court or by any of the Judges thereof or the Recorder respectively: And 'whereas since the passing of the said last-mentioned Act a certain Portion of the Quay Wall of the said 'River within the Limits herein-before mentioned required to be repaired, and the said Corporation for 'preserving and improving the Port of *Dublin* have repaired the Breach in said Walls, and expended 'a Sum of One thousand three hundred and ten Pounds Sixteen Shillings and Elevenpence in and about 'making said Repairs, and which said Sum of One thousand three hundred and ten Pounds Sixteen 'Shillings and Elevenpence hath not been assessed, applotted, or levied, nor hath it been repaid to the 'said Corporation for preserving and improving the Port of *Dublin*, nor can the same, by reason of 'the Alterations made in the Mode of raising and levying Rates formerly raised and levied by the 'Grand Juries of the County of the City of *Dublin*, be now raised or levied under or by virtue of 'the Provisions of the said herein-before recited Act of the First and Second Years of Her present 'Majesty: And whereas it is necessary to make Provision for the Purpose of reimbursing the said 'Corporation for preserving and improving the Port of *Dublin* in the said Sum of One thousand three 'hundred and ten Pounds Sixteen Shillings and Elevenpence so expended in and about the said Repairs 'heretofore made, and for the future maintaining and repairing of the said Quay Walls, and for repairing 'or rebuilding the several Bridges between *Carlisle Bridge* and *Barrack Bridge*, and including the said 'Two Bridges, under and by virtue of the Powers and Provisions of the said Acts herein-before named, 'that is to say, the "Act to provide for the Collection of Rates in the City of *Dublin*" and the *Dublin* 'Improvement Act, and of this Act, in the Manner herein-after mentioned, and that all and every Sum 'and Sums of Money which it may be hereafter necessary to raise or levy for the Purpose of the Main-'tenance, Preservation, or Reparation of the said Portion of the said Quay Wall herein-before specified 'and the repairing or rebuilding all the said Bridges, shall be estimated, assessed, applotted, collected, 'raised, and paid over to the said Corporation for preserving and improving the Port of *Dublin*, under 'the Powers and Provisions of the said Two last-mentioned Acts and of this Act, in the Manner herein-'after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Sums to be included by Town Clerk in Schedule of Applications previous to Michaelmas Term.

I. The Town Clerk of the City of *Dublin* shall include and insert in the Schedule of such Applications as shall be agreed to with respect to Grand Jury Cess previous to next *Michaelmas* Term an Application by and on behalf of the said Corporation for preserving and improving the Port of *Dublin* for the said Sum of One thousand three hundred and ten Pounds Sixteen Shillings and Elevenpence so expended by the said Corporation in and about the said Repairs of the said Quay Wall as aforesaid, and also a Sum of Thirty-two Pounds Fifteen Shillings and Fivepence, being Two Pounds Ten Shillings *per Centum* on the said Sum of One thousand three hundred and ten Pounds Sixteen Shillings and Elevenpence, for the Costs of Collection, and that the said Court of Queen's Bench, or any Judge thereof who shall preside in the said Court when the Applications contained in such Schedule shall be brought before him for Consideration, shall allow and fiat the Sum of One thousand three hundred and forty-three Pounds Twelve Shillings and Fourpence to and for the said Corporation for preserving and improving the Port of *Dublin*.

When Application fiated, the said Sum shall be applotted, &c. by Collector General, as defined by 6 & 7 W. 4. c. 29.

II. When and immediately after the said Application shall be so fiated, the said Sum of One thousand three hundred and forty-three Pounds Twelve Shillings and Fourpence shall be applotted, assessed, raised, and levied by the said Collector General of Rates appointed by the said Act to provide for the Collection of Rates in the City of *Dublin*, in the same Manner as the Police Rate, on and out of all Houses and other Buildings erected within the District of *Dublin* Metropolis, as defined or authorized to be defined by an Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis*, and any other Act amending the same: The said Collector General of Rates shall have all the same Powers and Authorities for applotting, assessing, levying, and collecting, lodging, disbursing, and paying over the said Sum of One thousand two hundred and forty-three Pounds Twelve Shillings and Fourpence, and any Arrears in respect of the same, as are now vested in him for applotting, assessing, levying, and collecting the Police Rates in the said District of *Dublin* Metropolis, under and by virtue of the said last-mentioned Act, or otherwise howsoever.

Sum when collected to be paid into Bank.

III. When and as the said Sum shall be so collected and levied, the Sum of One thousand three hundred and ten Pounds Sixteen Shillings and Elevenpence shall be lodged in the Bank of *Ireland* to the Credit of an Account for the said Corporation for preserving and improving the Port of *Dublin*, to the separate Account to be kept therein with the said Corporation as herein-after mentioned, and to be paid to the said Corporation in discharge of the said Sum so expended by them as before mentioned.

Ballast Board to furnish Estimates for Repair of Quay Wall, and Levies to be

IV. From and after the passing of this Act, and when and so often as it shall be necessary to expend any such Sum or Sums of Money for the Purpose of preserving or repairing the said Portion of the said Quay Wall herein-before mentioned, and also for the Purpose of repairing or rebuilding all the said Bridges, the said Corporation for preserving and improving the Port of *Dublin* shall, on or before the First Day of *September* in every Year, by their Secretary or other public Officer, estimate and ascertain, as

made, if Estimates approved.

as nearly as may be, the Amounts of the Sums of Money which they shall deem to be so necessary for preserving and repairing the said Portion of the said Quay Wall for Twelve Months next following the First Day of *January* in each Year, by the Name of the Quay Wall Tax, and also for repairing or rebuilding the said Bridges; and the said Corporation for preserving and improving the Port of *Dublin* shall, by their Secretary or other public Officer, sign and certify such Estimate, and transmit the same, on or before the First Day of *September* in every Year, to the Town Clerk of the City of *Dublin;* and immediately after the Day fixed by the Council of the said Borough of *Dublin* for receiving such Applications the said Council shall proceed to investigate such Estimate or Application, and decide upon them at an open Meeting of the said Council or of a Committee thereof authorized in that Behalf, in the same Manner as the said Council is authorized and empowered in respect of other Presentments; and if the said Estimate or Application should be agreed to by the said Council or Committee thereof, then the said Estimate or Application shall be inserted by the Town Clerk of the said Borough in the Schedule of Applications agreed to by the said Town Council, according to the Provisions of the *Dublin* Improvement Act, 1849, to be made out; and every such Estimate or Application shall be subject to such Consideration by the Court of Queen's Bench or any Judge thereof, and to such Orders, Allowance, or Disallowance by such Court or Judge respectively, and also to such Traverses or Objections, as is provided with respect to Applications or Presentments in and by the said last-mentioned Act authorized to be made.

If Estimate not approved of, Application to be made to Court at Time of fiating Presentments.

V. In case any such Estimate or Application shall not be sanctioned by the said Council, the Parties making such Application shall be at liberty (on giving Six Days Notice of his Intention to do so) to bring the same before the Court or Judge respectively at the Time of fiating Presentments, and if it shall appear to the said Court or Judge respectively that such Presentment or Presentments should have been made, the same shall be added to the Schedules sent by the Town Clerk, under the separate Heading "Quay Wall Tax" or "Bridge Tax" respectively, as the Case may be.

Sums to be applotted and raised same as the Police Rate.

VI. The Amount of such Sum and Sums as shall from Time to Time be so presented or fiated as aforesaid shall be applotted, raised, and levied by the Collector General of Rates in the same Manner as the Police Rate, and that all the Provisions by the said Act called "The Act to provide for the Collection of Rates in the City of *Dublin*," provided for the applotting, assessing, raising, levying, lodging, accounting for, auditing, and paying over the Sums in the said Acts in that Behalf mentioned, shall extend and be applicable to the said Quay Wall Tax and Bridge Tax respectively, as fully as if the same had been specifically mentioned in the said Act, and been declared to be One of the Rates leviable thereunder: Provided, however, that the said Quay Wall Tax and Bridge Tax respectively shall be raised and levied on and out of all Houses and other Buildings erected within the said District of *Dublin* Metropolis as aforesaid; and the said Monies so levied shall be lodged in the Bank of *Ireland* to the Credit of an Account for the said Corporation for preserving and improving the Port of *Dublin*, to a separate Account to be called "The Quay Wall and Bridge Tax Accounts."

So much of 1 & 2 Vict. c. 36. as inconsistent with this Act, &c. repealed.

VII. So much of the said Act called *An Act to make further Provisions and to amend the Acts relating to the Harbour of* Kingstown *and the Port and Harbour of* Dublin, or of every other Act respecting the Quay Walls, as is contradictory to or inconsistent with the Provisions of this Act, shall be and is hereby repealed.

Parts of Acts herein recited incorporated.

VIII. So much of the several Acts as are herein-before recited, and as shall or may be found necessary for the Purposes of this Act, shall be considered, deemed, and taken to be incorporated herein.

Commencement of Act.

IX. This Act shall commence and take effect from the Tenth Day of *December* One thousand eight hundred and fifty-four.

CAP. XXIII.

An Act for raising the Sum of Six Millions by Exchequer Bonds and Exchequer Bills. [16th *June* 1854.]

CAP. XXIV.

An Act for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices. [16th *June* 1854.]

Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty the Rate and Duty herein-after mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Increased Rate of Income Tax to be charged

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-four, there shall be charged, raised, levied, collected, and paid yearly, unto and for the Use of Her Majesty, Her Heirs and Successors

Successors, in lieu of the Rates and Duties chargeable under the Act passed in the last Session of Parliament, Chapter Thirty-four, and of the Rates and Duties granted by an Act passed in the present Session of Parliament, Chapter Ten, for and in respect of all Property, Profits, and Gains chargeable under the said first-mentioned Act, the increased Rate and Duty of One Shilling and Twopence for every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains respectively.

from 5th April 1854, in lieu of existing Rates.

II. The said Duty hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the said Act passed in the last Session of Parliament, and of the several Acts therein mentioned or referred to, and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts, and in force with respect to the Duties granted by the said first-mentioned Act, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) respectively be duly observed, applied, and put in execution for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duty hereby granted, and otherwise relating thereto, as if the same were particularly repeated and re-enacted, *mutatis mutandis*, in the Body of this Act, with reference to the said Rate and Duty hereby granted.

Duty to be assessed and raised under the Provisions of recited Acts.

III. Provided always, That the Interest on Exchequer Bills which will become due and payable on the Twelfth Day of *June* One thousand eight hundred and fifty-four for the preceding Year shall be chargeable with the Rate or Duty of Sevenpence only for every Twenty Shillings thereof, computed up to and including the Fifth Day of *April* One thousand eight hundred and fifty-four, and with the Rate of One Shilling and Twopence for every Twenty Shillings thereof computed from the last-mentioned Day up to the Twelfth Day of *June* One thousand eight hundred and fifty-four: Provided also, that the Interest on Exchequer Bills which shall become due and payable in *June* next after the Termination of this Act and of the said Act of the last Session of Parliament respectively, or of the Duties granted by the said Acts respectively, shall be chargeable and shall be assessed up to the Day of Payment in *June*, in manner following; that is to say, on the Interest computed up to the Fifth Day of *April* next immediately preceding with the Rate of Duty which shall be in force and chargeable under the said Acts respectively on the said Fifth Day of *April*, and on the Interest computed from the said last-mentioned Day up to the said Day of Payment in *June* with the Rate of Duty which shall be in force and chargeable as aforesaid from and after the said Fifth Day of *April*; provided, that if the Duties by this and the said other Act respectively granted shall finally cease and determine on the said Fifth Day of *April*, then the said Interest for the whole Year up to the said Day of Payment in *June* shall be chargeable with the Rate of Duty in force on the said Fifth Day of *April* immediately preceding.

Interest on Exchequer Bills how to be charged.

IV. Provided always, That in any Case where, under or by virtue of the said Act of the last Session of Parliament, or any Act or Acts therein recited or mentioned, any less Rate or Duty than the Rate of Sevenpence for every Twenty Shillings of the annual Value or Amount of any Property, Profits, or Gains would, if this Act and the said other Act of the present Session had not been passed, have been chargeable in the present Year, or where any Relief or Abatement or Deduction is by any such Act or Acts as aforesaid directed to be given, made, or allowed at or after any Rate in such Act or Acts specified or mentioned, then and in every such Case the Rate of Duty, or of such Relief, Abatement, or Deduction, to be charged, given, made and allowed respectively under this Act, shall be in the same Proportion to the Rate or Duty of One Shilling and Twopence for every Twenty Shillings granted by this Act as the Rate of Duty, Relief, Abatement, and Deduction respectively which in this present Year would have been chargeable, or given, made, or allowed in the like Cases respectively under the said Act of the last Session, bears to the Rate or Duty of Sevenpence for every Twenty Shillings granted by the said last-mentioned Act.

All Relief, Abatement, and Deduction to be proportionate to the increased Rate of Duty granted by this Act.

V. 'And whereas by the said Act of the last Session of Parliament the Clerk of the Board of 'Guardians of every Poor Law Union in *Ireland* and the Collector of General Rates in the City of '*Dublin* are respectively required, under a certain Penalty for any Neglect, to transmit to the Commis-'sioners of Inland Revenue yearly within the Period in the said Act mentioned true Copies of the last 'Rates made for the Relief of the Poor, and it is found by Experience that the yearly Transmission of 'such Copies is for the most part unnecessary:' Be it enacted, That Copies of the said Rates shall be transmitted at such Times only as they shall be required by the said Commissioners, and the Penalty imposed by the said Act for any Neglect to transmit such Copies shall attach and be incurred only for any Neglect to transmit the same in pursuance of any Requisition of the said Commissioners.

Copies of Poor Rates in Ireland to be transmitted to the Commissioners of Inland Revenue only when required by them.

VI. This Act shall commence and take effect from and after the Fifth Day of *April* One thousand eight hundred and fifty-four, and, together with the Duty therein contained, shall continue in force during the present War, and until the Sixth Day of *April* next after the Ratification of a Definitive Treaty of Peace, and no longer: Provided always, that if the Ratification of such Treaty shall take place at any Time before the Sixth Day of *April* One thousand eight hundred and fifty-nine, then on and from and after the Sixth Day of *April* next after the Ratification of such Treaty the said increased Rate and Duty by this Act granted shall cease, and in lieu thereof the several Rates and Duties granted by the said Act of the last Session of Parliament shall revive and be payable during so much of the respective Terms limited by the said last-mentioned Act as shall be then unexpired, as if this Act had not been passed.

Commencement and Continuance of this Act.

Act to continue in force for Recovery of Arrears of Duty, &c.

VII. Provided always, That this Act, and the said Rate and Duty hereby granted, shall not cease at the Time herein-before appointed in that Behalf with respect to any Assessment which ought before then to have been made, but which shall not have been made and completed, nor with respect to any Duty which shall have been assessed and shall then remain unpaid, nor with respect to any Penalty before then incurred, nor with respect to any Deduction of the said Duty or any Portion thereof authorized by Law to be made out of any Rent, Interest, or other annual Payment, nor with respect to any Penalty for refusing to allow any such Deduction, although such Refusal may be after the Time appointed as aforesaid, nor with respect to the Assessment of the Interest on Exchequer Bills becoming due in the Month of *June* next after the Time appointed for the ceasing of the said Duty; but all the Powers and Provisions of this Act, and of the several Acts herein mentioned or referred to, shall continue in force for making and completing all such Assessments as aforesaid, and for levying and recovering the Duties so assessed or to be assessed, and all Arrears of such Duties, and also for re-assessing the same in default of Payment, and for making and allowing such Deduction as aforesaid, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred.

CAP. XXV.

An Act to amend the Industrial and Provident Societies Act, 1852. [16th *June* 1854.]

'WHEREAS by the Industrial and Provident Societies Act, 1852, it is enacted, "that all the "Provisions of the Laws relating to Friendly Societies shall apply to every Society to be "constituted under the said Act, except in so far as any such Provision might be expressly varied "by the said Act, or by any Rule expressly authorized to be made thereby:" And whereas it is 'expedient to vary the Provisions of such Laws in relation to Societies registered under the Act afore-'said, so far as concerns the Manner in which legal Proceedings shall be carried on in any Matter 'concerning any such Society:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Suits to be carried on in the Name of One of the Officers of any Society to be appointed for that Purpose.

I. After the passing of this Act, no Suit or Proceeding shall be commenced or prosecuted by or against the Trustees of any Society registered under the Industrial and Provident Societies Act, 1852, except in the Case herein-after provided; but all Suits and Proceedings, whether at Law, in Equity, or in Bankruptcy or Sequestration, or otherwise howsoever, as well in *Great Britain* and *Ireland* as in the Colonies and Dependencies thereof, by or on behalf of any such Society, against any Person or Persons, whether Bodies Politic or others, and whether Members or not of such Society, shall be commenced and prosecuted in the Name of One of the Two Officers for the Time being appointed to sue and be sued on behalf of such Society, and registered in pursuance of the Directions for such Appointment and Registration respectively herein-after contained; and all Suits and Proceedings, whether at Law or in Equity, or by or on behalf of any Person or Persons, whether Bodies Politic or others, and whether or not Members of such Society, against such Society, shall be commenced and prosecuted against such Officers, or if there shall be no such Officer for the Time being, then against the Trustees of the said Society.

Officers to be appointed to sue and be sued on behalf of Society, and their Names, &c. to be returned to Registrar of Friendly Societies. Form of Return. In default of Appointment Trustees may appoint Officers, and make Returns.

II. Every such Society shall, within One Calendar Month after the passing of this Act, appoint Two Officers to sue or be sued on behalf thereof in manner aforesaid, and make or cause to be made a Return to the Registrar of Friendly Societies of the Names and Descriptions of the Officers so appointed; and every such Society may from Time to Time remove any Officer so appointed; and in case of the Death, Resignation, or Removal of any such Officer the said Society shall, within One Calendar Month thereafter, appoint in his Stead another Officer to sue and be sued on behalf of such Society, and make or cause to be made a Return to the said Registrar as aforesaid containing as well the Name and Description of the Person who has ceased to be such Officer in manner aforesaid as the Name and Description of the Officer who has been appointed in his Stead to sue and be sued on behalf of such Society; and every such Return shall be signed by Three Members of such Society, and countersigned by the Officers or Officer so appointed, and shall be kept with the Rules of the Society; and in case any Society should neglect or refuse to appoint any Officers or Officer to sue and be sued as aforesaid, the Trustees of such Society, or the Majority of them, may appoint any Members or Member of such Society to be such Officers or Officer, and shall forthwith make such Return as last aforesaid under the Hand of such Trustees and such Officers or Officer; and every Appointment so made shall be as effectual for all the Purposes of this Act as if it had been made by such Society.

Returns to be certified, and Certificates to be Evidence.

III. Any Person shall be at liberty to require a Copy of such Return to be certified by the Registrar; and there shall be paid for such Certificate a Fee of One Shilling and Sixpence, and no more; and the Day of the Registration of every Return to be made in pursuance of this Act shall be written on such Return by the said Registrar; and a Copy so certified as aforesaid of such Return, including the Date to be marked thereon, shall be received in Evidence in all Proceedings, whether Civil or Criminal, and shall also be received as Evidence of the Day of the registering thereof.

Proceedings commenced in Name of Offi-

IV. No Action, Suit, or Proceeding, whether Civil or Criminal, commenced either by or against any such Society, (whether in the Name of One of the Officers appointed to sue and be sued as aforesaid, or

of

of some Member of such Society, in the Case and in manner aforesaid,) shall be abated or prejudiced by the Death or by any Act of such Officer, or Person, or by the Resignation or Removal of such Officer either before or after the Commencement of such Action, Suit, or Proceeding, or by any Change in the Members of such Society, but the same shall be continued in the Name of such Officer or Member (as the Case may be), notwithstanding such Death or Act, or such Resignation or Removal, and notwithstanding such Change in the Members of such Society. Officer not to be abated by his Death, &c., or by Change of Members of Society.

V. All Judgments, Decrees, Interlocutors, and Orders obtained in any such Actions, Suits, or other Proceedings as aforesaid, against such Officer or Member, in manner aforesaid, whether such Member or Officer respectively be Party to such Actions, Suits, or Proceedings as Plaintiff, Pursuer, Petitioner, or Defendant or Defender, shall have the same Effect against the Property and Effects of such Society as if such Judgments, Decrees, Interlocutors, or Orders had been obtained in Suits or Proceedings against the Trustees of such Society, and Execution or Diligence shall be issued thereon accordingly. Effect of Judgments, &c. against the Society.

VI. The Bankruptcy, Insolvency, or stopping Payment of any Officer or Member of such Society in his individual Capacity shall not be construed to be the Bankruptcy, Insolvency, or stopping Payment of such Society; and the Property and Effects of such Society shall, notwithstanding such Bankruptcy, Insolvency, or stopping Payment, be liable to Execution or Diligence in the same Manner as if such Bankruptcy, Insolvency, or stopping Payment had not taken place. Bankruptcy, &c. of Officer not to affect Liability of Society.

VII. In all Cases wherein it may be necessary for any Person to serve any Summons, Demand, or Notice, or any Writ or other Proceeding, at Law or in Equity, or otherwise, upon any such Society, Service thereof respectively on the Secretary of the said Society, or by leaving the same at the Head Office for the Time being of the said Society, or in case such Secretary shall not be found or known, then Service thereof on any Agent or Officer employed by the said Society, or by leaving the same at the usual Place of Abode of such Agent or Officer, shall be deemed good and sufficient Notice of the same respectively on such Society. Service of Process on Society.

VIII. In case of the Dissolution of any such Society, such Society shall nevertheless be considered as subsisting, and be in all respects subject to the Provisions of this Act, so long and so far as any Matters relating to the same remain unsettled, to the Intent that such Society may do all Things necessary to the winding-up of the Concerns thereof, and that it may be sued and sue under the Provisions of this Act in respect of all Matters relating to such Society. Dissolution of Society not to prevent winding-up of its Affairs.

IX. When any Action, Suit, or Prosecution shall, at the passing of this Act, be pending by or on behalf of or against the Trustee or Trustees of any Society, the same shall and may be proceeded in by or against such Registered Officer as aforesaid, in the proper Name or Names of the Person or Persons commencing or defending the same; and such Officer shall pay or receive like Costs as if the Action or Suits had commenced in his or their Name or Names for the Benefit of or to be reimbursed from the Funds of such Society. Suits pending against Trustees to be carried on against Officers appointed as aforesaid.

X. The Provisions of the Laws relating to Friendly Societies whereby the Trustees of any Society are declared incapable of prosecuting any Action or Proceeding in any Court of Law or Equity on behalf of such Society, until they shall have duly furnished to the Registrar a general Statement of the Funds and Effects of such Society, shall not apply to the Prosecution of any Action or other Proceeding by the Registered Officer of any Society registered under the Industrial and Provident Societies Act, 1852. Provisions of Friendly Societies Act, incapacitating Trustees from suing, not to apply.

CAP. XXVI.

An Act to assimilate the Law and Practice existing in Cases of High Treason in *Ireland* to the Law and Practice existing in Cases of High Treason in *England*. [3d *July* 1854.]

'WHEREAS by an Act passed in the Session of the Parliament of *Great Britain* held in the Seventh 'Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for improving the Union* 7 Anne, c. 21.
'*of the Two Kingdoms*, it is amongst other things enacted, that from and after the Period therein 'specified, and long since elapsed, "when any Person should be indicted for High Treason or Misprision
'" of Treason, a List of the Witnesses that should be produced on the Trial for proving the said Indict-
'" ment, and of the Jury, mentioning the Names, Professions, and Place of Abode of the said Witnesses
'" and Jurors, should be also given at the same Time that the Copy of the Indictment should be
'" delivered to the Party indicted, and that Copies of all Indictments for the Offences aforesaid should
'" be delivered to the Party indicted Ten Days before the Trial, and in Presence of Two or more
'" credible Witnesses, any Law or Statute to the contrary notwithstanding:" And whereas the herein-
'before recited statutable Enactments do not extend to *Ireland;* and it is expedient, just, and reasonable
'that they should be extended to that Part of the United Kingdom:' Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the First Day of *August* One thousand eight hundred and fifty-four the Enactments in the said Act passed in the Session of the Parliament of *Great Britain* held in the Seventh Year of the Reign of Her late Majesty Queen *Anne* contained and herein-before recited shall extend and apply to *Ireland*, and that as fully and effectually as if the same Enactments were here repeated. Provisions of 7 Anne, c. 21. extended to Ireland.

CAP. XXVII.

An Act for granting certain additional Rates and Duties of Excise. [3d *July* 1854.]

Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty the several additional Rates and Duties of Excise herein respectively mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties of Excise in Schedules (A.) and (C.)

Allowances and Drawbacks in Schedules (B.) and (D.)

I. There shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, upon the several Goods and Commodities mentioned and described in the several Schedules marked respectively (A.) and (C.) hereunto annexed, the several Sums of Money and additional Duties of Excise as they are respectively inserted, described, and set forth in the said Schedules; and there shall be made, allowed, and paid for or in respect of the Goods and Commodities mentioned and described in the several Schedules marked respectively (B.) and (D.) hereunto annexed, the several Allowances and Drawbacks of Excise, as the same are respectively inserted, described, and set forth in the said last-mentioned Schedules; and the said Duties, Allowances, and Drawbacks respectively shall commence and take effect from the respective Days mentioned in the said Schedules or this Act respectively in Cases where special Dates are inserted, and in Cases where no Date is inserted the same shall commence and take effect from and after the passing of this Act.

The Duties by this Act granted on Malt to continue during the War only.

II. The Duties by this Act granted on Malt shall continue and be charged and paid during the present War, and until and upon the Fifth Day of *July* next after the Ratification of a definitive Treaty of Peace, and no longer: Provided always, that upon the ceasing of the said Duties on the Event and at the Time aforesaid the Duties of Excise on Malt, and the several Allowances and Drawbacks of Excise for or in respect of Malt used in the distilling of Spirits and brewing of Beer respectively, and granted or payable respectively under the several Acts in force in that Behalf immediately before the passing of this Act, shall revive, and be charged and allowed respectively in lieu of the Duties, Allowances, and Drawbacks by this Act granted upon or in respect of Malt, as if this Act had not been passed.

Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.

III. The said several Duties, Allowances, and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected recovered, paid, applied, and allowed respectively in such and the like Manner, and by the same Means, Ways, and Methods by which other Duties, Allowances, and Drawbacks of Excise upon or in respect of Goods or Commodities of the same Sorts or Kinds respectively are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied; and all Acts relating to the Duties, Allowances, and Drawbacks of Excise respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall be respectively applied, practised, and put in execution for and in respect of the said Duties, Allowances, and Drawbacks hereby granted, imposed, and allowed respectively in as full and ample a Manner to all Intents and Purposes as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties, Allowances, and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

Malsters, Brewers, &c. to give an Account of the Malt in their Possession on 8th May 1854, and Maltsters to give a like Account of the Malt made and disposed of by them within One Month previous to that Day.

Penalty for Default.

IV. Every Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, and every other Person who, in trust for or for the Use, Benefit, or Account of any such Person as aforesaid, had in his Custody or Possession, or in his House, Outhouse, Barn, Granary, or in any other Place whatsoever, upon the Eighth Day of *May* One thousand eight hundred and fifty-four, any Parcel or Quantity of Malt whatsoever, ground or unground, shall, within Ten Days next after the passing of this Act, give a true and particular Account thereof in Writing at the Office of Excise within the Limits of which he shall then inhabit; and every Malster or Maker of Malt shall in like Manner give such Account of the Disposal of all the Malt which he shall have made or had in his Possession on or within One Calendar Month preceding the Eighth Day of *May* One thousand eight hundred and fifty-four, specifying the Quantity of Malt and the Date of each and every Delivery thereof, and the Name and Residence of the Person to whom the same respectively was sold or delivered, and the Place at which the same respectively was delivered, upon pain of forfeiting the Sum of One hundred Pounds, or Forty Shillings for every Bushel of such Malt, at the Election of the Attorney General or the Person who shall sue or prosecute for the same, for every Neglect or Default therein; and the Malt belonging to any Person by whom any such Account ought to be given, and of which no such Account as aforesaid or of which a false Account shall be given, shall be forfeited, and shall and may

may be seized by any Officer of Excise; and the Duty by this Act imposed on Malt Stock in hand shall be payable and paid on or before the Fifth Day of *July* One thousand eight hundred and fifty-four, unless Security be given to the Satisfaction of the Commissioners of Inland Revenue for Payment of the same by Instalments at the Times and in manner following; (that is to say,) One Eighth Part thereof on the Twenty-fourth Day of *July* One thousand eight hundred and fifty-four, One other Eighth Part thereof on the Fourth Day of *September* One thousand eight hundred and fifty-four, One other eighth Part thereof on the Twenty-third Day of *October* One thousand eight hundred and fifty-four, Two Eighth Parts thereof on the Fourth Day of *December* One thousand eight hundred and fifty-four, and Three Eighth Parts, the Remainder thereof, on the Twenty-fourth Day of *Januarg* One thousand eight hundred and fifty-five; and every such Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, who shall refuse or neglect to make such Payments or any of them for his Stock of Malt at such Time or Times respectively, shall forfeit double the Amount of all the Duties charged or chargeable for or in respect of such Stock of Malt, or One hundred Pounds, at the Election of Her Majesty's Attorney General, or the Person who shall sue or prosecute for the same.

Duty on Malt Stock in hand, when to be payable.

Penalty for Refusal.

V. It shall be lawful for the Officers of Excise respectively to take a true and particular Account and Admeasurement of all such Malt as any Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, or any Person in trust for or for the Use, Benefit, or Account of any such Person as aforesaid, shall have had, or been possessed of or interested in, on the said Eighth Day of *May* One thousand eight hundred and fifty-four, or at any Time since, or shall have or be possessed of or interested in at any Time within One Calendar Month next after the passing of this Act, and for that Purpose to enter into any Dwelling House, Outhouse, Barn, Granary, or other Place whatsoever belonging to every or any such Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, or other such Person as aforesaid, and every such Person is hereby required to permit and suffer such Officer or Officers, at any Time before the Duty upon such Malt shall be paid, to enter and take an Account and Admeasurement thereof, and for that Purpose to cast such Malt into a regular Form, for the better ascertaining the Quantity thereof; and if any such Person as aforesaid shall refuse to permit or suffer any Officer of Excise so to do, or if any Person shall obstruct, oppose, molest, or hinder any Officer of Excise in the due Execution of such Powers hereby given, or shall use or permit or suffer to be used any Means, Art, or Contrivance by which any Officer may be deceived, hindered or obstructed in ascertaining or taking a true Account of the actual Quantity of all such Malt, such Person so offending shall forfeit One hundred Pounds, or Forty Shillings for every Bushel of such Malt, at the Election of Her Majesty's Attorney General or the Person who shall sue or prosecute for the same, for every such Offence; and if any Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, or any other Person having in his Custody or Possession any Quantity of Malt chargeable by this Act with the said Duty or Duties or any Part thereof for Stock in hand as aforesaid, shall have clandestinely removed or carried away or caused or suffered to be removed or carried away the same or any Part thereof before the Duties thereupon shall be charged, or shall fraudulently conceal or hide or cause or suffer to be concealed or hidden, or shall not produce to the Inspection of the Officer of Excise such Malt and every Part thereof, then and in every such Case the Person so offending shall forfeit the Sum of One hundred Pounds, or Forty Shillings for every Bushel of such Malt, at the Election of Her Majesty's Attorney General or the Person who shall sue or prosecute for the same, and the Malt which shall have been so clandestinely removed or carried away or fraudulently concealed or hidden shall be forfeited, and shall and may be seized by any Officer of Excise, and the Person in whose Custody or Possession such Malt shall be found who shall not before the Discovery thereof give Notice at the next Office of Excise of the Quantity of Malt so in his Custody or Possession shall also forfeit the like Amount or Rate of Penalty.

Officers of Excise may enter Premises of Maltsters, &c. to take an Account of Malt in Stock.

Penalty on not suffering Officers to take Stock, or molesting them in the Execution of their Duty, or for clandestinely removing Malt, &c.

VI. On all unscreened and unground Malt in the Possession of any Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, or any Person in trust for or for the Use, Benefit, or Account of any such Person as aforesaid, and which shall be taken account of by any Officer of Excise, and charged with the Duty on Malt Stock in hand hereby imposed, there shall be allowed and deducted from such Account, previously to such Charge of Duty, Twenty *per Centum* on all Brown or Porter Malt, and on all roasted or Black Malt, and Seven and a Half *per Centum* on all other unscreened and unground Malt.

Allowance to be deducted from the Amount taken of the Malt Stock in hand for the Increase.

VII. 'And whereas Contracts or Agreements may have been made for the Sale or Delivery of some 'of the Goods or Commodities on which increased or additional Duties of Excise are by this Act granted 'and imposed, which Contracts or Agreements may have been made with no Reference to such additional 'Duties, and thereby the several Contractors may be materially affected:' For Remedy thereof, be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered, in the Case of any such Contract or Agreement, to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Additional Duties to the added to the Articles contracted for.

VIII. If,

Penalty for untruly stating the original Gravity of Beer, or claiming higher Rate of Drawback than entitled to. Proof to lie on the Claimant.

VIII. If, on the Exportation of any Beer, or on the shipping or Entry thereof for Exportation, or on giving Notice of Intention to ship or enter the same for Exportation, any Person shall state or represent the original Gravity of the Worts used in the brewing of such Beer to have been of greater Specific Gravity than the actual Gravity thereof before Fermentation, or if any Person shall, on any such Occasion as aforesaid, claim any higher Rate or greater Amount of Drawback in respect of such Beer than he shall be by Law justly entitled to claim for the same, every Person so offending in any such Case shall forfeit the Sum of Fifty Pounds, over and above all other Penalties and Forfeitures for any such Offence; and if any Question shall arise as to the Specific Gravity of such Worts, the Proof of the actual Specific Gravity thereof before Fermentation shall lie on the Person shipping or entering such Beer for Exportation or claiming the Drawback thereon.

Removal of Malt Spirits from Scotland.

IX. Upon the Removal to *England* or *Ireland* for Consumption there of Spirits distilled in *Scotland* from Malt only, One Half only of the Allowance granted and made on such Spirits under this Act shall be repaid by the Distiller or Proprietor of such Spirits.

Conditions on which Spirits distilled from Malt may be delivered for Consumption.

X. Any Spirits distilled in *England* or *Ireland* from Malt only, and on which the Allowance granted by this Act has been made as for Exportation or Use as Ships Stores, may be delivered for Consumption in *England* and *Ireland* respectively on Repayment by the Distiller of One Half of such Allowance; and any such Spirits as aforesaid may be removed from a Duty-free Warehouse in *England* or *Ireland* to a Duty-free Warehouse in *Scotland*, and delivered for Consumption there, without Repayment of such Allowance or any Part thereof.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

DUTIES.

MALT.

	Duties. £	s.	d.
For and upon every Bushel, Imperial Standard Measure, and so in proportion for any greater or less Quantity, of Malt, which, after the Eighth Day of May One thousand eight hundred and fifty-four, shall be made, in any Part of the United Kingdom of Great Britain and Ireland, from Barley or any other Corn or Grain (except Malt made for Home Consumption in Scotland and Ireland respectively from Bear or Bigg only), or which, after the said Day, shall be brought from Scotland into England without a Certificate from the proper Officer that it hath paid the full Duty of Excise imposed thereon by Law, or which, after the said Day, shall be brought from Ireland into England without such Certificate, in lieu of all other Duties of Excise now payable under any Act or Acts in force, the Duty of - -	0	4	0
And for and upon every Bushel, Imperial Standard Measure, and so in proportion for any greater or less Quantity, of Malt, which, after the said Day, shall be made from Bear or Bigg only in Scotland and Ireland respectively, for Home Consumption there, in lieu of all such other Duties of Excise as aforesaid, the Duty of - - - -	0	3	1
And for and upon every Bushel of Malt, whether ground or unground, belonging to any Malster or Maker of Malt, Dealer in or Seller or Retailer or Roaster of Malt, Brewer, Distiller, or Vinegar Maker, and which, on the Eighth Day of May One thousand eight hundred and fifty-four, shall be either in his Custody or Possession or in the Custody or Possession of any other Person in trust for him, or for his Use, Benefit, or Account, in England, Scotland, or Ireland, the following additional Duty over and above all other Duties of Excise paid or payable thereon under any other Act or Acts now in force, that is to say, an additional Duty after the Rate of - - - - - - - -	0	1	3½
Provided always, that if such last-mentioned Malt shall be in Scotland or Ireland, and shall have been made, for Home Consumption there, from Bear or Bigg only, then an additional Duty only after the Rate per Bushel of - - - - - - - -	0	1	0

SPIRITS.

SCOTLAND and IRELAND.

For and upon every Gallon of Spirits of the Strength of Hydrometer Proof which, on or after the Eighth Day of May One thousand eight hundred and fifty-four, shall be distilled in Scotland and Ireland respectively, or be in the Stock, Custody, or Possession of any Distiller in Scotland or Ireland, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled in England, Scotland, or Ireland, shall on or after the said Day be in Warehouse in Scotland or Ireland, and be taken out of Warehouse for Consumption in Scotland or Ireland, or which, having been taken out of Warehouse in England for Removal to Scotland or Ireland, shall on or after the said Day be brought into Scotland or Ireland, the additional Duty following; that is to say,			
In Scotland, the additional Duty of - - - - - - - -	0	1	0
In Ireland, the additional Duty of - - - - - - - -	0	0	8
And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.			

Excise Duties.

CHANNEL ISLANDS.

Duties.

For and upon every Gallon of Spirits of the Nature or Quality of plain British Spirits, of the Strength of Hydrometer Proof, manufactured or distilled in the Islands of Guernsey, Jersey, Alderney, and Sark respectively, and imported from any of the said Islands into Scotland or Ireland, the following countervailing Duties to be charged and paid on and after the Eighth Day of May One thousand eight hundred and fifty-four; that is to say,

	£	s.	d.
If imported into Scotland	0	6	10
If imported into Ireland	0	5	2

And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity of such Spirits imported into Scotland and Ireland respectively.

In lieu of the countervailing Duties of Excise now chargeable on such last-mentioned Spirits under any other Act or Acts in force.

SPIRIT MIXTURES.

For and upon the several Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described which, on or after the Eighth Day of May One thousand eight hundred and fifty-four, shall be removed from Scotland or Ireland to England, or from Ireland to Scotland, the several Sums of Money and Duties of Excise herein-after respectively inserted and set forth, in lieu of the respective Duties of Excise now payable thereon under any other Act or Acts in force; that is to say,

Articles enumerated. For every Gallon thereof removed.	Countervailing Duties. From Scotland to England.			From Ireland to England.			From Ireland to Scotland.		
	£	s.	d.	£	s.	d.	£	s.	d.
Ether	0	5	5	0	9	7	0	4	2
Sweet Spirits of Nitre									
Camphorated Spirits									
Lavender Water, and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients									
Compound Spirits of Lavender									
Spirits of Rosemary									
Spirits of Ammonia									
Sal Volatile	0	3	3	0	5	9	0	2	6
Friar's Balsam									
Compound Tincture of Benzoin									
Tincture of Assafœtida									
Tincture of Castor									
Tincture of Kino									
Tincture of Guiacum									
Tincture of Myrrh									
Tincture of Ginger									
Spirit Varnishes									
Other Tinctures and Medicated Spirits	0	2	2	0	3	10	0	1	8
Made Wines	0	0	3¼	0	0	5½	0	0	2½

SUGAR,

USED IN THE BREWING OF BEER.

Duty.

For and upon every Hundred Weight, and so in proportion for any greater or less Quantity than a Hundred Weight, of all Sugar which after the Tenth Day of May One thousand eight hundred and fifty-four shall be used by any Brewer of Beer for Sale in the brewing or making of Beer

£	s.	d.
0	5	2

In lieu of the Duty of Excise chargeable on such Sugar under the Third Section of the Act 13 & 14 Vict. c. 67., but over and above all other Duties, whether of Excise or Customs.

SCHE-

SCHEDULE (B.)

ALLOWANCES AND DRAWBACKS.

	Allowance or Drawback. £	s.	d.
For and upon every Gallon of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity or any greater or less Degree of Strength, distilled in Scotland from Malt only, which shall be mashed on or after the Eighth Day of May One thousand eight hundred and fifty-four, and which Spirits shall be distilled at the Rate of Two Gallons of such Spirits for every Bushel of Barley Malt, or One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, the Allowance of - - In lieu of all Allowances granted on such Spirits by any other Act or Acts now in force.	0	1	4
Provided always, that if the Quantity of Malt mashed and used in the Production of such Spirits shall be less than after the Rate of One Bushel of Barley Malt, or One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, for every Two Gallons of Proof Spirits charged with Duty a Deduction from the Amount of such Allowance shall be made after the Rate of Four Shillings for every Bushel of Barley Malt, and every Bushel and Three Tenth Parts of a Bushel of Bear or Bigg Malt, which shall respectively be so deficient.			
And for and upon such Spirits distilled in Scotland from Malt only, and on which the Allowance aforesaid shall have been made, and which said Spirits shall be duly removed from Warehouse for Exportation or for Use as Ships Stores, and be duly exported or shipped as Stores under and according to the Laws and Regulations of Customs in such respect, over and above the Allowance aforesaid, and in lieu of the Drawback granted and payable under the Eleventh Section of the Act 11 & 12 Vict. c. 122., for every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of - - -	0	0	8
And for and upon every Gallon of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity, or any greater or less Degree of Strength, distilled in England or Ireland for Exportation only or for Use as Ships Stores, from Malt only, mashed on or after the said last-mentioned Day, in lieu of the Allowance on such Spirits granted and payable under the Thirteenth Section of the Act 11 & 12 Vict. c. 122., an Allowance of - - - - - - - - -	0	1	4
And for and upon such Spirits distilled in England or Ireland from Malt only, and which shall be duly removed from Warehouse for Exportation, or for Use as Ships Stores, and be duly exported or shipped as Stores under and according to the Laws and Regulations of the Customs in such respect, over and above the Allowance aforesaid, and in lieu of the Drawback granted and payable under the said Thirteenth Section of the Act 11 & 12 Vict. c. 122., for every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of - - - - - - - - -	0	0	8
And for and upon all British Spirits distilled or made from any other Materials than Malt only, such Materials being mashed on or after the Eighth Day of May One thousand eight hundred and fifty-four and which Spirits shall have been duly warehoused in any Warehouse in the United Kingdom, and removed therefrom for Exportation or for Use as Ships Stores, in lieu of the Drawback granted and payable under the Fourteenth Section of the said Act 11 & 12 Vict. c. 122., for every Gallon at Proof of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of - - - - -	0	0	2
And for and in respect of all Sugar and Molasses actually received and used on or after the Eighth Day of May One thousand eight hundred and fifty-four, in the brewing or making of Worts or Wash brewed or made from Sugar only, or from Molasses only, or from any Mixture of these Materials and Treacle, or Malt or Grain, and distilled into Spirits by any Distiller in England, Scotland, or Ireland, an Allowance after the Rate of Fifteen per Centum on the Amount of the Allowances granted in respect of such Sugar and Molasses respectively, and specified in the respective Schedules (A.) and (B.) annexed to the Act 11 & 12 Vict. c. 100., in addition to such Allowances respectively.			
And for and upon all Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described, which, on or after the Eighth Day of May One thousand eight hundred and fifty-four, shall be removed from England to Scotland or Ireland, or from Scotland to Ireland, the several Drawbacks of Excise respectively herein-after inserted and set forth, in lieu of the respective Drawbacks of Excise now payable thereon under any other Act or Acts in force; that is to say,			

Excise Duties.

Articles enumerated. For every Gallon thereof removed.	Countervailing Drawbacks. From England to Scotland.	From England to Ireland.	From Scotland to Ireland.
	£ s. d.	£ s. d.	£ s. d.
Ether	0 5 5	0 9 7	0 4 2
Sweet Spirits of Nitre Camphorated Spirits Lavender Water, and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients Compound Spirits of Lavender Spirits of Rosemary Spirits of Ammonia Sal Volatile Friar's Balsam Compound Tincture of Benzoin Tincture of Assafœtida Tincture of Castor Tincture of Kino Tincture of Guiacum Tincture of Myrrh Tincture of Ginger Spirit Varnishes	0 3 3	0 5 9	0 2 6
Other Tinctures and Medicated Spirits	0 2 2	0 3 10	0 1 8
Made Wines	0 0 3¼	0 0 5½	0 0 2½

And for and upon every Barrel of Thirty-six Gallons, and so in proportion for any greater Quantity, of Beer brewed or made after the Eighth Day of May One thousand eight hundred and fifty-four by any entered or licensed Brewer of Beer for Sale in the United Kingdom, in the brewing of which Beer the Worts used before Fermentation were of the Specific Gravity herein-after mentioned, and which shall be duly exported from any Part of the United Kingdom to Foreign Parts as Merchandise, in lieu of all other Drawbacks on such Beer granted by any other Act or Acts now in force, the Drawback herein-after specified and set forth; that is to say, when the original Gravity of such Worts was not less than

Specific Gravity.	Drawback. £ s. d.
1·041	0 6 0
1·054	0 8 0
1·068	0 10 0
1·081	0 12 0
1·095	0 14 0
1·108	0 16 0
1·122	0 18 0

SCHEDULE (C.)

DUTIES.

SPIRITS (SCOTLAND).

For and upon every Gallon of Spirits of the Strength of Hydrometer Proof, which on or after the Twenty-sixth Day of May One thousand eight hundred and fifty-four shall be distilled in Scotland, or be in the Stock, Custody, or Possession of any Distiller in Scotland, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled in England, Scotland, or Ireland, shall on or after the last-mentioned Day be in Warehouse in Scotland, and be taken out of Warehouse for Consumption in Scotland, or which, having been taken out of Warehouse in England for removal to Scotland, shall on or after the said last-mentioned Day be brought into Scotland, the additional Duty of Fourpence, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits, to be charged and paid in addition to all Duties thereon payable under any other Act or Acts in force, and in addition also to the Duty thereon contained in Schedule (A.) of this Act.

Excise Duties.

CHANNEL ISLANDS.

For and upon all Spirits of the Nature or Quality of plain British Spirits, manufactured or distilled in the Islands of Guernsey, Jersey, Alderney, and Sark respectively, and imported from any of the said Islands into Scotland, an additional countervailing Duty of Fourpence for every Gallon of such last-mentioned Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits, to be charged and paid on and after the Twenty-sixth Day of May One thousand eight hundred and fifty-four, in addition to the countervailing Duty thereon contained in Schedule (A.) of this Act.

SPIRIT MIXTURES.

For and upon the several Mixtures, Compounds, Preparations, and Commodities herein-after enumerated or described, which on or after the Twenty-sixth Day of May One Thousand eight hundred and fifty-four shall be removed from Scotland or Ireland to England, or from Ireland to Scotland, the several Sums of Money and Duties of Excise herein-after respectively inserted and set forth to be charged and paid in lieu of the respective Duties thereon contained in Schedule (A.) of this Act; (that is to say,)

Articles enumerated. For every Gallon thereof removed.	Countervailing Duties. From Scotland to England.	From Ireland to England.	From Ireland to Scotland.
	£ s. d.	£ s. d.	£ s. d.
Ether	0 4 7	0 9 7	0 5 0
Sweet Spirits of Nitre Camphorated Spirits Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients Compound Spirits of Lavender Spirits of Rosemary Spirits of Ammonia Sal Volatile Friar's Balsam Compound Tincture of Benzoin Tincture of Assafœtida Tincture of Castor Tincture of Kino Tincture of Guiacum Tincture of Myrrh Tincture of Ginger Spirit Varnishes	0 2 9	0 5 9	0 3 0
Other Tinctures and Medicated Spirits	0 1 10	0 3 10	0 2 0
Made Wines	0 0 2¾	0 0 5½	0 0 3

SCHEDULE (D.)

ALLOWANCES AND DRAWBACKS.

For and in respect of all Sugar and Molasses actually used after the Fifth Day of July One thousand eight hundred and fifty-four in the brewing or making of Worts or Wash brewed or made from Sugar only, or from Molasses only, or from any Mixture of these Materials and Treacle or Malt or Grain, and distilled into Spirits by any Distiller in England, Scotland, or Ireland, an Allowance after the Rate of Nine Shillings and Fourpence for every One hundred and twelve Pounds of Sugar so used, and after the Rate of Three Shillings and Twopence Halfpenny for every One hundred and twelve Pounds of Molasses so used, to be allowed and paid in lieu of the Allowances in respect of such Sugar and Molasses respectively contained in Schedule (B.) of this Act.

For

Excise Duties. *Customs Duties.*

For and upon all Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described, which on or after the Twenty-sixth Day of May One thousand eight hundred and fifty-four shall be removed from England to Scotland or Ireland, or from Scotland to Ireland, the several Drawbacks of Excise herein-after inserted and set forth to be allowed and paid in lieu of the respective Drawbacks thereon contained in Schedule (B.) of this Act; (that is to say,)

Articles enumerated. For every Gallon thereof removed.	Countervailing Drawbacks. From England to Scotland.	From England to Ireland.	From Scotland to Ireland.
	£ s. d.	£ s. d.	£ s. d.
Ether	0 4 7	0 9 7	0 5 0
Sweet Spirits of Nitre			
Camphorated Spirits			
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients			
Compound Spirits of Lavender			
Spirits of Rosemary			
Spirits of Ammonia			
Sal Volatile	0 2 9	0 5 9	0 3 0
Friar's Balsam			
Compound Tincture of Benzoin			
Tincture of Assafœtida			
Tincture of Castor			
Tincture of Kino			
Tincture of Guiacum			
Tincture of Myrrh			
Tincture of Ginger			
Spirit Varnishes			
Other Tinctures and Medicated Spirits	0 1 10	0 3 10	0 2 0
Made Wines	0 0 2¾	0 0 5½	0 0 3

C A P. XXVIII.

An Act to alter and amend certain Duties of Customs. [3d *July* 1854.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdon of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty the several additional Rates and Duties of Customs herein respectively mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties now chargeable on Articles herein mentioned to cease, and following Duties to be charged.

I. The Duties of Customs now chargeable on the Articles next herein-after mentioned imported into *Scotland* and *Ireland* shall cease and determine, and in lieu thereof the following Duties of Customs shall be charged, on and after the eighth Day of *May* One thousand eight hundred and fifty-four; *viz.*

SPIRITS OR STRONG WATERS.

For every Gallon of such Spirits or Strong Waters of any Strength not exceeding the Strength of Proof by *Sykes'* Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, *viz*t. Spirits or Strong Waters the Produce of any *British* Possession in *America*, or the Island of *Mauritius*, not being sweetened Spirits, or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by such Hydrometer;—

Rum:

	Duty per Gallon. £	s.	d.
Rum:			
If imported into *Scotland*	0	6	0
If imported into *Ireland*	0	4	4
Spirits other than Rum:			
If imported into *Scotland*	0	6	0
If imported into *Ireland*	0	4	4
Rum, the Produce of any *British* Possession within the Limits of the *East India* Company's Charter, in regard to which the Conditions of the Act of the Fourth *Victoria*, Chapter Eight, have or shall have been fulfilled, not being sweetened Spirits or Spirits so mixed as aforesaid:—			
If imported into *Scotland*	0	6	0
If imported into *Ireland*	0	4	4
Rum Shrub, however sweetened, the Produce of and imported from such Possessions qualified as aforesaid, or of and from any *British* Possession in *America*, or the Island of *Mauritius*:—			
If imported into *Scotland*	0	6	0
If imported into *Ireland*	0	4	4

Additional Duty of Customs on Sugar.

II. On and after the Ninth Day of *May* One thousand eight hundred and fifty-four, there shall be charged on all Sugar, in addition to the Duty payable by Law thereon, a further Duty of Customs of Fifteen Pounds *per Centum* upon the Produce and Amount of the Duty so payable.

Additional Duty of Customs on Molasses.

III. On and after the Tenth Day of *May* One thousand eight hundred and fifty-four there shall be charged on Molasses, in addition to the Duty payable by Law thereon, a further Duty of Customs of Fifteen Pounds *per Centum* upon the Produce and Amount of the Duty so payable.

As to Pre-existing Contracts.

And as to pre-existing Contracts:

IV. Every Person who may, before the Day on which the Duty under this Act is made payable on any of the said Articles, have entered into any Contract or Agreement for the Delivery of any such Article on or after the Day on which such Duty is made payable on such Article, is hereby empowered to add to the contracted Price of such Article such a Sum of Money as will be equivalent to the increased or further Duty, as the Case may be, by this Act made payable thereon, and shall be entitled by virtue of this Act to be paid for the same accordingly.

CAP. XXIX.

An Act to alter the Duties of Customs on Sugar, Molasses, and Spirits. [10th *July* 1854.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty the several additional Duties of Customs herein respectively mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties of Customs on Sugar and Molasses to be levied after 5th July 1854.

I. That from and after the Fifth Day of *July* One thousand eight hundred and fifty-four there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, in lieu and instead of the Duties payable by Law on Sugar and Molasses, the several Duties of Customs, as follows; viz.

	s.	d.
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, until the Second Day of *August* One thousand eight hundred and fifty-four inclusive, for every Hundredweight	17	4
And from and after that Day, for every Hundredweight	16	0
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined, for every Hundredweight	14	0
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed, for every Hundredweight	12	0
Brown Muscovado, or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar, for every Hundredweight	11	0
Molasses, for every Hundredweight	4	3

Commissioners of Customs to provide Standard Samples of

II. For facilitating the due Assessment of Duties on White Clayed Sugar, or Sugar rendered by any Process equal to White Clayed, and on Yellow Muscovado, Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed Sugar, with reference to Colour, Grain, and Saccharine Matter, considered collectively as they affect the general Quality of such Sugars, the

the Commissioners of Customs shall provide and renew from Time to Time Samples of White Clayed Sugar and of Sugar rendered equal in Quality to White Clayed Sugar, and of Yellow Muscovado or Brown Clayed Sugar, which shall be deemed to be Standard Samples for the Purpose of comparing therewith Sugars entered for Home Consumption, and no Sugar shall as regards the Payment of Duty be deemed to be White Clayed Sugar or Sugar rendered by any Process equal to White Clayed Sugar, unless equal to the Standard Samples of White Clayed Sugar or of Sugar rendered equal in Quality to White Clayed Sugar, or be deemed to be Yellow Muscovado or Brown Clayed Sugar, or Sugar rendered by any Process equal to Yellow Muscovado or Brown Clayed Sugar, unless equal to the Standard Sample of Yellow Muscovado or Brown Clayed Sugar: It shall also be lawful for the Commissioners of Customs, if the Commissioners of Her Majesty's Treasury shall so direct, to furnish separate Samples for the Assessment of the Duties on Yellow Muscovado and on Brown Clayed Sugars, and also for the Assessment of the Duties upon Refined Sugar.

White Clayed Sugar and Brown Clayed Sugar.

III. In lieu of the Bounties and Drawbacks now payable on the Exportation of Refined Sugar, the following Bounties or Drawbacks shall be allowed, from and after the Fifth Day of *July* One thousand eight hundred and fifty-four, on the Exportation or on the Removal to the *Isle of Man* for Consumption there of the several Descriptions of Refined Sugar herein-after mentioned; (that is to say,)

Drawbacks on Refined Sugar exported to the Isle of Man.

	s.	*d.*
Upon Refined Sugar in Loaf, complete and whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or such Sugar pounded, crushed, or broken, or Sugar Candy, the Hundredweight - - - - - - - - - - - -	15	0
Upon Bastard or Refined Sugar broken in Pieces, or being ground or powdered Sugar, or such Sugar pounded or crushed, or broken, for every Hundredweight - - -	11	0

IV. It shall be lawful for Her Majesty by Order in Council, at any Time or Times before the First Day of *July* One thousand eight hundred and fifty-five, to alter or vary the Bounties or Drawbacks made payable by this Act, or to substitute others in lieu thereof, or apportion them with reference to the Qualities or Kinds of Sugar upon which the same shall by such Order or Orders in Council be allowed or made payable.

Her Majesty by Orders in Council may vary or alter Bounties and Drawbacks.

V. Every Order in Council made under the Authority of this Act shall, as soon as may be after the making thereof by Her Majesty in Council, be published in the *London Gazette;* and a Copy of every Order in Council so made shall be laid before both Houses of Parliament within Six Weeks after issuing the same, if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Orders in Council to be published in the Gazette, and laid before Parliament.

VI. So much of Sections One hundred and seven and One hundred and eight of the Customs Consolidation Act as permits or relates to the Delivery from the Warehouse, without Payment of Duty, of Sugar for the Purpose of being refined in Bonded Sugar Houses, is hereby repealed.

Repeal of certain Parts of Customs Consolidation Act.

VII. All existing Bonds entered into under Section One hundred and eight are to remain in force until the Conditions thereof, or the Objects of this Act, so far as such Conditions are hereby varied, are complied with.

Existing Bonds to remain in force.

VIII. From and after the Twenty-fifth Day of *June* One thousand eight hundred and fifty-four no Sugar shall be taken into any Bonded Sugar House for the Purpose of being refined, nor shall any raw Sugar which shall then be in any such Refinery be melted or otherwise dealt with for the Purpose of or in order to the Refinement thereof.

No Sugar to be refined in Bonded Sugar House.

IX. All Sugar which shall have been refined in such Bonded Sugar Houses before the Second Day of *July* next, and all Treacle or other Produce thereof, shall be removed to and deposited in some approved Warehouse under and subject to the same Rates of Duty, Laws, and Regulations as are then in force with reference to Sugar imported from any Foreign Country, so far as the same are applicable.

Sugar refined before 2d July to be deposited in approved Warehouse.

X. Immediately after the Second Day of *July* One thousand eight hundred and fifty-four, and before any further Supply of Sugar shall be taken into any such Sugar House, an Account of the Stock remaining therein shall be taken by the Officers of Customs, under such Regulations as the Commissioners of Customs shall direct, of all Sugar, Molasses, Syrup, or other Materials in Process of refining, and the Duty due thereon shall be forthwith assessed and paid, according to the relative Qualities thereof, under the directions of the Commissioners of Customs.

Officers of Customs to take Stocks of Sugar Refiners.

XI. Provided always, That if any Occupier or Proprietor of any such Sugar House shall, on the Twenty-fifth Day of *June*, elect to refine and work up all the Sugar on Hand in such Sugar House without taking in any other Sugar in the meantime, he shall have the Option of so doing, and of warehousing the same, on or before the Tenth Day of *August* One thousand eight hundred and fifty-four, for Home Consumption, upon Payment of the proper Duties thereon, or for Exportation.

Sugar Refiners may work up their Stock without taking in Sugar in the meantime.

XII. On and after the Twenty-sixth Day of *May* One thousand eight hundred and fifty-four there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, for and upon the Articles under mentioned imported into *Scotland*, the Duties of Customs herein-after specified, in addition to the Duties now chargeable thereon under any Act or Acts in force, and in addition to any Duties granted in the present Session of Parliament; (that is to say,)

Additional Duties of Customs to be levied on Spirits imported into Scotland.

Spirits

Custom Duties (Sugar and Spirits.)	*Excise Duties (Sugar.)*

	s.	d.
Spirits or Strong Waters, the Produce of any *British* Possession in *America*, or the Island of *Mauritius*, not being sweetened Spirits or Spirits mixed with any Article, so that the Degree of Strength thereof cannot be exactly ascertained by *Sykes*'s Hydrometer -	0	4
Rum, the Produce of any *British* Possession within the Limits of the *East India* Company's Charter in regard to which the Conditions of the Act 4 *Vict.* c. 8. have or shall have been fulfilled, not being sweetened Spirits or Spirits so mixed as aforesaid - - -		
Rum, Shrub, however sweetened, the Produce of and imported from such Possessions, qualified as aforesaid, or of or from any *British* Possession in *America*, or the Island of *Mauritius* -		
For every Gallon of such Spirits or strong Waters of any Strength not exceeding the Strength of Proof by *Sykes*'s Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon -		

CAP. XXX.

An Act for granting certain Duties of Excise on Sugar made in the United Kingdom.

[10th *July* 1854.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties of Excise herein respectively mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grants of Duties of Excise on Sugar.

I. In lieu of the Duties of Excise on Sugar made in the United Kingdom now payable under any other Act or Acts in Force, there shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, from and after the Twenty-sixth Day of *May* One thousand eight hundred and fifty-four, on Sugar made in the United Kingdom, the several Sums of Money and Duties of Excise herein-after inserted, described, and set forth; (that is to say,)

	£	s.	d.
On Candy, Brown or White Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Hundredweight - - - - - - -	0	16	0
On White Clayed, or Sugar rendered by any Process equal in quality to White Clayed, not being Refined or equal to Refined, for every Hundredweight - - - - -	0	14	0
On Yellow Muscovado and Brown Clayed, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed, according to a Standard to be furnished by the Commissioners of Her Majesty's Treasury, for every Hundredweight - - - - - - - - - -	0	12	0
On Brown Muscovado, and any other Sugar not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar, according to a Standard to be furnished by the said Commissioners, for every Hundredweight - - - - - - - - -	0	11	0
On Molasses, for every Hundredweight - - - - - -	0	4	6

And so in proportion for any greater or less Quantity than a Hundredweight.

Grant of Duties on Sugar used in the brewing of Beer, and on Licences to Brewers to use Sugar.

II. There shall also be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, from and after the Fifth Day of *July* One thousand eight hundred and fifty-four, on Sugar used in the brewing or making of Beer, and on Licences to use Sugar in the brewing or making of Beer, the several Sums of Money and Duties of Excise herein-after inserted, described, and set forth; (that is to say,)

For and upon all Sugar which, on and after the Sixth Day of *July* One thousand eight hundred and fifty-four, shall be used in any Part of the United Kingdom by any Brewer of Beer for Sale in the brewing or making of Beer, the Duty of Six Shillings and Sixpence for every Hundredweight, and so in proportion for any greater or less Quantity than a Hundredweight of such Sugar, to be payable and paid by such Brewer in lieu of the Duty of Excise chargeable thereon under the Third Section of the Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Sixty-seven, or of any Duty of Excise substituted for the last-mentioned Duty by any Act of the present Session of Parliament, but over and above all other Duties whether of Excise or Customs:

And for and upon every Licence to be taken out annually by every Brewer of Beer for Sale, who shall intend to use any Sugar in the brewing or making of Beer, the Duty of Twenty Shillings.

New Duty to be raised and levied in the same Manner as other Excise Duties;

III. The said Duties by this Act granted shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, applied, and accounted for under the Provisions of the Act passed in the First Year of Her Majesty's Reign, Chapter Fifty-seven, and in such and the like Manner, and in and by the same Means, Ways, or Methods by which any other Duties of Excise are or may be charged, raised, levied, collected, applied, and accounted for; and the

said first-recited Act, and all and every other Act or Acts relating to the Duties of Excise on Sugar, and all and every Fines, Pain, Penalty, and Forfeitures, Pains, and Penalties, for any Offence against or in breach of the said Acts, or any other Act or Acts, for securing the Duties of Excise, or for the Regulation thereof, in force immediately before the passing of this Act, and the several Clauses, Powers, and Directions therein contained, shall and the same are hereby directed and declared to extend to, and shall be applied, practised, and put in execution for and in respect of the Duties of Excise by this Act granted, in as full and ample a Manner as if all and every the said Act and Acts, Clauses, Provisions, Powers, Directions, Fines, Forfeitures, Pains, and Penalties were repeated and re-enacted in this Act with reference to the said Duties hereby granted. Powers and Penalties of all Excise Acts to apply to this Act.

IV. Every Brewer of Beer for Sale intending to use Sugar in the brewing or making of Beer shall take out a Licence in that Behalf under this Act, and shall pay the Duty charged on such Licence; and every such Licence shall be in such Form as the Commissioners of Inland Revenue shall direct, and shall be granted by the proper Officers of Excise duly authorized to grant Licences under any Law of Excise; and every such Licence shall expire on the Tenth Day of *October* next after the granting thereof, and shall be renewed annually in like Manner as other Excise Licences are by Law required to be renewed. Brewers intending to use Sugar to take out Licence for that Purpose.

V. It shall be lawful for the Commissioners of Inland Revenue from Time to Time to make such Regulations for the using of Sugar in the brewing or making of Beer as they may deem to be expedient and proper for securing the Duty by this Act granted upon Sugar so used; and from and after the Fifth Day of *July* One thousand eight hundred and fifty-four it shall not be lawful for any Brewer of Beer for Sale, otherwise than in accordance with such Regulations, nor without having taken out such Licence as by this Act is required in that Behalf, to make use of any Sugar in the brewing or making of Beer, or in the preparing or making any Liquor or other Preparation for darkening the Colour of Worts or Beer, or to use or have in his Custody or Possession any such Liquor or Preparation, prepared or made from Sugar, under Pain of the several Penalties and Forfeitures in that Behalf contained in the several Acts passed respectively in the Fifty-sixth Year of the Reign of King *George* the Third, Chapter Fifty-eight, and in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-Two, anything contained in an Act passed in the Tenth Year of Her Majesty's Reign, Chapter Five, or any other Act or Acts, to the contrary thereof in anywise notwithstanding; and if any Brewer of Beer for Sale who shall not have taken out such Licence as aforesaid shall at any Time after the Fifth Day of *July* One thousand eight hundred and fifty-four receive or take into or have in his Custody or Possession any Sugar (except for the necessary and ordinary Use of his Family, the Proof whereof shall lie on such Brewer,) the same shall be forfeited, and such Brewer shall be subject in respect thereof to the like Penalties and Forfeitures contained in the several Acts before mentioned. Commissioners of Inland Revenue to make Regulations for using Sugar in the brewing of Beer. Brewers not to use Sugar contrary to Regulations or without Licence.

VI. Every Brewer of Beer for Sale intending to use Sugar in the brewing or making of Beer, or in the preparing or making of any Liquor or other Preparation for darkening the Colour of Worts or Beer, shall make a true and particular Entry in Writing, signed by him, of his Name and Place of Abode, and of every Building, Warehouse, Storehouse, Shop, Room, or Place intended to be made use of by him for the keeping or storing of Sugar, or of using the same in the brewing or making of Beer, or in the preparing or making of any Liquor or other Preparation for darkening the Colour of Worts or Beer; and every such Entry shall be delivered to the proper Officer of Excise authorized to receive the same; and in every such Entry every Building, Warehouse, Storehouse, Shop, Room, and Place shall be distinguished by a particular Number or Letter, or Number and Letter, and the Purpose for which the same is intended to be used shall be specified and described; and every such Entry shall also set forth the Place where any such Building or other Premises as aforesaid shall be situated; and if any Sugar shall be found in any Building, Warehouse, Storehouse, Shop, Room, or Place of or belonging to any Brewer of Beer for Sale, and of which such Entry as herein directed has not been made, such Sugar shall be forfeited, and may be seized by any Officer of Excise, and such Brewer shall be subject and liable to the Penalty imposed by the Sixth Section of the Act passed in the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Fifty-one, for every such unentered Building, Warehouse, Storehouse, Shop, Room, or Place. Brewers to make Entry of Premises for storing or using Sugar.

VII. Every Brewer of Beer for Sale shall, in addition to the several Particulars which by the Laws in force he is required to enter in the Book or Paper provided for the Purpose of entering therein the Quantity of Malt and Sugar respectively used or intended to be used by him in the brewing of Beer, enter or cause to be entered in such Book or Paper the particular Hour of the Day at which he intends to mash any Malt or to dissolve any Sugar; and such Entry shall be made Twenty-four Hours at the least before he shall begin to mash any Malt or to dissolve any Sugar, under the like Penalty for any Refusal or Neglect to make such Entry as is hereby directed to be made in such Book or Paper, or for cancelling, obliterating, or altering the same, as by the Laws in force such Brewer is subject or liable to for any Refusal or Neglect to make any other Entry therein, or for cancelling, obliterating, or altering any such other Entry. Brewers using Sugar to enter in the proper Book the Hour at which they intend to mash or dissolve Sugar.

CAP. XXXI.

An Act for the better Regulation of the Traffic on Railways and Canals. [10th *July* 1854.]

'WHEREAS it is expedient to make better Provision for regulating the Traffic on Railways and 'Canals:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. In the Construction of this Act "the Board of Trade" shall mean the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations:

The Word "Traffic" shall include not only Passengers, and their Luggage, and Goods, Animals, and other Things conveyed by any Railway Company or Canal Company, or Railway and Canal Company, but also Carriages, Waggons, Trucks, Boats, and Vehicles of every Description adapted for running or passing on the Railway or Canal of any such Company:

The Word "Railway" shall include every Station of or belonging to such Railway used for the Purposes of public Traffic: and,

The Word "Canal" shall include any Navigation whereon Tolls are levied by Authority of Parliament, and also the Wharves and Landing Places of and belonging to such Canal or Navigation, and used for the Purposes of public Traffic:

The Expression "Railway Company," "Canal Company," or "Railway and Canal Company," shall include any Person being the Owner or Lessee of or any Contractor working any Railway or Canal or Navigation constructed or carried on under the Powers of any Act of Parliament:

A Station, Terminus, or Wharf shall be deemed to be near another Station, Terminus, or Wharf when the Distance between such Stations, Termini, or Wharves shall not exceed One Mile, such Stations not being situate within Five Miles from *St. Paul's* Church, in *London*.

Duty of Railway Companies to make Arrangements for receiving and forwarding Traffic, without unreasonable Delay, and without Partiality.

II. Every Railway Company, Canal Company, and Railway and Canal Company, shall, according to their respective Powers, afford all reasonable Facilities for the receiving and forwarding and delivering of Traffic upon and from the several Railways and Canals belonging to or worked by such Companies respectively, and for the Return of Carriages, Trucks, Boats, and other Vehicles, and no such Company shall make or give any undue or unreasonable Preference or Advantage to or in favour of any particular Person or Company, or any particular Description of Traffic, in any respect whatsoever, nor shall any such Company subject any particular Person or Company, or any particular Description of Traffic, to any undue or unreasonable Prejudice or Disadvantage in any respect whatsoever; and every Railway Company and Canal Company and Railway and Canal Company having or working Railways or Canals which form Part of a continuous Line of Railway or Canal or Railway and Canal Communication, or which have the Terminus, Station, or Wharf of the one near the Terminus, Station, or Wharf of the other, shall afford all due and reasonable Facilities for receiving and forwarding all the Traffic arriving by one of such Railways or Canals by the other, without any unreasonable Delay, and without any such Preference or Advantage, or Prejudice or Disadvantage, as aforesaid, and so that no Obstruction may be offered to the Public desirous of using such Railways or Canals or Railways and Canals as a continuous Line of Communication, and so that all reasonable Accommodation may, by means of the Railways and Canals of the several Companies, be at all Times afforded to the Public in that Behalf.

Parties complaining that reasonable Facilities for forwarding Traffic, &c. are withheld, may apply by Motion or Summons to the Superior Courts.

III. It shall be lawful for any Company or Person complaining against any such Companies or Company of anything done, or of any Omission made in Violation or Contravention of this Act, to apply in a summary Way, by Motion or Summons, in *England*, to Her Majesty's Court of Common Pleas at *Westminster*, or in *Ireland* to any of Her Majesty's Superior Courts in *Dublin*, or in *Scotland* to the Court of Session in *Scotland*, as the Case may be, or to any Judge of any such Court; and, upon the Certificate to Her Majesty's Attorney General in *England* or *Ireland*, or Her Majesty's Lord Advocate in *Scotland*, of the Board of Trade alleging any such Violation or Contravention of this Act by any such Companies or Company, it shall also be lawful for the said Attorney General or Lord Advocate to apply in like Manner to any such Court or Judge, and in either of such Cases it shall be lawful for such Court or Judge to hear and determine the Matter of such Complaint; and for that Purpose, if such Court or Judge shall think fit, to direct and prosecute, in such Mode and by such Engineers, Barristers, or other Persons as they shall think proper, all such Inquiries as may be deemed necessary to enable such Court or Judge to form a just Judgment on the Matter of such Complaint; and if it be made to appear to such Court or Judge on such Hearing, or on the Report of any such Person, that anything has been done or Omission made, in Violation or Contravention of this Act, by such Company or Companies, it shall be lawful for such Court or Judge to issue a Writ of Injunction or Interdict, restraining such Company or Companies from further continuing such Violation or Contravention of this Act, and enjoining Obedience to the same; and in case of Disobedience of any such Writ of Injunction or Interdict it shall be lawful for such Court or Judge to order that a Writ or Writs of Attachment, or any other Process of such Court incident or applicable to Writs of Injunction or Interdict, shall issue against any One or more of the Directors of any Company, or against any Owner, Lessee, Contractor, or other Person failing to obey such Writ of Injunction or Interdict; and such Court or Judge may also, if they or he shall think fit, make

make an Order directing the Payment by any One or more of such Companies of such Sum of Money as such Court or Judge shall determine, not exceeding for each Company the Sum of Two hundred Pounds for every Day, after a Day to be named in the Order, that such Company or Companies shall fail to obey such Injunction or Interdict; and such Monies shall be payable as the Court or Judge may direct, either to the Party complaining, or into Court to abide the ultimate Decision of the Court, or to Her Majesty, and Payment thereof may, without Prejudice to any other Mode of recovering the same, be enforced by Attachment or Order in the Nature of a Writ of Execution, in like Manner as if the same had been recovered by Decree or Judgment in any Superior Court at *Westminster* or *Dublin*, in *England* or *Ireland*, and in *Scotland* by such Diligence as is competent on an extracted Decree of the Court of Session; and in any such Proceeding as aforesaid, such Court or Judge may order and determine that all or any Costs thereof or thereon incurred shall and may be paid by or to the One Party or the other, as such Court or Judge shall think fit; and it shall be lawful for any such Engineer, Barrister, or other Person, if directed so to do by such Court or Judge, to receive Evidence on Oath relating to the Matter of any such Inquiry, and to administer such Oath.

Judges may make such Regulations as may be necessary for Proceedings under this Act.

IV. It shall be lawful for the said Court of Common Pleas at *Westminster*, or any Three of the Judges thereof, of whom the Chief Justice shall be One, and it shall be lawful for the said Courts in *Dublin*, or any Nine of the Judges thereof, of whom the Lord Chancellor, the Master of the Rolls, the Lords Chief Justice of the Queen's Bench and Common Pleas, and the Lord Chief Baron of the Exchequer, shall be Five, from Time to Time to make all such General Rules and Orders as to the Forms of Proceedings and Process, and all other Matters and Things touching the Practice and otherwise in carrying this Act into execution before such Courts and Judges, as they may think fit, in *England* or *Ireland*, and in *Scotland* it shall be lawful for the Court of Session to make such Acts of Sederunt for the like Purpose as they shall think fit.

Court or Judge may order a Rehearing.

V. Upon the Application of any Party aggrieved by the Order made upon any such Motion or Summons as aforesaid, it shall be lawful for the Court or Judge by whom such Order was made, to direct, if they think fit so to do, such Motion or Application on Summons to be reheard before such Court or Judge, and upon such Rehearing to rescind or vary such Order.

Mode of Proceeding under this Act.

VI. No Proceeding shall be taken for any Violation or Contravention of the above Enactments, except in the Manner herein provided; but nothing herein contained shall take away or diminish any Rights, Remedies, or Privileges of any Person or Company against any Railway or Canal or Railway and Canal Company under the existing Law.

Company to be liable for Neglect or Default in the Carriage of Goods, notwithstanding Notice to the contrary.

VII. Every such Company as aforesaid shall be liable for the Loss of or for any Injury done to any Horses, Cattle, or other Animals, or to any Articles, Goods, or Things, in the receiving, forwarding, or delivering thereof, occasioned by the Neglect or Default of such Company or its Servants, notwithstanding any Notice, Condition, or Declaration made and given by such Company contrary thereto, or in anywise limiting such Liability; every such Notice, Condition, or Declaration being hereby declared to be null and void: Provided always, that nothing herein contained shall be construed to prevent the said Companies from making such Conditions with respect to the receiving, forwarding, and delivering of any of the said Animals, Articles, Goods, or Things, as shall be adjudged by the Court or Judge before whom any Question relating thereto shall be tried to be just and reasonable: Provided always, that no greater Damages shall be recovered for the Loss of or for any Injury done to any of such Animals, beyond the Sums herein-after mentioned; (that is to say,) for any Horse Fifty Pounds; for any Neat Cattle, *per* Head, Fifteen Pounds; for any Sheep or Pigs, *per* Head, Two Pounds; unless the Person sending or delivering the same to such Company shall, at the Time of such Delivery, have declared them to be respectively of higher Value than as above mentioned; in which Case it shall be lawful for such Company to demand and receive by way of Compensation for the increased Risk and Care thereby occasioned, a reasonable Per-centage upon the Excess of the Value so declared above the respective Sums so limited as aforesaid, and which shall be paid in addition to the ordinary Rate of Charge; and such Per-centage or increased Rate of Charge shall be notified in the Manner prescribed in the Statute Eleventh *George* Fourth and First *William* Fourth, Chapter Sixty-eight, and shall be binding upon such Company in the Manner therein mentioned: Provided also, that the Proof of the Value of such Animals, Articles, Goods, and Things, and the Amount of the Injury done thereto, shall in all Cases lie upon the Person claiming Compensation for such Loss or Injury: Provided also, that no special Contract between such Company and any other Parties respecting the receiving, forwarding, or delivering of any Animals, Articles, Goods, or Things as aforesaid shall be binding upon or affect any such Party unless the same be signed by him or by the Person delivering such Animals, Articles, Goods, or Things respectively for Carriage: Provided also, that nothing herein contained shall alter or affect the Rights, Privileges, or Liabilities of any such Company under the said Act of the Eleventh *George* Fourth and First *William* Fourth, Chapter Sixty-eight, with respect to Articles of the Descriptions mentioned in the said Act.

Company not to be liable beyond a limited Amount in certain Cases, unless the Value declared and extra Payment made.

Proof of Value to be on the Person claiming Compensation.

No special Contract to be binding unless signed.

Short Title.

VIII. This Act may be cited for all Purposes as "The Railway and Canal Traffic Act, 1854."

CAP. XXXII.

An Act to facilitate the Apportionment of the Rent when Parts of Lands in Lease are taken for the Purposes of the Church Building Acts. [10th *July* 1854.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Rents and Fines may be apportioned.

I. If any Hereditaments to be acquired for any of the Purposes of any of the Church Building Acts are included in a Lease or Underlease with any other Hereditaments, the Rent reserved by such Lease or Underlease, and any Fine certain to be paid on any Renewals thereof, may be apportioned between the Hereditaments so to be acquired and the Remainder of the Hereditaments, or may be wholly charged on such Remainder, in exoneration of the Hereditaments so to be acquired.

Parties to the Apportionment.

II. Such Apportionment or Exoneration may be effected by the Parties respectively having Power to assign or convey the Leasehold Interest, and to assign or convey the Reversion expectant on such Leasehold Interest, in the Hereditaments so to be acquired.

Jury may apportion.

III. In Cases where the Value of the Hereditaments to be acquired is to be ascertained by a Jury, the Jury may also apportion any such Rent or Fine as aforesaid.

Apportioned Rent to be recoverable by the same Remedies as the entire Rent.

IV. On the acquiring as aforesaid of any Hereditaments included with other Hereditaments in a Lease or Underlease or Leases or Underleases as aforesaid, the Rent or apportioned Rent by any such Apportionment or Exoneration expressed to be made payable out of the Hereditaments which shall not be acquired as aforesaid, and out of the Hereditaments which shall be so acquired respectively, shall be recoverable as regards such Hereditaments respectively by the same Remedies by which before such acquiring the Rent reserved by the Lease or Underlease was recoverable out of the whole of the Hereditaments therein comprised; and all the Covenants, Conditions, and Agreements in such Lease or Underlease contained, as well those relating to Rent as others, so far as regards the Part acquired and the Residue not acquired as aforesaid respectively of the Hereditaments comprised in such Lease or Underlease, shall continue and shall subsist upon and against and with regard to such Part so acquired and such Residue respectively in like Manner as if such Part or Residue only had been originally comprised in such Lease or Underlease; and in case such Lease or Underlease shall contain Provisions for Renewal upon Payment of a Fine certain, such Provisions for Renewal shall apply to the Part acquired and the Residue not acquired as aforesaid respectively of the Hereditaments comprised in such Lease or Underlease in the same Manner as if such Part or Residue only had been originally comprised in such Lease or Underlease, and the Fine certain to be paid on any Renewal had been the Fine certain which in the Exoneration or Apportionment shall be expressed to be payable in respect of the same Hereditaments.

How Sums secured by way of Insurance, &c. may be apportioned.

V. Sums of Money to be secured by way of Insurance and all other Sums of Money or other Payments or Services may be apportioned or exclusively charged in the same Manner, and with the same Effects in all respects, as are herein provided with respect to the Apportionment or exclusive Charge of Rent.

Certain Cases to which Act shall extend.

VI. The Provisions of this Act extend to all Cases where a Part of the Hereditaments included in any Lease or Underlease is to be acquired for the Purposes of any of the Church Building Acts, although no Apportionment of or Exoneration from Rent may take place by reason that no Rent or a Rent only nominal is reserved by the Lease or Underlease.

Act to extend to Contracts for Leases.

VII. The Provisions of this Act relate to Contracts for Leases and Underleases as well as to Leases and Underleases.

Acts herein referred to.

VIII. The Acts herein referred to as the Church Building Acts are the Act of the Fourteenth and Fifteenth Years of Queen *Victoria*, Chapter Ninety-seven, "to amend the Church Building Acts," and the Acts in that Act enumerated as the Church Building Acts, and also the Act of the Sixth and Seventh Years of Queen *Victoria*, Chapter Thirty-seven, "to make better Provision for the Spiritual Care of populous Parishes."

CAP. XXXIII.

An Act to place Public Statues within the Metropolitan Police District under the Control of the Commissioners of Her Majesty's Works and Public Buildings. [10th *July* 1854.]

'WHEREAS it is expedient that such Public Statues as are herein-after mentioned should be under the Control and Superintendence of the Commissioners of Her Majesty's Works and Public Buildings, and that such Commissioners should have the Powers after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. In the Construction of this Act the Words, "Metropolitan Police District" shall be understood to describe the District defined under that Name by an Act of Parliament passed in the Tenth Year of the Reign

Reign of His late Majesty King *George* the Fourth, Chapter Forty-four; the Words "Public Statue" shall be taken to include all the Statues mentioned in the Schedule to this Act, or which may hereafter be erected, either wholly or in part, within any such Public Place as after mentioned; the Words "Public Place" shall be taken to include any Street, Square, Court, or other like Place within the Metropolitan Police District into or upon or over which there is any Public Right of Ingress, Egress, and Regress, or Thoroughfare.

Statues may be erected in public Places, &c.

II. It shall be lawful for the said Commissioners, or their Workmen or Agents by their Order, by and out of any Monies appropriated or to be appropriated for that Purpose by Parliament, to erect in any Public Place any Statue, and to enclose the same and the Pedestal thereof and any surrounding Space with any Fence or Railing, in all respects as they may think fit.

Power to repair Public Statues, &c.

III. It shall be lawful for the said Commissioners to restore, amend, or repair any Public Statue, and the Pedestal thereof, and the Fence or Railing surrounding the same, by and with any Monies for that Purpose from Time to Time appropriated by Parliament.

Commissioners may do all Acts necessary for the Erection, &c. of Public Statues.

IV. It shall be lawful for the said Commissioners, or their Agents or Workmen by their Orders, to do all Acts necessary for the erecting, repairing, restoring, or amending any Public Statue, and also to enter any Public Place for the Purpose of erecting any Public Statue, or for restoring, amending, and repairing any Public Statue, and the Railings and other Fences surrounding the same, as the said Commissioners shall think fit, and generally to make, do, execute, and perform all such Acts, Works, Matters, and Things as shall be thought necessary by the said Commissioners or their Agents, for the Erection, Restoration, or Repair of any Public Statue.

Statues not to be erected without Assent.

V. No Public Statue shall after the passing of this Act be erected in any Public Place without the written Assent of the said Commissioners.

For the Punishment of Persons damaging any Public Statue.

VI. Any Person or Persons who shall after the passing of this Act unlawfully and maliciously destroy or damage any Public Statue, or the Ornaments, Railings, or Fences surrounding the same, shall be guilty of a Misdemeanor within the Meaning of an Act passed in the Session of Parliament, held in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Forty-four, and the Provisions of the said Act shall be held to be applicable to the Punishment of any such Offender.

Certain Statues may be transferred to Board of Works, and become Public Statues.

VII. It shall be lawful for the Owners of any Statue not mentioned in the Schedule to this Act, but which is or may be situated within the Metropolitan Police District, with the Assent in Writing of the Commissioners of Her Majesty's Treasury, to transfer such Statue to the Commissioners of Her Majesty's Works and Public Buildings; and upon the Completion of such Transfer, the Statue so transferred shall be deemed to be a Public Statue within the Intent and Meaning of this Act as fully and effectually as if such Statue had been expressly mentioned in the Schedule hereto.

The SCHEDULE referred to by the above Act.

City of Westminster, Saint Margaret and Saint John.

Statue of King James the Second in Whitehall Gardens, at the Rear of Whitehall Chapel.

Statue to the Right Honourable George Canning, erected in Parliament Square, facing New Palace Yard.

Saint Martin in the Fields and Saint Anne Soho.

Equestrian Statue of King Charles the First at Charing Cross.

Equestrian Statue of King George the Third in Pall Mall East.

Equestrian Statue of King George the Fourth in Trafalgar Square.

Column and Statue to Viscount Nelson, Trafalgar Square.

Equestrian Statute to the Duke of Wellington on the Arch at Hyde Park Corner.

Saint George Hanover Square.

Statue in Hyde Park in Commemoration of the Victories of the Duke of Wellington.

Saint James'.

Statue of King George the Second in Golden Square.

Tower Division.

Statue of the Duke of Wellington on "Tower Green."

Holborn Division. Saffron Hill Liberty. Saint Clements Danes.

Statue of George the Third in the Quadrangle of Somerset House.

Saint Andrew's Holborn.

Statute of Queen Anne, situate in Queen Square, Saint George the Martyr.

Saint Marylebone.

Statue of the Duke of Kent, Park Crescent Gardens, Portland Place.

County of Kent, Greenwich.

Statue to His Majesty King George the Second in the Square of the Royal Hospital.

Chelsea.

Statue of King Charles the Second in the Grounds of Chelsea Hospital.

CAP. XXXIV.

An Act to enable the Courts of Law in *England*, *Ireland*, and *Scotland* to issue Process to compel the Attendance of Witnesses out of their Jurisdiction, and to give Effect to the Service of such Process in any Part of the United Kingdom. [10th *July* 1854.]

'WHEREAS great Inconvenience arises in the Administration of Justice from the Want of a Power in the Superior Courts of Law to compel the Attendance of Witnesses resident in One Part of the United Kingdom at a Trial in another Part, and the Examination of such Witnesses by Commission is not in all Cases a sufficient Remedy for such Inconvenience:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Courts of Law in England, Ireland, and Scotland may issue Process to compel the Attendance of Witnesses although not within their Jurisdiction.

I. If, in any Action or Suit now or at any Time hereafter depending in any of Her Majesty's Superior Courts of Common Law at *Westminster* or *Dublin*, or the Court of Session or Exchequer in *Scotland*, it shall appear to the Court in which such Action is pending, or, if such Court is not sitting, to any Judge of any of the said Courts respectively, that it is proper to compel the personal Attendance at any Trial of any Witness who may not be within the Jurisdiction of the Court in which such Action is pending, it shall be lawful for such Court or Judge, if in his or their Discretion it shall so seem fit, to order that a Writ called a Writ of Subpœna ad testificandum or of Subpœna duces tecum or Warrant of Citation shall issue in special Form, commanding such Witness to attend such Trial wherever he shall be within the United Kingdom, and the Service of any such Writ or Process in any Part of the United Kingdom shall be as valid and effectual to all Intents and Purposes as if same had been served within the Jurisdiction of the Court from which it issues.

Statement to be made at Foot of Writ.

II. Every such Writ shall have at Foot thereof a Statement or Notice that the same is issued by the special Order of the Court or Judge, as the Case may be; and no such Writ shall issue without such special Order.

Witnesses making default to be punished by the Courts of the Country in which the Process was served.

III. In case any Person so served shall not appear according to the Exigency of such Writ or Process, it shall be lawful for the Court out of which the same issued, upon Proof made of the service thereof, and of such Default, to the Satisfaction of the said Court, to transmit a Certificate of such Default under the Seal of the same Court, or under the Hand of One of the Judges or Justices of the same, to any of Her Majesty's Superior Courts of Common Law at *Westminster*, in case such Service was had in *England*, or in case such Service was had in *Scotland* to the Court of Session or Exchequer at *Edinburgh*, or in case such Service was had in *Ireland*, to any of Her Majesty's Superior Courts of Common Law at *Dublin*; and the Court to which such Certificate is so sent shall and may thereupon proceed against and punish the Person so having made default in like Manner as they might have done if such Person had neglected or refused to appear in obedience to a Writ of Subpœna or other Process issued out of such last-mentioned Court.

Persons not to be punished if sufficient Money has not been tendered for Expenses.

IV. None of the said Courts shall in any Case proceed against or punish any Person for having made default by not appearing to give Evidence in obedience to any Writ of Subpœna or other Process issued under the Powers given by this Act, unless it shall be made to appear to such Court that a reasonable and sufficient Sum of Money to defray the Expenses of coming and attending to give Evidence, and of returning from giving such Evidence, had been tendered to such Person at the Time when such Writ of Subpœna or Process was served upon such Person.

Act not to prevent the issuing of a Commission, &c.

V. Nothing herein contained shall alter or affect the Power of any of such Courts to issue a Commission for the Examination of Witnesses out of their Jurisdiction, in any Case in which, notwithstanding this Act, they shall think fit to issue such Commission.

Not to affect the Admissibility of Evidence where now receivable.

VI. Nothing herein contained shall alter or affect the Admissibility of any Evidence at any Trial where such Evidence is now by Law receivable, on the Ground of any Witness being beyond the Jurisdiction of the Court, but the Admissibility of all such Evidence shall be determined as if this Act had not passed.

CAP. XXXV.

An Act to repeal certain Provisions of an Act of the Fifth and Sixth Years of Her present Majesty, concerning the holding of Assizes for the County of *Warwick*. [10th *July* 1854.]

5 & 6 Vict. c. 110.

'WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of Her Majesty, intituled *An Act to annex the County of the City of* Coventry *to* Warwickshire, *and to define the Boundary of the City of* Coventry, it was enacted and provided that the Inhabitants of the City of *Coventry* should not be liable to be summoned or to serve on any Inquest or Jury for the County of *Warwick* elsewhere than within the City of *Coventry*; and it was thereby also enacted, that the Judges of Assize and Nisi Prius, and others named in Her Majesty's Commissions of Oyer and Terminer and Gaol Delivery, should hold their Sittings at Nisi Prius, Oyer and Terminer and Gaol Delivery, within the said City of *Coventry* for the said City, and for such other Parts of the said County of *Warwick* as

'as Her Majesty, with the Advice of Her Privy Council, from Time to Time should order, and at *War-*
'*wick* for so much of the rest of the said County as should not be included in any such Order, and that
'the Sheriff of the County of *Warwick* should give his Attendance upon the said Judges and Com-
'missioners, and should cause to be summoned to *Warwick* and *Coventry* such Grand and Petty Jurors
'of the County of *Warwick* as should be needed for the Execution of the said several Commissions:
'And whereas the Division of the said County of *Warwick* into Two Assize Districts, and the holding of
'Assizes at *Coventry*, under the said recited Enactments, have been found inconvenient:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Enactments repealed, and Assizes to be held in Warwick.

I. From and after the passing of this Act the said recited Enactments shall be repealed, and the Assizes for the whole County of *Warwick*, including the said City of *Coventry*, shall be holden at *Warwick*, and the Inhabitants of the said City of *Coventry* shall be liable to be summoned and serve upon all Inquests and Juries at the said Assizes, in like Manner as the other Inhabitants of the said County.

Venue in future Proceedings to be "Warwickshire" alone, and Parties under Recognizance to appear at Warwick.

II. From and after the passing of this Act, the Venue in all Matters whatsoever to come before the Judges of Assize and Nisi Prius, Oyer and Terminer and General Gaol Delivery, in the said County of *Warwick*, shall be "*Warwickshire*," and the Venues "*Warwickshire Warwick* Division," and "*Warwick-*
"*shire Coventry* Division" shall be abolished, and all Recognizances entered into by any Person or Persons for Appearance at the *Coventry* Assizes, whether to prosecute or give Evidence, or to answer or to receive Judgment or otherwise, shall be obligatory on the Parties bound by such Recognizances to appear at the *Warwick Assizes* for the same Purpose, and all Proceedings requisite and proper to be taken relating thereto shall and may be had and taken in like Manner as if such Recognizance had been originally entered into and such Proceedings taken with reference to the Assizes held at *Warwick*.

Proceedings commenced in Coventry Division to be transferred to Warwick to be disposed of.

III. All Indictments, Records, and other Proceedings preferred, entered, and taken in the *Coventry* Division of the County of *Warwick* on the Day of the passing of this Act, filed and remaining with the Clerk of the Crown and the Associate for the said Division, shall be returned to be filed and remain with the Clerk of the Crown and the Associate respectively for the said County of *Warwick*, and all Proceedings and Process requisite and proper to be awarded and taken thereon shall and may be awarded and taken as if such Indictments, Records, and other Proceedings had been originally prefefred, entered, and taken in the County of *Warwick* at large.

Offences committed, &c. in Coventry Division before passing of Act to be dealt with at Warwick.

IV. All Offences which shall have been committed and all Causes of Action which shall have accrued in the said *Coventry* Division of the said County before the passing of this Act shall, so far as relates to the Courts of Assize and Nisi Prius, Oyer and Terminer and General Gaol Delivery, be inquired of, heard, and dealt with as if the same had been committed or had accrued in the County of *Warwick* at large.

CAP. XXXVI.

An Act for preventing Frauds upon Creditors by secret Bills of Sale of personal Chattels.

[10th *July* 1854.]

'WHEREAS Frauds are frequently committed upon Creditors by secret Bills of Sale of personal
'Chattels, whereby Persons are enabled to keep up the Appearance of being in good Circum-
'stances and possessed of Property, and the Grantees or Holders of such Bills of Sale have the Power
'of taking possession of the Property of such Persons, to the Exclusion of the rest of their Creditors:'
For Remedy whereof, be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Bills of Sale to be void, unless the same or a Copy thereof be filed within Twenty-one Days, in like Manner as Warrants of Attorney.

I. Every Bill of Sale of personal Chattels made, after the passing of this Act, either absolutely or conditionally, or subject or not subject to any Trusts, and whereby the Grantee or Holder shall have Power, either with or without Notice, and either immediately after the making of such Bill of Sale or at any future Time, to seize or take possession of any Property and Effects comprised in or made subject to such Bill of Sale, and every Schedule or Inventory which shall be thereto annexed or therein referred to, or a true Copy thereof, and of every Attestation of the Execution thereof, shall, together with an Affidavit of the Time of such Bill of Sale being made or given, and a Description of the Residence and Occupation of the Person making or giving the same, or, in case the same shall be made or given by any Person under or in the Execution of any Process, then a Description of the Residence and Occupation of the Person against whom such Process shall have issued, and of every attesting Witness to such Bill of Sale, be filed with the Officer acting as Clerk of the Docquets and Judgments in the Court of Queen's Bench within Twenty-one Days after the making or giving of such Bill of Sale (in like Manner as a Warrant of Attorney in any personal Action given by a Trader is now by Law required to be filed), otherwise such Bill of Sale shall, as against all Assignees of the Estate and Effects of the Person whose Goods or any of them are comprised in such Bill of Sale under the Laws relating to Bankruptcy or Insolvency, or under any Assignment for the Benefit of the Creditors of such Person, and as against all Sheriffs Officers and other Persons seizing any Property or Effects comprised in such Bill of Sale in the Execution

Execution of any Process of any Court of Law or Equity authorizing the Seizure of the Goods of the Person by whom or of whose Goods such Bill of Sale shall have been made, and against every Person on whose Behalf such Process shall have been issued, be null and void to all Intents and Purposes whatsoever, so far as regards the Property in or Right to the Possession of any personal Chattels comprised in such Bill of Sale, which at or after the Time of such Bankruptcy, or of filing the Insolvent's Petition in such Insolvency, or of the Execution by the Debtor of such Assignment for the Benefit of his Creditors, or of executing such Process (as the Case may be), and after the Expiration of the said Period of Twenty-one Days, shall be in the Possession or apparent Possession of the Person making such Bill of Sale, or of any Person against whom the Process shall have issued under or in the Execution of which such Bill of Sale shall have been made or given, as the Case may be.

Defeasance or Condition of every Bill of Sale to be written on the same Paper or Parchment.

II. If such Bill of Sale shall be made or given subject to any Defeasance or Condition or Declaration of Trust not contained in the Body thereof, such Defeasance or Condition or Declaration of Trust shall, for the Purposes of this Act, be taken as Part of such Bill of Sale, and shall be written on the same Paper or Parchment on which such Bill of Sale shall be written, before the Time when the same or a Copy thereof respectively shall be filed, otherwise such Bill of Sale shall be null and void to all Intents and Purposes, as against the same Persons and as regards the same Property and Effects, as if such Bill of Sale or a Copy thereof had not been filed according to the Provisions of this Act.

Officer of Court to keep a Book containing Particulars of each Bill of Sale.

III. The said Officer of the said Court of Queen's Bench shall cause every Bill of Sale, and every such Schedule and Inventory as aforesaid, and every such Copy filed in his said Office under the Provisions of this Act, to be numbered, and shall keep a Book or Books in his said Office, in which he shall cause to be fairly entered an alphabetical List of every such Bill of Sale, containing therein the Name, Addition, and Description of the Person making or giving the same, or in case the same shall be made or given by any Person under or in the Execution of Process as aforesaid, then the Name, Addition, and Description of the Person against whom such Process shall have issued, and also of the Person to whom or in whose Favour the same shall have been given, together with the Number, and the Dates of the Execution and filing of the same, and the Sum for which the same has been given, and the Time or Times (if any) when the same is thereby made payable, according to the Form contained in the Schedule to this Act, which said Book or Books, and every Bill of Sale or Copy thereof filed in the said Office, may be searched and viewed by all Persons at all reasonable Times, paying to the Officer for every Search against One Person the Sum of Sixpence and no more; and that, in addition to the last-mentioned Book, the said Officer of the said Court of Queen's Bench shall keep another Book or Index, in which he shall cause to be fairly inserted, as and when such Bills of Sale are filed in manner aforesaid, the Name, Addition, and Description of the Person making or giving the same, or of the Person against whom such Process shall have issued, as the Case may be, and also of the Persons to whom or in whose Favour the same shall have been given, but containing no further Particulars thereof; which last-mentioned Book or Index all Persons shall be permitted to search for themselves, paying to the Officer for such last-mentioned Search the Sum of One Shilling.

Officer entitled to a Fee of 1*s.* for filing Bill of Sale, and to account for the same.

IV. The said Officer shall be entitled to receive, for his Trouble in filing and entering every such Bill of Sale or a Copy thereof as aforesaid, the Sum of One Shilling and no more; and such Officer shall render a like Account to the Commissioners of Her Majesty's Treasury, and the said Commissioners shall have the like Powers in every Particular with respect to such Account, and the Amount of Remuneration of such Officer, and with respect to any Surplus of the Fees received by him, as is provided by the Seventy-fifth Chapter of the Statute passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty with respect to the Officers of the Court of Common Pleas therein mentioned.

Office Copies or Extracts to be given on paying as for Copies of Judgments.

V. Any Person shall be entitled to have an Office Copy or an Extract of every Bill of Sale, or of the Copy thereof filed as aforesaid, upon paying for the same at the like Rate as for Office Copies of Judgments in the said Court of Queen's Bench.

Satisfaction may be entered.

VI. It shall be lawful for any Judge of the said Court of Queen's Bench to order a Memorandum of Satisfaction to be written upon any Bill of Sale or Copy thereof respectively as aforesaid, if it shall appear to him that the Debt (if any) for which such Bill of Sale is given as Security shall have been satisfied or discharged.

Interpretation of Terms.

VII. In construing this Act the following Words and Expressions shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Constructions; (that is to say,)

The Expression "Bill of Sale" shall include Bills of Sale, Assignments, Transfers, Declarations of Trust without Transfer, and other Assurances of personal Chattels, and also Powers of Attorney, Authorities, or Licences to take possession of personal Chattels as Security for any Debt, but shall not include the following Documents; that is to say, Assignments for the Benefit of the Creditors of the Person making or giving the same; Marriage Settlements; Transfers or Assignments of any Ship or Vessel or any Share thereof; Transfers of Goods in the ordinary Course of Business of any Trade or Calling; Bills of Sale of Goods in Foreign Parts or at Sea; Bills of Lading; *India* Warrants; Warehouse Keepers Certificates; Warrants or Orders for the Delivery of Goods, or any other Documents used in the ordinary Course of Business as Proof of the Possession or Control of Goods,

Goods, or authorizing or purporting to authorize, either by Endorsement or by Delivery, the Possessor of such Document to transfer or receive Goods thereby represented:

The Expression "personal Chattels" shall mean Goods, Furniture, Fixtures, and other Articles capable of complete Transfer by Delivery, and shall not include Chattel Interests in Real Estate, nor Shares or Interest in the Stock, Funds, or Securities of any Government, or in the Capital or Property of any incorporated or Joint Stock Company, nor Choses in Action, nor any Stock or Produce upon any Farm or Lands which by virtue of any Covenant or Agreement, or of the Custom of the Country, ought not to be removed from any Farm where the same shall be at the Time of the making or giving of such Bill of Sale:

Personal Chattels shall be deemed to be in the "apparent Possession" of the Person making or giving the Bill of Sale, so long as they shall remain or be in or upon any House, Mill, Warehouse, Building, Works, Yard, Land, or other Premises occupied by him, or as they shall be used and enjoyed by him in any Place whatsoever, notwithstanding that formal Possession thereof may have been taken by or given to any other Person.

VIII. This Act shall not extend to *Scotland* or *Ireland*. Extent of Act.

SCHEDULE.

Name, &c. of the Person making or giving the Bill of Sale, or of the Person divested of Property.	Name, &c. of the Person to whom made or given.	Whether Bill of Sale, Assignment, Transfer, or what other Assurance, and whether absolute or conditional, and Number.	Date of Execution.	Date of Filing.	Sum for which made or given.	When and how payable.

CAP. XXXVII.

An Act for establishing the Validity of certain Proceedings in Her Majesty's Court of Vice-Admiralty in *Mauritius*. [10th *July* 1854.]

'WHEREAS *James Wilson* Esquire, Chief Judge of the Supreme Court in *Mauritius*, has, since the Month of *October* One thousand eight hundred and thirty-five, acted as Judge in Her Majesty's Court of Vice-Admiralty in that Island: And whereas it has been discovered that on various Occasions between the said Month of *October* One thousand eight hundred and thirty-five and the Nineteenth Day of *May* One thousand eight hundred and fifty-two he was not duly authorized so to act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. All Acts, Proceedings, and Judgments heretofore done, taken, or given by the said *James Wilson* in the Capacity or assumed Capacity of Judge of the said Vice-Admiralty Court before the Nineteenth Day of *May* One thousand eight hundred and fifty-two aforesaid inclusively, and not set aside by any competent Authority before the passing of this Act, shall be deemed to be and to have been as valid and effectual for all Purposes whatever as if the said *James Wilson* had at the Time of such Acts, Proceedings, or Judgments respectively been legally and sufficiently authorized to officiate as such Judge. Certain Acts, &c. done by James Wilson as Judge of Vice-Admiralty Court deemed valid.

II. No Action, Prosecution, or other Proceeding shall be brought or taken in any Court against the said *James Wilson* by reason of the Illegality or Invalidity of any Act, Proceeding, or Judgment hereinbefore declared to be valid and effectual. James Wilson indemnified for such Acts, &c.

CAP.

CAP. XXXVIII.

An Act for the Suppression of Gaming Houses. [24th *July* 1854.]

8 & 9 Vict. c. 109.

'WHEREAS divers Statutes have been made from Time to Time for the Prevention of unlawful Gaming; and particularly by the Act of the Session holden in the Eighth and Ninth Years of [Her Majesty, Chapter One hundred and nine, Powers are given to Justices of the Peace in Places beyond the Metropolitan Police District to authorize Constables, and to either of the Commissioners of Police within such District to authorize Superintendents belonging to the Metropolitan Police Force, to enter Houses suspected to be kept as Common Gaming Houses, and to arrest all Persons found therein; and it is thereby enacted, that where any Cards, Dice, Balls, Counters, Tables, or other Instruments of Gaming used in playing any unlawful Game shall be found in any House, Room, or Place suspected to be used as a Common Gaming House, and entered under a Warrant or Order issued under the Provisions of that Act, or about the Person of any of those who shall be found therein, it shall be Evidence, until the contrary be made to appear, that such House, Room, or Place is used as a Common Gaming House, and that the Persons found in the Room or Place where such Tables or Instruments of Gaming shall have been found were playing therein: And whereas the Keepers of Common Gaming Houses contrive, by fortifying the Entrances to such Houses, or by other Means, to keep out the Officers authorized to enter the same until the Instruments of Gaming have been removed or destroyed, so that no sufficient Evidence can be obtained to convict the Offenders, who are thereby encouraged to persist in the Violation of the Law: And whereas it is expedient that the Law shall be made more efficient for the Suppression of Gaming Houses:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Penalty on Persons obstructing the Entry of Constables authorized to enter any House suspected to be a Common Gaming House.

I. Any Person who shall wilfully prevent any Constable or Officer authorized under the Provisions of the said Act of the Eighth and Ninth Years of Her Majesty to enter any House, Room, or Place, from entering the same or any Part thereof, or who shall obstruct or delay any such Constable or Officer in so entering, and any Person who, by any Bolt, Bar, Chain, or other Contrivance, shall secure any external or internal Door of or Means of Access to any House, Room, or Place so authorized to be entered, or shall use any Means or Contrivance whatsoever for the Purpose of preventing, obstructing, or delaying the Entry of any Constable or Officer authorized as aforesaid into any such House, Room, or Place, or any Part thereof, may for every such Offence, on a summary Conviction of the same before Two Justices of the Peace, be adjudged by such Justices to forfeit and pay any Penalty not exceeding One hundred Pounds, together with such Costs attending the said Conviction as to the said Justices shall appear reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance, if to the said Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Period not exceeding Six Calendar Months.

Obstructing Entry of Constables to be Evidence of House being a Common Gaming House.

II. Where any Constable or Officer authorized as aforesaid to enter any House, Room, or Place is wilfully prevented from or obstructed or delayed in entering the same or any Part thereof, or where any external or internal Door of or Means of Access to any such House, Room, or Place so authorized to be entered shall be found to be fitted or provided with any Bolt, Bar, Chain, or any Means or Contrivance for the Purpose of preventing, delaying, or obstructing the Entry into the same or any Part thereof of any Constable or Officer authorized as aforesaid, or for giving an Alarm in case of such Entry, or if any such House, Room, or Place is found fitted or provided with any Means or Contrivance for unlawful Gaming, or with any Means or Contrivance for concealing, removing, or destroying any Instruments of Gaming, it shall be Evidence, until the contrary be made to appear, that such House, Room, or Place is used as a Common Gaming House within the Meaning of this Act and of the former Acts relating to Gaming, and that the Persons found therein were unlawfully playing therein.

Penalty on Persons apprehended for giving false Names or Addresses.

III. If any Person found in any House, Room, or Place entered by any Constable or Officer authorized as aforesaid to enter the same, upon being arrested by any such Constable or Officer, or upon being brought before any Justices, on being required by such Constable or Officer or by such Justices to give his Name and Address, shall refuse or neglect to give the same, or shall give any false Name or Address, he may, upon summary Conviction thereof before the same or any other Justices, be adjudged to pay any Penalty not exceeding Fifty Pounds, together with such Costs as to such Justices shall appear reasonable, and on the Nonpayment of such Penalty and Costs, or in the first instance, if to such Justices it shall seem fit, may be imprisoned in the Common Gaol or House of Correction for any Period not exceeding One Month.

Penalties on Persons keeping Gaming Houses.

IV. Any Person, being the Owner or Occupier, or having the Use of any House, Room, or Place, who shall open, keep, or use the same for the Purpose of unlawful Gaming being carried on therein, and any Person who, being the Owner or Occupier of any House or Room, shall knowingly and wilfully permit the same to be opened, kept, or used by any other Person for the Purpose aforesaid, and any Person having the Care or Management of or in any Manner assisting in conducting the Business of any House, Room, or Place opened, kept, or used for the Purpose aforesaid, and any Person who shall

shall advance or furnish Money for the Purpose of gaming with Persons frequenting such House, Room, or Place, may, on summary Conviction thereof before any Two Justices of the Peace, be adjudged by such Justices to forfeit and pay such Penalty not exceeding Five hundred Pounds as to such Justices shall seem fit, and may be further adjudged by such Justices to pay such Costs attending such Conviction as to them shall seem reasonable; and on the Nonpayment of such Penalty and Costs, or in the first instance, if to the said Justices it shall seem fit, may be committed to the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Twelve Calendar Months.

Justices may require any of the Persons apprehended to be sworn and give Evidence.

V. It shall be lawful for the Justices before whom any Persons shall be brought who have been found in any House, Room, or Place entered in pursuance of any Authority granted under the Provisions of the said Act of the Eighth and Ninth Years of Her Majesty, to require any of such Persons to be examined on Oath and give Evidence touching any unlawful Gaming in such House, Room, or Place, or touching any Act done for the Purpose of preventing, obstructing, or delaying the Entry into such House, Room, or Place or any Part thereof of any Constable or Officer authorized as aforesaid; and no Person so required to be examined as a Witness shall be excused from being so examined when brought before such Justices as aforesaid, or from being so examined at any subsequent Time, by or before the same or any other Justices, or by or before any Court, on any Proceeding, or the Trial of any Indictment, Information, Action, or Suit in anywise relating to such unlawful Gaming or any such Acts as aforesaid, or from answering any Question put to him touching the Matters aforesaid, on the Ground that his Evidence will tend to criminate himself; and any such Person so required to be examined as a Witness who refuses to make Oath accordingly, or to answer any such Question as aforesaid, shall be subject to be dealt with in all respects as any Person appearing as a Witness before any Justices or Court in obedience to a Summons or Subpœna, and refusing, without lawful Cause or Excuse, to be sworn or to give Evidence, may by Law be dealt with.

Penalty on refusing to be sworn.

Persons required to be examined as Witnesses, and making a full Discovery, to be freed from all Penalties, &c.

VI. Every Person so required to be examined as a Witness as aforesaid, who upon such Examination shall make true and faithful Discovery to the best of his Knowledge of all Things as to which he is so examined, shall receive from the Justices or Judge of the Court by whom he is examined a Certificate in Writing to that Effect, and shall be freed from all Criminal Prosecutions and Penal Actions, and from all Penalties, Forfeitures, and Punishments to which he may have become liable for anything done before that Time in respect of the Matters touching which he has been so examined; but such Witness shall not be indemnified under this Act unless he receive from such Justices or Judge a Certificate in Writing under their Hands, stating that such Witness has on his Examination made a true Disclosure touching all Things as to which he has been examined; and if any Action, Information, or Indictment be at any Time pending in any Court against any Person so examined in respect of any Act of Gaming touching which he was so examined, and if any Action, Information, or Indictment be at any Time pending in any Court against any Person so examined as a Witness in manner before mentioned, for any such Matter or Thing, such Court shall, on the Production and Proof of such Certificate, stay the Proceedings in any such Action, Information, or Indictment, and may, in its Discretion, award to such Person such Costs as he may have been put to by such Action, Information, or Indictment.

Penalties and Costs may be levied by Distress.

VII. If any Person convicted under this Act on Information before Justices shall be adjudged to pay any Penalty or any Costs and Charges attending the Conviction, and shall fail to pay such Penalty or Costs, the same may be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of One of the convicting Justices; Provided always, that if any Person shall be committed to Prison for Default of Payment of any Penalty and Costs, then the Costs alone may be levied by Distress as aforesaid.

Applications of Penalties.

VIII. One Half of any pecuniary Penalty which shall be adjudged to be paid under this Act shall be paid to the Person laying the Information upon which the Conviction takes place, and the remaining Half shall be applied in aid of the Poor Rate of the Parish in which the Offence shall have been committed, and shall be paid for that Purpose to the Overseer or other Person authorized to receive Poor Rates in such Parish, or if the Place wherein the Offence shall have been committed shall be extra-parochial, then the Justices by whom such Penalty shall be adjudged to be paid shall direct such remaining Half thereof to be applied in aid of the Poor Rate of such extra-parochial Place, or if there shall not be any Poor Rate therein, in aid of the Poor Rate of any adjoining Poor Rate or District.

On Neglect to prosecute any Summons, Justices may authorize some other Person to proceed.

IX. In case any Person who shall have laid any Information in respect of any Offence against this Act shall not appear at the Time at which the Defendant shall have been summoned to appear, or at any Time to which the Hearing of the Summons may have been adjourned, or, if such Person, in the Opinion of any Justices having Authority to adjudicate with respect to the Offence charged in such Information as aforesaid, shall otherwise have neglected to proceed upon or prosecute such Information with due Diligence, it shall be lawful for such Justices to authorize any other Person to proceed on such Information and Summons instead of the Person to whom the same may have been granted, or such Justices may dismiss the first Information and Summons, and authorize any Person to lay a fresh Information in respect to the Offence charged in such first Information, in like Manner as if the previous Summons had not been granted.

Appeal to Quarter Sessions.

X. Any Person who shall be summarily convicted under this Act may appeal to the next General or Quarter Session of the Peace to be holden for the County or Place wherein the Cause of Complaint shall

shall have arisen, provided that such Person, at the Time of such Conviction, or within Forty-eight Hours thereafter, enter into a Recognizance, with Two sufficient Securities, conditioned personally to appear at the said Session to try such Appeal, and to abide the further Judgment of the Court at such Session, and to pay such Costs as shall be by the last-mentioned Court awarded; and it shall be lawful for the Magistrate or Justices by whom such Conviction shall have been made to bind over any Party who shall have made Information against the Party convicted, and any Witnesses who shall have been examined, in sufficient Recognizances, to attend and be examined at the Hearing of such Appeal; and every such Witness, on producing a Certificate of being so bound, under the Hand of the said Magistrate or Justices, shall be allowed Compensation for his or her Time, Trouble, and Expenses in attending the Appeal, which Compensation shall be paid in the first instance by the Treasurer of the County or Place, in like Manner as in Cases of Misdemeanor, under the Provisions of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act for improving the Administration of Criminal Justice in* England, and in case any such Appeal shall be dismissed, and the Order or Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be repaid to the said Treasurer by the Appellant.

7 & 8 G. 4. c. 28.

When Objection shall not be allowed.

XI. On any such Appeal, no Objection shall be allowed to the Information whereon the Conviction has taken place, or to such Conviction, on any Matter of Form or on any Insufficiency of Statement, provided it shall appear to the Justices in Quarter Sessions that the Defendant has been sufficiently informed of the Charge intended to be made against him, and that such Conviction was proper on the Merits of the Case; and no Information, Conviction, or Judgment of the Justices in General or Quarter Sessions shall be removed by Certiorari into the Court of Queen's Bench.

Judgment not removable by Certiorari.

Distress not unlawful for Want of Form.

XII. When any Distress shall be made for any Money to be levied by virtue of the Warrant of any Justice under this Act, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Warrant of Apprehension, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser from the Beginning, on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case in any of Her Majesty's Courts of Record.

Tender of Amends.

XIII. No Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Authority hereby given, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitation of Actions.

XIV. No Action, Suit, or Information, or any other Proceeding, of what Nature soever, shall be brought against any Person for anything done or omitted to be done in pursuance of this Act, or in the Execution of the Authorities under this Act, unless Notice in Writing shall be given by the Party intending to prosecute such Suit, Information, or other Proceeding, to the intended Defendant, One Calendar Month at least before prosecuting the same, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Act or Omission complained of, or in case there shall be a Continuation of Damage, then within Three Calendar Months next after the doing such Damage shall have ceased.

Commencement of Act.

XV. This Act shall commence and come into operation on the First Day of *August* One thousand eight hundred and fifty-four.

CAP. XXXIX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively.

[24th *July* 1854.]

1 G. 1. st. 2. c. 13.
13 C. 2. st. 2. c. 1.
25 C. 2. c. 2.
30 C. 2. st. 2.
8 G. 1. c. 6.
9 G. 2. c. 26.

'WHEREAS divers Persons who, on account of their Offices, Places, Employments, or Professions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths or Assurance respectively appointed to be by such Persons taken and subscribed in and by an Act of the First Year of King *George* the First, Statute Two, Chapter Thirteen; or to have qualified themselves according to an Act of the Thirteenth Year of King *Charles* the Second, Statute Two, Chapter One; or according to an Act of the Twenty-fifth Year of King *Charles* the Second, Chapter Two; or according to an Act of the Thirtieth Year of King *Charles* the Second, Statute Two; or according to an Act of the Eighth Year of King *George* the First, Chapter Six; or according to an Act of the Ninth Year of King *George* the Second, Chapter Twenty-six; or according to an Act of the Eighteenth Year of

'King

'King *George* the Second, Chapter Twenty; or according to an Act of the Sixth Year of King *George* 'the Third, Chapter Fifty-three; or according to an Act of the Ninth Year of King *George* the Fourth, 'Chapter Seventeen; or according to an Act of the Tenth Year of King *George* the Fourth, Chapter Seven, 'so far only as the said Act relates to any Civil or Military Offices or Places of Trust, or Places of Profit, 'or Corporate Offices; have, through Ignorance of the Law, Absence, or some unavoidable Accident, 'omitted to take and subscribe the Oaths and Assurance and make and subscribe the Declaration 'required by the said recited Acts or either of them, or otherwise to qualify themselves as aforesaid, 'within such Time and in such Manner as in and by the said Acts respectively is required, whereby 'they have incurred, or may be in danger of incurring, divers Penalties and Disabilities: For quieting 'the Minds of Her Majesty's Subjects, and for preventing any Inconvenience that might otherwise 'happen by means of such Omissions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

18 G. 2. c. 20. 6 G. 3. c. 53. 9 G. 4. c. 17. 10 G. 4. c. 7.

Persons who have omitted to qualify themselves as required by the recited Acts indemnified, and allowed further Time.

I. All and every Person or Persons who, at or before the passing of this Act, hath or shall have omitted to take and subscribe the Oaths and Declarations, or otherwise to qualify him, her, or themselves within such Time and in such Manner as in and by the said Acts or any of them is required, and who, after accepting any such Office, Place, or Employment, or undertaking any Profession or Thing, on account of which such Qualification ought to have been had and is required, before the passing of this Act, hath or have taken and subscribed the said Oaths or made the Declarations required by Law, or who, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five, or if Parliament be then sitting before the End of the then Session of Parliament, shall take and subscribe the Oaths, Declarations, and Assurance respectively, in such Cases wherein by the said several Acts or any or either of them the said Oaths, Declarations, and Assurance ought to have been taken and subscribed, in such Manner and Form, and at or in such Place or Places, as are appointed in and by the said several Acts or any or either of them, shall be and are hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities incurred or to be incurred for or by reason of any Neglect or Omission, previous to the passing of this Act, of taking or subscribing the said Oaths or Assurance, or making or subscribing the said Declarations respectively, or taking or subscribing the Oath, according to the above-mentioned Acts or any of them, or any other Act or Acts; and such Person or Persons is and are and shall be fully and actually recapacitated and restored to the same State and Condition as he, she, or they were in before such Neglect or Omission, and shall be and be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned Acts and every of them; and all Elections of, and Acts done or to be done by, any such Person or Persons, or by Authority derived from him, her, or them, are and shall be of the same Force and Validity as the same or any of them would have been if such Person or Persons respectively had taken the said Oaths or Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, according to the Directions of the said Acts and every or any of them; and the Qualification of such Person or Persons qualifying themselves in manner and within the Time appointed by this Act shall be to all Intents and Purposes as effectual as if such Person or Persons had respectively taken the said Oaths and Assurance, and made and subscribed the said Declarations respectively, and taken and subscribed the said Oath, within the Time and in the Manner appointed by the several Acts before mentioned.

Indemnity to those who have omitted to make and subscribe the Oath and Declaration required by the Irish Act, 2 Anne, c. 6.

II. 'And whereas several Persons well affected to Her Majesty's Government, and to the United Church 'of *England* and *Ireland*, have, through Ignorance of the Law, neglected, or been, by Sickness or other 'unavoidable Causes, prevented from taking and subscribing the Oaths and Declaration according to the 'Directions of an Act passed in the Parliament of *Ireland* in the Second Year of Queen *Anne*, intituled '*An Act to prevent the further Growth of Popery*:'

All Persons who have incurred any Penalty or Incapacity in the said recited Act mentioned, by neglecting to qualify themselves according to the said Act, shall be and are hereby indemnified, freed, and discharged from all Incapacities, Disabilities, Penalties, and Forfeitures incurred by reason of such Omission or Neglect as aforesaid; and no Act done by any of them, not yet avoided, shall be questioned or avoided by reason of such Omission or Neglect, but all such Acts shall be and are hereby declared to be as good and effectual as if such Persons respectively had taken and subscribed the said Oath, and made and repeated and subscribed the said Declaration, at such Time and Place and Manner as in the said Act is mentioned, anything in the said Act to the contrary notwithstanding: Provided always, that such Person or Persons do and shall take and subscribe the said Oaths, and make, repeat, and subscribe the said Declaration, in such Manner and Form and in such Place or Places respectively, as are directed and appointed by the said last-recited Act, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five, or if Parliament be then sitting before the End of the then Session of Parliament.

Not to indemnify Persons against whom final Judgment has been given.

III. Provided always, That this Act, or anything herein contained, shall not extend or be construed to extend to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

IV. Provided

Not to exempt Justices acting without legal Qualification.

IV. Provided also, That nothing contained in this Act shall extend or be construed to extend to exempt any Justice of the Peace within *Great Britain* from the Penalties to which he is subject for acting as such without being possessed of the Qualification required by the Laws now in force.

Admissions to Corporations may be stamped after the Time allowed.

V. 'And whereas the Appointment of divers Clerks of the Peace, Town Clerks, and other Public 'Officers, and the Admission of divers Members and Officers of Cities, Corporations, and Borough 'Towns, in *Great Britain* and *Ireland*, or the Entries of such Admissions in the Court Books, Rolls, or 'Records of such Cities, Corporations, and Borough Towns, which by several Acts are directed and 'required to be stamped, may not have been provided, or the same not stamped, or may have been lost 'or mislaid:'

For the Relief of such Persons whose Appointments and Admissions or the Entries of whose Admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such Persons, in *Great Britain* or *Ireland*, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five, or if Parliament be then sitting before the End of the then Session of Parliament, to provide or cause to be provided Appointments and Admissions, or Entries of Admissions, as aforesaid, duly stamped, or in case where such Appointments, Admissions, or Entries of Admissions as aforesaid have been made or provided, but have not been duly stamped, to produce such Appointments, Admissions, or Entries of Admissions as aforesaid to the Commissioners of Inland Revenue, to be duly stamped, which such Commissioners are hereby authorized and empowered and required to duly stamp, on Payment of double the Amount of the Duties first payable or to have been paid on such Appointments, Admissions, or Entries as aforesaid, without any other Fine or Forfeiture thereon; and in order to denote the said Duties the said Commissioners are hereby authorized and empowered to use such Stamps as shall have been heretofore provided to denote any former Duties on stamped Vellum, Parchment, and Paper, or to cause new Stamps to be provided for that Purpose, and to do all other Things necessary for putting this Act in execution, in the like and in as full and ample Manner as they or the major Part of them are authorized to put in execution any former Law concerning stamped Vellum, Parchment, and Paper; and such Persons so providing Appointments, Admissions, or Entries of Admissions as aforesaid, duly stamped, or procuring the same to be duly stamped in manner aforesaid, are and shall be hereby confirmed and qualified to act as Clerk of the Peace, Town Clerk, and other Public Officer, or Member or Members, Officer or Officers of such Cities, Corporations, and Borough Towns respectively, to all Intents and Purposes, and shall and may hold and enjoy and execute such Office, or any other Office or Offices into which he or they hath or have been elected, notwithstanding his or their Omission, or the Omission of any of their Predecessors in such Cities, Corporations, or Borough Towns as aforesaid, and shall be indemnified and discharged of and from all Incapacities, Disabilities, Forfeitures, Penalties, and Damages by reason of any such Omission; and none of his or their Acts shall be questioned or avoided by reason of the same.

Not to restore Persons to any Office avoided by Judgment.

VI. Provided always, That this Act or anything herein contained shall not extend or be construed to extend to restore or entitle any Person or Persons to any Office or Employment, Benefice, Matter, or Thing whatsoever, already actually avoided by Judgment of any of Her Majesty's Courts of Record already legally filled up and enjoyed by any other Person, but such Office or Employment, Benefice, Matter, or Thing, so avoided or legally filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now or shall at the passing of this Act be legally entitled to the same, as if this Act had never been passed.

General Issue.

VII. In case any Action, Suit, Bill of Indictment, or Information shall after the passing of this Act be brought, carried on, or prosecuted against any Person or Persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any Forfeiture, Penalty, Incapacity, or Disability whatsoever incurred or to be incurred by any such Neglect or Omission, such Person or Persons may plead the General Issue, and upon their Defence give this Act and the special Matter in Evidence upon any Trial to be had thereupon.

CAP. XL.

An Act to continue an Act of the last Session of Parliament, for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives.

[24th *July* 1854.]

16 & 17 Vict. c. 91.

'WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to extend for a limited Time the Provision for Abatement of Income Tax in respect of Insurances on Lives*, 'which Act was limited to continue in force until the Fifth Day of *July* One thousand eight hundred 'and fifty-four: And whereas it is expedient to continue the said Act for such Period as herein-after 'mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That

I. That the said Act shall continue in force until the Fifth Day of *July* One thousand eight hundred and fifty-five, and shall be applicable with respect to the Rate or Duty of One Shilling and Twopence for every Twenty Shillings granted by the Act of the present Session of Parliament, Chapter Twenty-four, in like Manner as to the Rate or Duty of Sevenpence for every Twenty Shillings granted by the Act of the last Session of Parliament, Chapter Thirty-four. Recited Act continued till 5th July 1855.

CAP. XLI.

An Act to continue the Poor Law Board. [25th *July* 1854.]

'WHEREAS by the Act of the Eleventh Year of Her Majesty, Chapter One hundred and nine, Provisions were made for the Constitution and Appointment of Commissioners for administering the Laws for the Relief of the Poor in *England*, and for the Appointment of other Officers, which Provisions have been continued till the End of the Session of Parliament next after the Twenty-third Day of *July* in this present Year, and it is expedient that such Provisions should be further continued for a limited Period:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 10 & 11 Vict. c. 109. 15 & 16 Vict. c. 59.

I. That the Commissioner appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said Act, together with every Person by the said Act constituted in virtue of his Office such Commissioner, and every Officer and Person appointed or to be appointed by the Commissioners under the Provisions of the said Act, shall be empowered, unless he shall previously resign or be removed, to hold his Office and exercise the Powers thereof until the Twenty-third Day of *July* One thousand eight hundred and fifty-nine, and thenceforth until the End of the then next Session of Parliament; and until the Expiration of the said last-mentioned Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at pleasure, to remove the Commissioner for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, and upon every Vacancy in the Office of such Commissioner to appoint as in the said Act is described some other fit Person to the said Office. The Poor Law Board further continued.

CAP. XLII.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland*. [24th *July* 1854.]

'WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas the said Acts were further continued from Time to Time, save as specially excepted: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts, save as therein excepted, are further continued, and will remain in force until the Thirty-first Day of *July* in the present Year, or, if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in *Ireland* should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 4 & 5 Vict. c. 6. 16 & 17 Vict. c. 76.

I. Any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present or next ensuing Session of Parliament, or before the Thirty-first Day of *July* One thousand eight hundred and fifty-five, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the Thirty-first Day of *July* One thousand eight hundred and fifty-five, or, if Parliament be then sitting, until the End of the then Session of Parliament. Acts for making, &c. Turnpike Roads in Ireland, which will expire on 31st July 1855, &c. continued.

II. Provided always, That nothing herein contained shall extend or apply to an Act of the Thirty-eighth Year of His late Majesty *George* the Third, intituled *An Act for improving and repairing the Turnpike Roads leading from the City of* Cork *to the Brook which bounds the Counties of* Cork *and* Tipperary, *near the Foot of* Kilworth *Mountain, and for repealing the several Laws heretofore made relating to the said Act*, or to an Act of the Thirty-ninth *George* the Third to explain and amend the said Act. Nothing in this Act to apply to 38 G. 3. c. 22. and 39 G. 3. c. 52.

CAP. XLIII.

An Act to continue an Act of the Seventeenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. [24th *July* 1854.]

'WHEREAS by the Act of the Seventeenth Year of Her Majesty, Chapter Seventy-seven, certain Provisions made by the several Acts therein referred to for charging upon the Common Fund of the Union the Costs of the Relief and of the Burial of certain poor Persons in those several Acts described, 16 & 17 Vict. c. 77.

'described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until 'the Thirtieth Day of *September* in this present Year, and to the End of the then next Session of Par- 16 & 17 Vict. c. 97. 'liament: And whereas by another Act of the same Session, Chapter Ninety-seven, certain of those 'Provisions relating to the Costs of the Removal and Maintenance of such Lunatic Paupers were 'repealed; and it is expedient that so much of the Provisions so continued by the first-mentioned Act 'as are now in force should be further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provisions in recited Act, 16 & 17 Vict. c. 77., further continued.

I. That all the said several temporary Provisions continued by the said Act of the Seventeenth Year of Her Majesty, Chapter Seventy-seven, which have not been repealed, shall further continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament.

CAP. XLIV.

An Act for regulating and maintaining the Harbours of *Holyhead*, and for vesting them in the Admiralty. [24th *July* 1854.]

4 G. 4. c 74. 'WHEREAS by the Act Fourth *George* the Fourth, Chapter Seventy-four, the Harbour of *Holy-* 'head in the County of *Anglesea*, and all Roads, Piers, Quays, Erections, and Buildings whatso- 'ever made, erected, or built under the Authority of the Act Fiftieth of *George* the Third, Chapter 'Ninety-three, or belonging to the said Harbour, and the Ground and Soil thereof on which the same 'were erected and built, and all Ground applied for such Purposes, or purchased or taken by the 'Commissioners under such last-mentioned Act, and all the Powers and Authorities of such Act, were 'by the said Act of the Fourth of *George* the Fourth, Chapter Seventy-four, vested in the Commis- 'sioners appointed and to be appointed by or under that Act: And whereas by the Act Fourth of 4 W. 4. c. 43. '*William* the Fourth, Chapter Forty-three, the said Harbour, and all Lands, Houses, Hereditaments, 'Properties, Rights, and Privileges whatsoever vested in the Commissioners under the said Act of the 'Fourth of *George* the Fourth, Chapter Seventy-four, were vested in the Commissioners of His Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings, and other Commissioners to be appointed under 'the said Act of the Fourth of *William* the Fourth, Chapter Forty-three, now in recital: And whereas 11 & 12 Vict. c. 76. 'by the Act Eleventh of *Victoria*, Chapter Seventy-six, the Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings for the Time being were empowered to purchase Lands 'for the Purpose of another Harbour, namely, a Harbour of Refuge, at or near *Holyhead* in the County 'of *Anglesea*, and divers Lands have been purchased under the said Act for such Purpose: And whereas 15 & 16 Vict. c. 42. 'by the Act Fifteenth of *Victoria*, Chapter Forty-two, all the Lands, Tenements, Hereditaments, and 'Property which at the Commencement of that Act should be vested in the Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under or for the Purposes of the 'said Acts of the Fourth of *William* the Fourth, Chapter Forty-three, and the Eleventh of *Victoria*, 'Chapter Seventy-six, were vested in the Commissioners of Her Majesty's Works and Public Buildings, 'and their Successors: And whereas it is expedient that the said several Harbours, and all the said 'Lands and Hereditaments, Powers, Authorities, Rights, and Privileges, relating to the said Harbours, 'should be vested in the Commissioners for executing the Office of Lord High Admiral of the United 'Kingdom of *Great Britain* and *Ireland* (herein elsewhere styled the Commissioners of the Admiralty), 'and that such Commissioners should have the Control and Management thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Harbours at Holyhead, and all Docks, &c. belonging thereto, vested in the Admiralty.

I. The said several Harbours at or near *Holyhead* aforesaid, herein-before mentioned or referred to, and all Docks, Roads, Breakwaters, Lighthouses, Piers, Quays, Wharves, Erections, Works, and Buildings belonging to the said Harbours, and each and every of them, and the Ground and Soil thereof, and all Lands and Hereditaments purchased or to be purchased or which may have become vested in any Commissioners, or to which they may be entitled, under the herein-before recited Acts or any or either of them, or otherwise, for the Purposes of the said Harbours or any or either of them, are hereby solely and exclusively transferred to and vested in the Commissioners of the Admiralty, and their Successors in Office for ever, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and all the Powers, Rights, Authorities, and Privileges of, in, over, or upon or relating to the said Harbours and Hereditaments or any or either of them, and of imposing, collecting, taking, and recovering Rates and Duties, and of purchasing or acquiring Lands and Hereditaments for the Purposes of the said Harbours or any or either of them, and of appointing and removing Harbour Masters, Assistant Harbour Masters, Collectors, and other Officers for the same, which are or may be conferred by all or any One or more of the herein-before recited Acts, are hereby transferred to and vested in and may be exercised by the said Commissioners of the Admiralty exclusively, and the Commissioners and other Persons in whom the same are vested or might have become vested, under or by virtue of all or any of the said herein-before recited Acts, are hereby discharged from and shall cease to carry into execution

cution and to exercise all and every the Trusts and Powers vested in or conferred upon them by the said Acts or any or either of them, and are hereby divested of all Estate and Interest therein, so far as regards the said Harbours and Hereditaments, Powers, Authorities, Rights, and Privileges.

Power to Admiralty to demand Tonnage Rates for Vessels, &c. as herein mentioned.

II. From and after the passing of this Act, it shall be lawful for the Commissioners of the Admiralty to demand for every Vessel on board which may be shipped or from which may be landed within the said Harbour of Refuge at *Holyhead*, for commercial Purposes, any Cattle, Beast, or Fowl, living or dead, or any Provisions, Stores, Goods, or Merchandise, for every Time such Vessel uses or enters such Harbour, and ships or lands such Articles as aforesaid, any Sum for every Ton Measurement of such Vessel not exceeding the Rates herein-after mentioned; and every such Rate shall be payable by the Master, Owner, or Consignee of such Vessel; (that is to say,)

For every such Vessel coming into the said Harbour of Refuge from any Port or Ports other than a Port in the United Kingdom, a Sum not exceeding the Sum of Twopence for every Ton of such Vessel, at the Discretion of the said Commissioners:

And for every other such Vessel, a Sum not exceeding the Sum of One Halfpenny for every Ton of such Vessel, at the Discretion of the said Commissioners:

Vessels to pay for Her Majesty's Steam Tugs.

And every Ship or Vessel which may be permitted to use Her Majesty's Steam Tugs, or any One or more of them, shall pay such Sum or Sums of Money for the same, according to the Draught of the said Ship or Vessel, and the Time employed or Distance towed, as the Commissioners of the Admiralty shall at any Time or Times appoint; and such Sum or Sums of Money shall be recoverable, with Costs, in the same Manner and from such Persons as the said Rates or Dues last herein-before mentioned.

Certain Clauses of 10 & 11 Vict. c. 27. incorporated with this Act.

III. The following Clauses of the "Harbours, Docks, and Piers Clauses Act, 1847," shall, so far as the same can or may be applicable to the said Harbour of Refuge at *Holyhead*, and the Docks, Piers, Wharves, Quays, and other Works thereof, and the Rates or Dues imposed by this Act, be and the same are hereby incorporated with this Act; that is to say, the Clauses of the "Harbours, Docks, and Piers "Clauses Act, 1847," with respect to the Rates to be taken by the Undertakers (with the Exception of Sections Twenty-five and Twenty-six of that Act), the Clauses of such Act with respect to the Collection and Recovery of Rates, with respect to the Accounts to be kept of the Rates and of the Vessels in respect of which they are payable, and with respect to the discharging of Vessels and the Removal of the Goods.

As to Clauses of 10 & 11 Vict. c. 27. incorporated.

IV. For the Purposes of the Clauses of the "Harbours, Docks, and Piers Clauses Act, 1847," incorporated with this Act, this Act shall be and be deemed to be the Special Act, and the Commissioners of the Admiralty shall be and be deemed to be the Undertakers mentioned or referred to in such Clauses or in some of such Clauses.

Application of Rates.

V. The Rates or Dues hereby imposed in respect of the said Harbour of Refuge, and each and every of them, which may be received or collected under the Authority of this Act, shall be applied, in the first place, in or towards paying Salaries and Allowances to the Harbour Master, Assistant Harbour Master, and other Officers of the said Harbour of Refuge, and, in the next place, in or towards repairing or improving the same Harbour, and its Works and Approaches thereto, as the Commissioners of the Admiralty may at any Time or Times and from Time to Time direct.

Admiralty may appoint Harbour Master and other Officers for the Harbour of Refuge.

VI. It shall be lawful for the Commissioners of the Admiralty and they are hereby authorized and empowered to appoint, if and as they think fit, a Harbour Master, Assistant Harbour Master, and other Officers for the said Harbour of Refuge at or near *Holyhead*, and from Time to Time to remove any such Harbour Master, Assistant Harbour Master, and other Officers, or any of them, and to appoint any other or others in his or their Stead, at the Will and Pleasure of the said Commissioners; and all the Powers and Authorities conferred by the said Act of the Fourth of *George* the Fourth, Chapter Seventy-four, upon the Harbour Master, Assistant Harbour Master, and other Officers of the Harbour of *Holyhead*, referred to in the same Act, are, as regards the said Harbour of Refuge and its Works and the Purposes thereof, hereby conferred upon and shall be exercised by every Harbour Master, Assistant Harbour Master, and other Officers who may be appointed under or by virtue of this Act for the said Harbour of Refuge.

Certain Sections of 4 G. 4. c. 74. extended to the Harbour of Refuge.

VII. The Thirty-eighth, Thirty-ninth, Fortieth, Forty-first, Forty-second, Forty-third, Forty-fifth, Forty-sixth, Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, Fifty-second, Fifty-third, Fifty-fifth, and Fifty-sixth Sections of the said Act of the Fourth of *George* the Fourth, Chapter Seventy-four, are hereby extended and made applicable also to the said Harbour of Refuge, in the same Manner as the same Sections are applicable to the said Harbour of *Holyhead* referred to in the said Act of the Fourth of *George* the Fourth, Chapter Seventy-four, and as if the said Harbour of Refuge had been mentioned in the said Sections together with the said Harbour of *Holyhead;* and all Penalties and Forfeitures against this Act, or any Byelaw, Rule, Order, Regulation, or Ordinance of the said Commissioners of the Admiralty, made under or by virtue of this Act, shall be recoverable in a summary Manner before any Justice of the Peace for the County of *Anglesea*, or before any Justice of the Peace acting for the Division, Riding, County, Town, City, Borough, or Place where the Party liable thereto may at any Time happen to be; and the Penalties and Forfeitures summarily recoverable under this Act and the said Acts herein-before recited, and each and every of them, may be summarily recovered at any Period within Two Years from the Time when the Matter of the Complaint or Information

How Penalties may be recovered.

Application of Penalties.

formation arose; and all Penalties and Forfeitures which may be incurred and recovered under this Act shall, when not otherwise provided for by this Act, be paid and applied as follows: One Moiety of the same shall be paid to the Informer, and the other Moiety thereof shall be paid to and be applied by such Officer or Person as the Commissioners of the Admiralty may at any Time or from Time to Time direct, any Act or Acts of Parliament to the contrary notwithstanding.

As to Removal of Wrecks, &c.

VIII. Any Harbour Master or Assistant Harbour Master already appointed under or by virtue of the herein-before recited Act of the Fourth of *George* the Fourth, Chapter Seventy-four, or to be appointed under or by virtue of the same Act or of this Act, may remove any Wreck, or any Ship, Vessel, Lighter, Barge, Boat, or other Craft which is or shall be stranded or sunk in the said Harbours or any or either of them, or in the Approaches thereto, by getting off, raising, blowing up, destroying, or otherwise removing the same, and also to remove any floating Timber, Anchor, Chain, Rope, or any other Obstruction whatsoever which impedes or which may impede the Navigation of the said Harbours or any or either of them, or the Approaches thereto; and the Expense of removing any such Wreck, Ship, Vessel, Lighter, Barge, Boat, or other Craft, floating Timber, Anchor, Chain, Rope, or Obstruction, shall be repaid by the Owner of or other Person having or pretending to have any Property, Claim, or Interest therein, or Command or Power over the same; and the said Harbour Master or Assistant Harbour Master may detain such Wreck, Ship, Vessel, Lighter, Barge, Boat, or other Craft, floating Timber, Anchor, Chain, Rope, or Obstruction, for securing the Expenses of the Removal thereof and consequent thereupon, and on Nonpayment of such Expenses may, if he think proper, at any Time sell such Wreck, Ship, Vessel, Lighter, Barge, Boat, or other Craft, or the whole or any of the Cargo thereof, and such floating Timber, Anchor, Chain, Rope, or Obstruction, and out of the Proceeds of such Sale pay such Expenses, rendering the Overplus, if any, to the Owner; but if such Proceeds be insufficient to pay such Expenses, or if there be not any Sale, and the said Owner or other Person so liable shall refuse or neglect to pay the Deficiency, or the whole of the Expense of any such Removal, as the Case may be, such total Expense of Removal or such Deficiency may be recovered from the said Owner or other Person by summary Complaint as payable by him to the Harbour Master, Assistant Harbour Master, or other Officer by whom or by whose Order such Wreck, Ship, Vessel, Lighter, Barge, Boat, or other Craft, floating Timber, Anchor, Chain, Rope, or Obstruction shall have been removed, in *England* or *Ireland* before any Justice of the Peace, and in *Scotland* before any Sheriff, within whose Jurisdiction the Owner or such other Person may or may at any Time happen to be, together with the Costs incurred in obtaining Payment of the same.

Ships, &c. laid by or neglected within the Harbours to be removed at Expense of Owners, &c.

IX. If any Ship, Vessel, Lighter, Barge, Boat, or other Craft be laid by or neglected within the said Harbours or any or either of them, or in or near the Approaches thereto, any such Harbour Master or Assistant Harbour Master as aforesaid may remove or cause to be removed the same from the said Harbours or any or either of them, or the Approaches thereto, and place or cause to be placed the same on any Part of the Strand or Shore or other Spot where the same can be placed; and the Charges of such Removal and placing may be recovered from the Owner thereof or other Person having or pretending to have any Property, Claim, or Interest therein, or Command or Power over the same, by summary Complaint, as payable by him to the Harbour Master, Assistant Harbour Master, or other Officer by whom or by whose Order the same shall have been removed, in *England* or *Ireland* before any Justice of the Peace, and in *Scotland* before any Sheriff within whose Jurisdiction such Owner or other Person may or may at any Time happen to be, together with the Costs incurred in obtaining Payment of the same; and in case of Refusal or of Failure or Neglect of Payment of such Charges and Costs or any or either of them, after having been awarded by such Justice or Sheriff, and in addition to any other Remedy which there may be for enforcing Payment thereof, and to the Proceedings which may be taken for or by reason of any such Refusal, Neglect, or Default, such Harbour Master, Assistant Harbour Master, or other Officer as aforesaid may sell such Ship, Vessel, Lighter, Barge, Boat, or other Craft, and the Tackle, Apparel, Cargo, or Furniture thereof, or any Part thereof, and apply the net Proceeds in or towards Payment of such Charges and Costs, the said Owner or other Person being liable to pay the Deficiency thereof, if any, and in respect of which Deficiency Proceedings may be taken as if no such Sale had been effected.

Proceedings in case Owners, &c. neglect or refuse Payment.

Section 2. of 14 Vict. c. 111. repealed, and other Provisions made in lieu thereof.

X. The Second Section of the Act Fourteenth of *Victoria*, Chapter One hundred and eleven, is hereby repealed, and the Commissioners of the Admiralty may at any Time, or from Time to Time, as they may deem expedient, authorize the *Chester and Holyhead* Railway Company to construct any Quay, Wharf, or other Works in or in connexion with the said Harbours and Piers or any or either of them, or to have Access to or make Communication with the said Harbours and Piers or any or either of them, and to lay down a Railway or Railways on the said Piers or any or either of them, and to make other Arrangements for facilitating the landing and embarking in, at, and from such Harbours and Piers, or any or either of them, of Passengers, Goods, Cattle, and Merchandise, upon such Terms and subject to such Conditions as the Commissioners of the Admiralty may think fit.

Works constructed, &c. without Consent of Admiralty may be

XI. If the said Company be allowed to construct or lay down any such Work as aforesaid, it shall not be lawful for the said Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the Consent or Approval of the Commissioners of the Admiralty, to be signified in Writing under the Hand of the Secretary of the Admiralty; and if any such Work,

Work, or any Work by any Person whomsoever in the said Harbours or any or either of them, or in or on any Property hereby vested in the Commissioners of the Admiralty, shall be commenced or completed, or be altered or extended, without or not in accordance with the Terms of any such Consent as aforesaid, or contrary to the Provisions of this Act, it shall be lawful for the Commissioners of the Admiralty to abate, alter, or remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the said Company, or Person commencing, completing, altering, or extending any such Work, and the Amount thereof shall be a Debt due from such Company or Person to the Crown, and be recoverable accordingly, with Costs of Suit; and as regards the Site of any Railway or Work of the said Company, or of any Person to which any Authority or Consent of the Commissioners of the Admiralty may apply, such Site shall not, by reason of any such Authority or Consent, become the Property of the said Company or Person, or of any Person claiming under them or him, by Length of Occupation or Enjoyment, or otherwise, but shall remain vested in the Commissioners of the Admiralty, unless expressly granted away by them.

Works abated, &c. at Expense of Parties acting without such Consent.

XII. If any such Work commenced or constructed with such Consent as aforesaid be afterwards abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Commissioners of the Admiralty to abate and remove the same or such Part or Parts thereof as they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company or Person who may have commenced or constructed the same, and the Amount thereof shall be a Debt due from such Company or Person to the Crown, and be recoverable accordingly, with Costs of Suit.

Works abandoned may be removed by Admiralty, at Expense of Parties, &c.

XIII. The Forty-fourth Section of the said Act of the Fourth Year of *George* the Fourth, Chapter Seventy-four, is hereby repealed; and it shall be lawful for the Commissioners of the Admiralty, and they are hereby authorized and empowered, by their Collector or Collectors, Agent or Agents, or other Person or Persons duly authorized or appointed, to ask, demand, take, have, and receive the same, and in case of Refusal or Nonpayment thereof to recover by such and the same Method and Means as other Rates and Duties by the said Act granted to be payable within the said Harbour of *Holyhead* therein referred to are prescribed to be collected, levied, and recovered, of and from the Owner or Owners, or his or their Agent, or from the Commander or other Person having the Charge of any Ship or Vessel entering the Dry or Graving Dock in the said Act referred to, or any Dry or Graving Dock which has been or may be constructed in the said Harbour of *Holyhead* or in the said Harbour of Refuge, and receiving Repairs therein, such Sum and Sums of Money for the first and for each and every subsequent Twenty-four Hours that such Ship or Vessel using the same shall lie in any such Dry or Graving Dock as the Commissioners of the Admiralty shall at any Time or Times appoint, the said Sums to be applied towards the Repairing and Maintenance of the said Harbour of *Holyhead* referred to in the said Act, if they be payable for any such Dock belonging to the said Harbour, and if payable for any such Dock belonging to the said Harbour of Refuge, such Sums shall be applied in the same Manner as the other Rates and Dues hereby imposed in respect of the said Harbour of Refuge are hereby made applicable.

Section 44. of 4 G. 4. c. 74., as to Rates for Graving Docks, repealed.

XIV. It shall be lawful for the Commissioners for the Time being of Her Majesty's Treasury to order that such fair and reasonable Compensation as they in their Discretion shall think fit to direct shall be made to any Officers of the said Harbours or either of them, whose Offices may be abolished or whose Services may be discontinued in consequence of or after the passing of this Act, and such Compensation shall from Time to Time be paid out of any Monies appropriated or which may be appropriated by Parliament for the Purpose.

Treasury may order Compensation to Harbour Officers.

XV. All Powers and Authorities hereby vested in and conferred upon the Commissioners of the Admiralty may be exercised by the Commissioners of the Admiralty for the Time being, or by any Two or more of them.

Powers of the Admiralty may be exercised by Two or more of the Commissioners.

C A P. XLV.

An Act to amend the *Dublin* Carriage Act, 1853. [24th *July* 1854.]

16 & 17 Vict. c. 112.

'WHEREAS an Act was passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, intituled *An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages, as also to Job Carriages, and Carts let for Hire, within the Police District of* Dublin *Metropolis*, and it is expedient that some of the Provisions contained in the said Act shall be repealed, in order that the same may be altered and amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Parts of Act herein specified repealed.

I. From and after the Commencement of this Act, such Parts of the said Act as are set forth in the Schedule (A.) to this Act annexed shall cease and determine, and shall be repealed, save as to any Licences granted by the Commissioners of Police to keep, ply, use, or let to Hire any Stage Carriage, Job Carriage, Cart, or Job Horse, or any Duties, Penalties, or Forfeitures that shall have been incurred or become payable by virtue of the said Act, and save also as to all other Matters and Things whatsoever which shall have been done or omitted, either pursuant to or in violation of the said Act, prior to the First Day of *August* One thousand eight hundred and fifty-four.

Commissioners to grant Licences to Proprietors.

II. The Commissioners of Police of the Police District of *Dublin* Metropolis, or their Officer authorized in that Behalf, shall and may grant Licences, upon the Terms and Conditions and in the Manner and Form herein-after mentioned, to keep, ply, use, or let to Hire any Stage Carriage, Job Carriage, Hackney Carriage, Cabriolet, Cart, or Job Horse, within the Limits of the said Act, and every such Licence shall take effect from the Date thereof, and shall continue in force so long as the annual Duty payable thereupon under the Provisions of this Act, to be computed from the First Day of *January* of each Year, shall be paid in manner as herein directed, or until the same shall be voluntarily surrendered by the Party named therein, or otherwise be determined or revoked, under the Provisions of the said Act or of this Act; and every such Payment of Duty shall be made at the Office provided for the Purpose by the said Commissioners, in One annual Payment, at a Time or within a Period to be specified in such Licence as and for such Payment; and such Payment of the said annual Duty in respect of the Carriage, Cabriolet, Cart, or Horse described in the said Licence shall be certified by the Officer duly authorized for that Purpose, whose Certificate thereof shall be received as sufficient Evidence of the Existence or Continuance in force of said Licence: Provided always, that in regard of any such Carriage, Cabriolet, Cart, or Job Horse it shall be lawful for the said Commissioners, if they shall think proper, to refuse to grant any such Licence, or to revoke or suspend for such Time as they shall think proper any such Licence which may have been theretofore granted, and to recal and take away the *Dublin* Plate belonging thereto, in case it shall appear to the said Commissioners, upon Inspection or otherwise, that the Carriage, Cabriolet, Cart, or Job Horse in respect of which such Licence shall be applied for or granted, or any Horse or Harness used with any such Carriage, Cabriolet, or Cart, is unserviceable or unsafe, or otherwise unfit for public Accommodation or Use, or that the Person applying for or in possession of any Licence is an unfit Person to hold the same, by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Breach of the Provisions of the said Act or of this Act, or of the Rules, Orders, or Byelaws made in pursuance thereof; but in all such Cases of Refusal or Revocation the said Commissioners shall endorse upon or annex in Writing to such Licence, or the Requisition therefor, the Grounds for such Refusal or Revocation: Provided also, that a Licence shall not on any account be granted to any Person under the Age of Eighteen Years, otherwise than jointly with some Person of full Age who shall be appointed to act as Trustee, Executor, Guardian, or Administrator of the Will or Personal Estate of a Proprietor dying while licensed, and in any such Case the Trustee, Executor, Guardian, or Administrator named in the Licence shall, during the Minority of any Person or Persons named in such Licence with him, be accountable in all respects as if Proprietor of such Carriage, Cabriolet, Cart, or Horse: Provided also, that there shall be obtained a separate and distinct Licence for using or letting to Hire every Hackney Carriage, Job Carriage, Stage Carriage, Cabriolet, Job Horse, and Cart; but no Licence so obtained shall authorize the Use of any such Carriage, Cabriolet, or Cart in any Manner contrary to the Import of the Licence appertaining to such Carriage, Cabriolet, or Cart, within the Meaning of this Act: Provided also, that in every Case in which a Licence is to be obtained the proper Duty in respect of the Carriage, Cabriolet, Cart, or Horse to be described therein shall be first paid as herein required, and shall be paid in every Year thenceforward while in force, according to the General Regulations which the said Commissioners shall require to be observed, and which they are by this Act empowered to make for the Purpose, and to prescribe in each Licence.

Commissioners may refuse or revoke Licences.

Licences to be an Authority only to Persons named therein.

III. Every Licence to be issued under this Act shall be deemed to be an Authority only to the Person or Persons named therein; but on the Transfer, by Sale or otherwise, of the Property or Ownership in any Carriage (other than a Hackney Carriage), or in any Cabriolet, Job Horse, or Cart, for which a Licence shall be granted, or on the Admission of any Person as a Partner in the Ownership of any such Carriage, Horse, or Cart, it shall be lawful for the said Commissioners or their authorized Officer as aforesaid to grant, in lieu of such Licence, to any Person or Persons who shall be named in any Requisition to be addressed to them for the Purpose, a Licence to the like Effect; and on the Transfer, by Sale, Assignment, Bequest of, or Change of Property in any Manner whatsoever in any Hackney Carriage, or upon the Admission of any Person to a Share in the Ownership thereof, a Requisition for a Licence, according to the Nature of the Case, shall be first sent to the said Commissioners, and if they shall consider the Person so proposed or named as Purchaser, Assignee, Legatee, or Partner to be a fit Person to be licensed as a Proprietor of a Hackney Carriage, having regard to the Limitations herein made for the Purpose of preventing improper Persons from obtaining Licences, it shall then, but not otherwise, be lawful to grant, in lieu of the Licence for such Carriage or Cabriolet then in force, a Licence to the Person named in the said Requisition; and for every such Licence so granted upon the Sale or Assignment, Bequest of, or Change in the Property of any licensed Hackney Carriage, or upon the Admission of any Person to a Share in the Ownership thereof, the proper Fee or Sums appropriated thereto shall be first paid as herein-after required; and in every such Case as aforesaid, in which the annual Duty according to any such Licence shall have been paid for the Year or Period then present, the new Licence shall be granted without Payment of any further Duty for such Year or Period: Provided also, that in all Cases it shall be sufficient in any Proceedings under this Act to name the Proprietor or Proprietors actually licensed at the Time, and on Proof thereof such Proceedings shall extend to and include every Person concerned in the Ownership of any Carriage, Cabriolet, Cart, or Horse

Horse in the Use, hiring, or plying of which any Offence or Injury shall be committed; and it shall and may be lawful to and for any of the Divisional Justices of the Police District of *Dublin* Metropolis, upon Complaint made to him in that Behalf, to inquire into all and every Matter and Thing respecting the Misconduct of any Proprietor, Part Proprietor, Driver, Conductor, or other Person belonging to or in any Manner connected with any such licensed Carriage, Cabriolet, Cart, or Job Horse, and to correct the same as he shall think proper, whether or not a Remedy may have been provided against such Misconduct by the said Act, or by the Rules, Orders, Regulations, or Byelaws made pursuant thereto.

Supplementary Licences may be granted in certain Cases.

IV. Whenever any of the Particulars entered or endorsed upon any Licence in force, under the Provisions of this Act or the before-recited Act, shall be obliterated or defaced, so that the same shall not be distinctly legible, and also whenever any such Licence shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom such Licence shall have been granted shall (if he shall have the same in his Possession or Power) deliver up such Licence, and shall make and sign a Requisition for a Supplementary Licence as herein provided, and then and in such Case it shall be lawful for the said Commissioners, or their authorized Officer as aforesaid, to grant to such Person a Supplementary Licence in lieu of the Licence so obliterated, defaced, lost, or mislaid, on Payment of the Sum of Two Shillings and Sixpence for and in respect of such Supplementary Licence where the same shall be required by the Proprietor of any licensed Carriage, Cart, or Job Horse, and on Payment of the Sum of One Shilling where such Supplementary Licence shall be required by the Conductor of any licensed Stage Carriage, or the Driver of any licensed Carriage whatsoever, and in like Manner a Supplementary Licence shall be taken out from Time to Time as often as any of the several Cases aforesaid shall occur: Provided always, that whenever any such Supplementary Licence shall be granted in lieu of any pre-existing Licence, such pre-existing Licence shall thenceforth cease and determine, and such Supplementary Licence shall be deemed to be the only Licence in force, and it shall not be necessary upon any Occasion to prove that such pre-existing Licence had been previously taken out, nor shall the Circumstances under which such Supplementary Licence was issued be required to be proved, nor the Regularity of the issuing thereof in any Manner questioned: Provided also, that it shall be lawful for the said Commissioners to refuse to grant any such Supplementary Licence if it shall appear to the said Commissioners that the Particulars entered or endorsed on any Licence so to be delivered up as aforesaid shall have been wilfully obliterated or rendered illegible by any other Means than by regular and proper Use and Wear thereof.

Such Supplementary Licences to be then the only Licences in force.

Commissioners may refuse to grant such in Cases of wilful Damage.

Hackney Carriage Licences granted under 16 & 17 Vict. c. 112. null and void.

V. From and after the First Day of *August* One thousand eight hundred and fifty-four, all Licences theretofore granted by the said Commissioners to ply or let to Hire any Hackney Carriage under the Provisions of the said Act, shall cease and determine, and be utterly null and void, and shall be delivered up to the said Commissioners, together with the *Dublin* Plate appertaining thereto: Provided always, that every Person who shall on the said First Day of *August* One thousand eight hundred and fifty-four be possessed of any such Licence as last aforesaid, and who shall, at any Time within One Calendar Month thereafter, apply for a Licence in lieu of such former Licence, and shall have paid all Fines and Forfeitures which may have been incurred by him in respect thereof, shall be *primâ facie* entitled to a Licence to ply or let for Hire a Cabriolet under the Provisions of this Act; and in consideration of the Duty theretofore paid on procuring such former Licence it shall be lawful to make a Deduction from the Amount of Duty payable under this Act for and in respect of the Cabriolet Licence so to be granted, equal to the Amount of Duty previously paid in respect of the former Licence so surrendered and delivered up.

Limitation as to Number of Licences to be granted.

VI. The Number of Licences (subject, however, to the Conditions herein-after mentioned and expressed respecting such Licences,) so as aforesaid to be granted by the said Commissioners or their authorized Officer to Proprietors of Hackney Carriages which shall be in force at any One and the same Time shall not at any Time exceed the Number of Licences in force on the First Day of *January* One thousand eight hundred and fifty-four: Provided, nevertheless, that when and so often as any Person, duly qualified to be licensed as a Proprietor of a Hackney Carriage, shall consent to pay to the Officer duly appointed to issue Licences under the said Act, for and in respect of a Licence for a Hackney Carriage, a Premium of Twelve Pounds Ten Shillings, it shall and may be lawful to and for the said Commissioners or their authorized Officer, then, but not otherwise, to grant to such Person a Licence to keep, ply, use, or let to Hire within the Limits of the said Act a Hackney Carriage, such Licence to be subject in all respects thereafter to the Provisions of the said Act and of this Act.

Licence Duties to be paid as in Schedule (B.)

VII. From and after the First Day of *August* One thousand eight hundred and fifty-four, there shall be paid, in each and every Year, to the Officer duly appointed to issue Licences under the said Act, for and in respect of every Licence to be granted under this Act, for every Job Carriage, Stage Carriage, Hackney Carriage, Cabriolet, Cart, and Job Horse mentioned and described in the Schedule (B.) to this Act annexed, and which shall be deemed a Part of the same, the several annual Duties or Sums of Money set down in Figures against the same respectively; and for and in respect of every Licence so granted upon the Sale or Assignment, Bequest of, or Change in the Property of any licensed Hackney Carriage or Cabriolet, or upon the Admission of any Person to a Share in the Ownership thereof, there shall be paid to the aforesaid Officer the Fee or Sum appropriated and described in the said

Schedule (B.), save where such Licence shall be granted to the Widow or Children of a Proprietor dying while licensed.

Duties may be altered or abolished, with Consent of Lord Lieutenant.

VIII. It shall and may be lawful for the said Commissioners, if they shall think proper, from Time to Time, in each and every Year, to alter and diminish, or to annul and abolish all or any of the several Duties, Sum or Sums of Money specified in the said Schedule (B.), or which shall hereafter under this Act be charged for and upon the respective Stage Carriages, Job Carriages, Hackney Carriages, and Cabriolets, Job Horses, and Carts, as described in the said Schedule, but so as that in case of any Alteration thereof, whether the same be by Diminution or wholly annulling the same, or whether the same shall affect all or any One or more of the same, such Alteration shall be approved of by the Chief or Under Secretary to the Lord Lieutenant of *Ireland*, and that wherever any of the said Duties shall be altered a Schedule of the new Duties shall, immediately after such Alteration shall have been approved of as aforesaid, be published once in the *Dublin Gazette*, and Three Times in any of the Newspapers published in *Dublin* within Seven Days next after the Publication of the Schedule last mentioned in the *Dublin Gazette;* and the said last-mentioned Schedule, after the Expiration of such Period of Seven Days, shall be deemed and taken to be a Part of this Act, in lieu of so much of the Schedule (B.) hereunto annexed, as often as any Duties shall be altered in the Manner herein provided.

Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal.

IX. No Appeal shall stay or prevent the Execution of any Warrant or Process on any Conviction, unless the Party convicted shall before the convicting Justice or Justices enter into a Recognizance, with Two sufficient Sureties, in a Sum equal to double the Amount of the Penalty or Penalties in which the said Party shall have been convicted, and of the Costs awarded, if any, which Recognizance shall be conditioned that the Party so appealing shall personally appear at the proper General Quarter Sessions, and abide the Judgment of the Court thereupon, and pay such Costs, if any, as shall be by the Court awarded, which Recognizance such Justice or Justices is and are hereby authorized to require and take of the Party convicted entering into such Recognizance; and the Justice who shall take such Recognizances is also hereby required to bind the Person who shall make the Charge on which such Judgment shall have been given in a Recognizance conditioned that he shall appear at such General or Quarter Sessions aforesaid, then and there to give Evidence against the Person so charged, and to in like Manner bind any other Person who shall have any Knowledge of the Circumstances of such Offence: Provided always, that in case such Appeal shall be dismissed, and such Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be paid by the Appellant or Appellants; and the Recognizance or Recognizances so entered into as aforesaid shall be estreated, unless such Expenses are so paid by such Appellant or Appellants; and it shall not be necessary at the Hearing of such Appeal to return or produce to the Court of Quarter Sessions any Record of the Conviction of the Defendant or Appellant before any Divisional Justice, but it shall be deemed sufficient for the Clerk of the convicting Justice to attend at such Court of Quarter Sessions, and produce the Book containing the Entry of such Conviction, and such Clerk shall enter in such Book the Judgment of the said Court of Quarter Sessions in reference to such Appeal, and thereupon such Judgment shall be held to be final and conclusive between the Parties to such Appeal.

Interpretation of certain Words in this Act.

X. That the Words and Expressions herein-after mentioned shall in this and the said Act, and the Schedules thereto annexed, (except where the Nature of the Provisions or the Context of the Act shall exclude such Construction,) be interpreted as follows; that is to say, the Words "Hackney Carriage" shall include every Carriage constructed with less than Four Wheels used for Passengers (except a Stage Carriage, or any Carriage known as *Hansom's* Patent Safety Cab), which shall be used for the Purpose of standing or plying for Hire in any Street or Road or any Place within the Limits of the said Act; the Word "Cabriolet" shall include every Carriage known as *Hansom's* Patent Safety Cab, and every Carriage constructed with Four Wheels used for Passengers (except a Stage Carriage, or a Carriage drawn or impelled by the Power of Steam), which shall be used for the Purpose of standing or plying for Hire in any Street or Road or other Place within the Limits of said Act.

Act of 16 & 17 Vict. c. 112. and this Act to be construed together.

XI. The said recited Act of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty and this Act shall be construed together as One Act, and all and every the Enactments and Provisions contained shall apply and extend to this Act, and to all Licences, Convictions, Warrants, Distresses, Proceedings, and Things granted, made, taken, and done in execution of this Act, as fully, to all Intents and Purposes, as if herein repeated and re-enacted, save in so far as such Enactments and Provisions are inconsistent with or contrary to this Act, or as such Enactments may be altered by this Act, or other Enactments made in lieu thereof.

Security to be given by Officers, &c. employed under this Act.

XII. Every Officer employed under the said Commissioners who in the Execution of his Duty shall be engaged in the Receipt of Money payable in pursuance of this Act shall, in respect of any Money to be received by him under this Act, and any other Act in the Execution of which he shall be employed, give Security in such Amount as the said Commissioners, with the Approval of the said Chief or Under Secretary, shall direct, and for that Purpose it shall be lawful to and for the said Commissioners to accept of, receive, and take the usual Form of Security in such Cases entered into by any incorporated Guarantee Association for the Purpose of giving Security for the Fidelity of Persons holding Situations or Offices of Trust and Confidence.

XIII. If

XIII. If it shall become necessary to prove the Power, Office, Authority, or Appointment of any Officer or Person appointed or acting under or by virtue of this Act or the said Act, it shall in all Cases be sufficient, to all Intents and Purposes, to prove that such Person at the Time in question was commonly known or reputed to hold such Office or Situation respectively, and it shall not in any such Case be necessary to produce or prove any Appointment or Qualification whatsoever of such Person or Persons. **Reputation to be sufficient Evidence of Officer's Authority.**

XIV. In citing this Act in other Acts of Parliament, or in legal Instrument or any Proceedings, it shall be sufficient to use the Expression "The *Dublin* Amended Carriage Act, 1854." **Short Title.**

XV. No Misnomer or inaccurate Description in the Schedules to this Act annexed shall prevent or in anywise affect the Operation thereof, but this Act shall apply and be enforced, as fully and effectually, to all Intents and Purposes, as if the Subject of such Misnomer or Misdescription had been correctly named and described in such Schedule, provided the same be designated to common Intent and Understanding. **Misnomers not to affect the Execution of the Act.**

XVI. This Act shall commence and take effect from and after the First Day of *August* One thousand eight hundred and fifty-four. **Commencement of Act.**

SCHEDULES to which this Act refers.

SCHEDULE (A.)

ACT AND PARTS THEREOF REPEALED.

Date of Act.	Title.	Extent of Repeal.
16 & 17 Vict. cap. 112.	An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages, and Horses and Carts let for Hire, within the Police District of Dublin Metropolis.	Section 5.—Relating to the Licence Duties to be paid for and in respect of Licences to be granted for Hackney Carriages, Job Carriages, Stage Carriages, Carts, and Job Horses within the Limits of the said Act, as mentioned and described in the Schedule B. to the said Act annexed. Section 7.—Whereby the Commissioners of Police of the said District are empowered, with the Consent of the Lord Lieutenant, to alter or abolish all or any of the Duties payable for and upon the respective Carriages, Carts, and Job Horses described in the said Schedule B. Section 10.—Whereby Power is given to the said Commissioners to grant Licences upon the Terms and Conditions in the said Act set forth, to keep, ply, use, or let to Hire within the Limits aforesaid any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, or to refuse or revoke the same. Section 14.—That portion thereof which declares to be null and void any Licence of which any of the Particulars entered or endorsed thereon shall be erased or otherwise defaced. Section 59.—Ditto - ditto - ditto. Section 71.—Which relates to taking Recognizances from Witnesses conditioned that they shall personally appear at the proper General or Quarter Sessions, pursuant to the Terms of such Recognizances, and to the Authority of the said Courts to award such Witnesses Compensation for attending pursuant to such Recognizances. Section 80.—That Portion thereof relating to and explaining the Words "Hackney Carriage." Schedule B.—That Portion thereof mentioning and describing the Duties imposed by the said Act for and in respect of every Licence granted by the said Commissioners for a Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse. Schedule C.—Containing Forms of Licences to be used under the said Act.

SCHEDULE (B.)

CONTAINING THE DUTIES AND FEES ON LICENCES IMPOSED BY THIS ACT.

For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of the said Act, and to be drawn by Two or more Horses, for every such Licence	£8	
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of the said Act, and to be drawn by One Horse only, for every such Licence	£5	
For and in respect of every Licence for a Stage Carriage used or which shall ply within the Limits of the said Act, for every such Licence	£8	
For and in respect of every Licence for a Hackney Carriage used or let to Hire within the Limits of the said Act, for every such Licence	£2	£2—to be payable by £1 on the First Day of January and £1 on the First Day of July in each Year.
For and in respect of every Licence granted on the Sale or Assignment, or Change of Property in any such Hackney Carriage or Cabriolet, or on the Admission of any Person to a Share in the Ownership thereof, save where such Licence shall be granted to the Widow or Children of a Proprietor dying while licensed, for every such Licence a Fee of	10*s.*	
For and in respect of every Licence for a Cabriolet used or let to Hire within the Limits of the said Act, for every such Licence	£1 4*s.*	
For and in respect of every Licence for a Hackney Carriage used or let to Hire within the Limits of the said Act which shall be granted to any Person already licensed for and in respect of a Cabriolet, in addition to the Premium to be paid under the Sixth Clause of this Act	£1	
For and in respect of every Licence for a Job Horse used or let to Hire within the Limits of the said Act without a Carriage, whether such Horse shall be used or let otherwise or not, for every such Licence	£2	
For and in respect of every Licence for a Cart or Dray used or let to Hire within the Limits of the said Act, for every such Licence	12*s.*	

SCHEDULE (C.)

CONTAINING FORMS OF LICENCES UNDER THE SAID ACT AND THIS ACT.

No. 1.

By the Commissioners of Police of the Police District of Dublin Metropolis.

Licence for a

No.

IN pursuance of the Powers vested in the Commissioners of Police of the Police District of Dublin Metropolis by an Act of Parliament passed in the Session of Parliament holden in the Years of the Reign of Her present Majesty, intituled [*here insert the Short Title of the Act*], I, the undersigned, being One of the said Commissioners [*or* being the Person duly authorized by the said Commissioners for that Purpose, *as the Case may be*], do hereby grant this Licence, together with a Plate as a Mark of Distinction corresponding in Number therewith, to of in the of the said Licence to remain in force (unless revoked or otherwise determined under the Provisions of the said Act) for such Period as the said shall continue to pay the yearly Sum of being the annual Duty to be paid in respect thereof, the said Sum to be paid [*here insert Period for Payment of Duty*] in every successive Year, or in default of such Payment this Licence to be null and void and of no Effect; and this Licence shall be produced to the said Commissioners, or One of them, at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners or any One of them to be produced, and shall be subject to such Laws as are now or hereafter shall be in force for the better Regulation of and the Drivers thereof, and also all such other Rules, Orders, and Byelaws as are now in force or hereafter may be made by the Commissioners of Police for the Time being.

Given under my Hand [*or*, Signed by Authority of the Commissioners of Police, and dated, *as the Case may be*], this Day of

Form

Dublin Carriage.

Form of Endorsement of the Delivery of any New Dublin Plate.

Date of Delivery.	Number changed.		Entered at the Office.
	From	To	

Memorandum of Change of Residence of Proprietor.

Date.	From	To	Entered at the Office.

Memorandum of Change required in the Route of any Stage Carriage.

Date.	Particulars of Change.	Entered at the Office.

No. 2.

*** This Licence, together with the Badge relating thereto, must be delivered up, if not renewed between the Day of and the Day of

Driver *or* Conductor of [*as the Case may be*].

No.

[*Here insert the Date of the Act.*]

Description.	Licence
Age Years. Height Feet Inches. Eyes Hair Complexion	to of to act as Driver of licensed Carriages [*or* Conductor of Stage Carriages, *as the Case may be,*] within the Limits of the Dublin Metropolitan Police District, wearing the Badge No. [*here insert the Manner of wearing Badge.*]

Dated Day of

Commissioner.

[*or*, Signed by Authority of the Commissioners of Police, and dated this Day of *as the Case may be*].

Form of Endorsement of Change of Abode.

Date.	From	To	Entered at the Office.

CAP. XLVI.

An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland.* [24th *July* 1854.]

5 & 6 W. 4. c. 27. 3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 13 & 14 Vict. c. 48. 15 & 16 Vict. c. 13. 16 & 17 Vict. c. 103.

'WHEREAS an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to continue and amend certain Regulations for the Linen and Hempen Manufactures in* Ireland: And whereas an Act was passed in the Session of Parliament held in the Third and Fourth Years of Her present Majesty, intituled *An Act for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in* Ireland, *and for the better Payment of their Wages, for One Year, and from thence to the End of the then next Session of Parliament:* And whereas an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to amend, and continue to the Twenty-seventh Day of* July *One thousand eight hundred and forty-three, and to the End of the next Session of Parliament, an Act of the Third and Fourth Years of Her present Majesty, for the more effectual Prevention of Frauds and Abuses committed by Weavers, Sewers, and other Persons employed in the Linen, Hempen, Union, Cotton, Silk, and Woollen Manufactures in* Ireland, *and for the better Payment of their Wages:* And whereas an Act was passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to amend, and continue for Five Years, and to the End of the next Session of Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in* Ireland: And whereas an Act was passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her present Majesty's Reign, Chapter Forty-eight, whereby the said herein-before recited Acts were continued as therein mentioned: And whereas an Act was passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of Her present Majesty's Reign, Chapter Thirteen, whereby the said herein-before recited Acts were further continued as therein-mentioned: And whereas an Act was passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and three, whereby the said herein-before recited Acts were further continued as therein mentioned: And whereas it is expedient that the first herein-before recited Act, and the secondly and thirdly and fourthly herein-before recited Acts, should be further continued, subject to the respective Amendments thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said first herein-before recited Act, except as to such Parts thereof as have been repealed by the said secondly herein-before recited Act, and subject to the Amendments thereof in the said subsequent recited Acts contained, and the said secondly and thirdly and fourthly herein-before recited Acts, subject to the respective Amendments thereof, shall be further continued and shall be and remain in force from the passing of this Act for Five Years.

Continuation of Acts.

CAP. XLVII.

An Act to alter and improve the Mode of taking Evidence in the Ecclesiastical Courts of *England* and *Wales.* [24th *July* 1854.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in any Suit or Proceeding depending in any Ecclesiastical Court in *England* or *Wales* the Court (if it shall think fit) may summon before it and examine or cause to be examined Witnesses by Word of Mouth, and either before or after Examination by Deposition or Affidavit; and Notes of such Evidence shall be taken down in Writing by the Judge or Registrar, or by such other Person or Persons, and in such Manner, as the Judge of the Court shall direct.

Power to Ecclesiastical Courts to summon and examine Witnesses *vivâ voce.*

CAP. XLVIII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales.* [24th *July* 1854.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts "for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with. Inclosures proceeded with.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1854," or "The Acts for the Inclosure, "Exchange, and Improvement of Land." Short Title.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Queenborough Common	Kent	4th April 1850.
Sutton	York	22d December 1853.
Chalford	Oxford	2d February 1854.
Wanwood Pasture	Cumberland	22d July 1853.
Stanmore	Berks	2d March 1854.
Buriton	Southampton	16th March 1854.
Snettisham Warren	Norfolk	16th March 1854.
Woodmancote	Gloucester	30th March 1854.
Hatfield Forest	Essex	6th April 1854.
Haverhill	Suffolk	6th April 1854.
South Weston, Wheatfield, and Stoke Talmage	Oxford	23d June 1853.
Hutton	Somerset	4th May 1854.
Drungewick	Sussex	4th May 1854.
Benhill Wood	Surrey	8th June 1854.
Cusop	Hereford	16th May 1854.
Elstead	Surrey	27th June 1854.
Gamblesby and Biglands	Cumberland	26th June 1854.
Cove	Southampton	25th May 1854.

CAP. XLIX.

An Act for the Settlement of Claims upon and over the *New Forest*. [24th *July* 1854.]

'WHEREAS under the Provisions of the Act Fourteenth and Fifteenth *Victoria*, Chapter Seventy-six, "to extinguish the Right of the Crown to Deer in the *New Forest*, and to give Compensation "in lieu thereof, and for other Purposes relating to the said Forest," as amended by the Ninth Section of the Act Fifteenth and Sixteenth *Victoria*, Chapter Sixty-two, and by the Act Sixteenth *Victoria*, Chapter Nineteen, certain Claims of Common and other Rights in and over the said Forest, exceeding One thousand and two hundred in Number, have been preferred and delivered to the Verderers of the said Forest: And whereas, in pursuance of the Provisions of the said Acts, certain of the said Claims have been objected to: And whereas the Validity or Invalidity of large Classes of the said Claims depends on the Settlement of certain disputed Points as to the Existence or Nature of the Rights preferred by such Claims, and it is expedient that Commissioners should be appointed for the Purpose of deciding on the Claims in manner herein-after mentioned, and to make Provision for the speedy Trial of certain of the said Claims before the whole Objections shall be delivered, to afford an Opportunity to Claimants to withdraw their Claims and prefer amended Claims in lieu thereof, and to make such other Provisions with regard to Claims and Objections, and the hearing and determining the same, as herein-after provided: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 & 15 Vict. c. 76.

I. The Judge of the County Court of *Southampton*, and Two Persons, being Barristers-at-Law, to be appointed in Writing by the Lord Chief Justice of Her Majesty's Court of Queen's Bench at *Westminster*, within Two Months from the passing of this Act, (and herein-after designated as "The "Commissioners,") shall be the Commissioners for the Purposes of this Act. Appointment of Commissioners.

II. In case of the Death, Resignation, or Removal of any of the Commissioners appointed by the Chief Justice, other Commissioners shall in like Manner be from Time to Time appointed in their Places by the Chief Justice aforesaid. Power to fill up Vacancies.

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say, Commissioners to make Declaration before acting.

'I do

'I DO solemnly declare, That I will faithfully and impartially, according to the best of my Judgment, 'execute the Powers and Duties of a Commissioner under an Act passed in the Session of Parliament 'holden in the Seventeenth and Eighteenth Years of the Reign of Queen Victoria, intituled "An Act '[*here set forth the Title of this Act*]:"'

And every such Declaration shall, when made, be deposited in the Office of Land Revenue Records and Inrolments.

Payment of Commissioners.

IV. Every Commissioner shall (out of the Fund herein-after directed to be raised) be paid for his Services such a Sum as the Commissioners of Her Majesty's Treasury shall direct.

Commissioners to hear and determine Claims.

V. The Commissioners shall hear and determine all Claims to Common and other Rights in and over the said Forest, made either in pursuance of the said Acts or this Act, in manner after mentioned; and, subject as after mentioned, their Decision in the Premises shall be final, and bind all Parties and Rights whatsoever; and all Claims not objected to shall be allowed by the said Commissioners.

Decisions of any Two of the Commissioners to be final; Provision in case they differ.

VI. All Acts and Decisions of any Two of the Commissioners shall be taken as the Acts of the Commissioners; except that in case they shall differ in Opinion on any Point of Law brought before them affecting any Claim, they shall, on the Application of the Party objecting, or of the Party claiming, prepare a Case to be submitted to Her Majesty's Court of Common Pleas, to be argued before and decided on by the said Court, and the Judgment and Determination of such Court shall be taken as the Judgment of the Commissioners.

Commissioners may allow, disallow, or amend Claims: May make Rules.

VII. The Commissioners may allow or disallow any Claim, in whole or in part, and may amend any Claim in whole or in part.

VIII. The Commissioners may from Time to Time make such Rules and Orders as to their Mode of proceeding (not inconsistent with the Provisions of this Act) as they may think fit.

May award Costs.

IX. The Commissioners, if they shall think fit, may direct and award that any Party claiming shall pay Costs to the Party objecting, or that the Party objecting shall pay Costs to the Party claiming.

Costs may be recovered in County Court.

X. Any Costs so awarded may be recovered in the County Court of *Wiltshire* held at *Salisbury* as a Debt due to the Party to whom they are directed to be paid; and the Certificate under the Hand of any One of the Commissioners shall be Evidence of the Fact of such Costs having been awarded, and such Certificate shall state the Names of the Party directed to pay Costs, and the Amount thereof, and the Party to whom the same shall be paid.

All Rights to go &c. with Lands in respect of which they are claimed.

XI. All Rights of Common claimed and allowed shall go and be held with the Lands or Hereditaments in respect of which the same are claimed and allowed, and as appurtenant thereto.

Commissioners to hold Meetings for the Purposes of this Act.

XII. The Commissioners shall hold Meetings for the Purposes of this Act at such Times as they may think fit, and at such Place or Places in or in the Vicinity of the said Forest as shall appear to them most convenient, of which Meetings Notice shall be given by Advertisement in some Newspaper usually published or circulated in the County of *Southampton*, and otherwise as the Commissioners may direct, such Notice to be given at least Twenty-eight Days before the holding of any such Meeting; and any such Meeting may be continued by Adjournment, either from Day to Day, or otherwise, as the Commissioners may think fit.

Commissioners to publish List of Claims and Objections.

XIII. At the Time of giving Notice the Commissioners shall prepare a List showing what particular Claims and Objections are to be heard, which List shall also, in like Manner, be advertised Twenty-eight Days at least before the holding of any such Meeting.

Commissioners to decide on Questions arising on Claims.

XIV. The Commissioners shall, by the Examination of Witnesses, the Inspection of Maps, Records, and Documents, and by such other Means as they in their sole Discretion shall think fit, decide the several Questions arising on the said Claims, such Decisions to be reduced into Writing, and signed by the Commissioners or any Two of them.

Appointment and Remuneration of Clerk.

XV. The Clerk for the Time being of the Verderers shall be the Clerk of the Commissioners, and shall have such Remuneration as the Commissioners of Her Majesty's Treasury shall direct; and all the Expenses of the Commissioners relating to the carrying this Act into effect which shall be allowed by the Commissioners of the Treasury shall be paid as after mentioned.

Existing Claims delivered to Commissioners. As to future Claims, &c.

XVI. All Claims and Objections made previous to the passing of this Act, together with the Entry Book or Register thereof, shall be delivered by the Verderers to the Commissioners.

XVII. All Claims and Objections made after the passing of this Act shall be made in such Form and delivered to such Persons as the Commissioners may direct.

Register of Claims and Objections to be kept and open to Inspection, &c.

XVIII. A Register of all Claims and Objections shall be kept, and Memorandums of Objections entered on Claims, and the Particulars or an Abstract of Claims not already published shall be published in the *London Gazette*, and Certificates furnished, and Inspection of such Entry Books or Registers allowed by the said Clerk, in all respects as by the said first-recited Act is provided with respect to the Matters and Things in the Premises to be done by the Verderers and their Clerk.

XIX. Any

Claims may be withdrawn, and new Claims substituted.

XIX. Any of the said Claims so made as aforesaid may, with the Assent of the Commissioners, be withdrawn (either before or after the same shall have been objected to), and any new Claim may be made in lieu thereof as after provided.

Time for allowing new Claims.

XX. The Commissioners may, in their Discretion, allow any new Claims to be made, provided the same be made within Six Months from the passing of this Act.

Time for making Objections to Claims extended.

XXI. The Time for making Objections to Claims already made is hereby extended to One Year from the passing of this Act, and such Objections as aforesaid shall be made and served in such Manner as by the said Acts is provided; and in case of new Claims allowed to be preferred by the Commissioners, Objections may be made within Six Months from the Publication of such Claims in the Gazette.

Claims, &c. authorized by recited Acts may be made under this Act, &c.

XXII. All Persons by the said Acts authorized to make Claims or Objections may make Claims and Objections under this Act; and in case of Death or any Incapacity after any such Claims or Objections made, the same may be proceeded with by any Parties claiming to be interested in the Premises, or otherwise, as the Commissioners may direct.

Decision to be entered on Register.

XXIII. The Commissioners shall, when and as they shall hear and determine on any of the said Claims, amend or alter the same in accordance with their Decision, and enter on such Register of Claims their Decision thereon.

Register of Claims to be signed by Commissioners in duplicate, and be deposited.

XXIV. When all the said Claims shall have been decided on and determined, then a Register thereof, as amended or altered by the Commissioners, shall be signed and sealed by them in duplicate, and one Part thereof shall within One Month after their Signatures have been affixed thereto be deposited in the Office of Land Revenue Records and Inrolments, and the other with the Clerk of the Peace for the County of *Southampton;* and such Register of the said Claims so amended or altered shall be final and binding on all Parties, and shall for all Purposes be the Evidence of Title to the Rights claimed and allowed.

Deposit of Book of Claims dispensed with.

XXV. It shall not be necessary, except as last aforesaid, to deposit a Book containing the Claims made or to be made, either in the Office of Land Revenue Records and Inrolments, or with the said Clerk of the Peace, as by the said first-mentioned Act is provided.

Copies or Extracts from the Register to be furnished when required.

XXVI. It shall be lawful for any Person to demand from the Keeper of the Land Revenue Records and Inrolments, or from the Clerk of the Peace, a certified Copy or Extract from the said Register so to be made and signed by the Commissioners, on Payment of a Sum not exceeding Twopence *per* Folio of Seventy-two Words; and before the said Register shall be completed it shall be lawful for any Person to demand from the Clerk of the Commissioners a certified Copy of any of the said Claims, and the Decisions thereon of the Commissioners; and any Person may inspect the Register so deposited as aforesaid, on Payment of One Shilling.

Certified Copies to be Evidence, and Parties forging same guilty of a Misdemeanor.

XXVII. Any such Certificate or certified Copy shall be admitted in Evidence in all Courts of Justice; and any Person forging any Copy of any Claim or Objection or Certificate aforesaid, or who shall utter any such Copy or Certificate knowing the same to be forged, shall be deemed to be guilty of a Misdemeanor, and liable to be imprisoned, at the Discretion of the Court, for any Term not exceeding Three Years, with or without Hard Labour.

Claims enjoyed since the Year 1800 to be allowed under certain Circumstances.

XXVIII. All Claims made or which shall be made under the Provisions of the said Acts or this Act of Rights of Common of Pasture, Pannage, or Turbary, which shall be proved to the Satisfaction of the Commissioners to have been enjoyed or exercised as of Right, without Interruption, by the Claimant or Persons through or under whom he claims, as from any Time in the Year One thousand eight hundred, shall be allowed by the Commissioners; but such Rights shall be held and enjoyed according to the Laws and Assize of the said Forest, and such Rights of Common of Pasture shall be enjoyed and allowed only in respect of the Cattle of the Claimant levant and couchant on the Lands in respect of which the Claim is made; and no Claim of Common of Turbary shall be allowed other than in respect of a Messuage erected in or prior to the Year One thousand eight hundred; and such Turbary shall be allowed only for the necessary Fuel of such Messuage, to be therein burnt and expended as belonging and appertaining to such Messuage.

Waste Lands of the Forest to be sold to defray the Expenses incidental to the Act.

XXIX. For the Purpose of defraying the Expenses after mentioned, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall, on behalf of Her Majesty, in addition to the Sales already made or agreed to be made, from Time to Time sell and dispose of by Public Auction or Tender such Parts of the open Waste Lands of the said Forest as they and any Two Verderers may deem most convenient; and the Receipt of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being shall be a sufficient Discharge for the Purchase Money to all Persons purchasing, and who shall not be bound to see to the Application of the Purchase Money, nor to inquire whether the Sale was made with the Assent of the Verderers as aforesaid.

Produce of Sales to be paid to the Commissioners of Woods, and

XXX. The Money to be raised by Sale as aforesaid shall be paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and shall be applied by them in discharge of the Remuneration to be made to the Commissioners and to their Clerk, and in Payment of all Costs, Charges, and Expenses which shall become payable or be incurred by or on the Behalf of the Commissioners or their Clerk, under

applied by them in Payment of Expenses.

or in performance of the Provisions of this Act, and also all the Payments, Costs, Charges, and Expenses which have already become payable or been incurred or may be incurred under or in the Performance of the Provisions of the said Acts, and the Surplus, if any, of the Monies to arise from any Sale as aforesaid, shall be applied as the Monies arising from the Sale of the open Waste Lands of the Forest are by the Act of the Tenth *George* the Fourth, Chapter Fifty, directed to be applied.

Power to send for Persons and Papers.

XXXI. It shall be lawful for the Commissioners, by a Summons under the Hands of any One of them, to require the Attendance before them, at a Place and Time to be mentioned in the Summons, of any Person whomsoever, and to require all Persons to bring before them such Books, Papers, and Writings as are necessary for arriving at the Truth of the Matters to be inquired into by the Commissioners, which Persons shall attend the Commissioners, and shall answer all Questions put to them touching the Matters to be inquired into, and shall produce all Books, Papers, and Writings required of them, and in their Custody or under their Control, according to the Tenor of the Summons.

Commissioners to examine on Oath, &c.

XXXII. It shall be lawful for the Commissioners or any One of them to administer an Oath, or an Affirmation where an Affirmation would be admitted in a Court of Justice on the Ground of Religious Scruples, to all Persons who are examined before them, touching the Things to be inquired into by them under this Act.

Penalty for Non-attendance or refusing to give Evidence.

XXXIII. If any Person on whom any Summons shall have been served by the Delivery thereof to him, or by the leaving thereof at his usual Place of Abode, fail to appear before the Commissioners at the Time and Place specified in such Summons, it shall be lawful for the Commissioners to certify such Default under their Hands or under the Hand of any One of them to any of Her Majesty's Superior Courts, and thereupon such Court or Judge shall proceed against the Person so failing to attend in the same Manner as if the said Person had failed to obey any Writ of Subpœna or any Process issuing out of the said Court; and if any Person so summoned to attend as aforesaid, and having appeared before the Commissioners, shall refuse to be sworn, or to make Answers to such Questions as are put to him touching the Matters in question by the Commissioners, or to produce and show to the Commissioners any Papers, Books, or Writings being in his Possession or under his Control which the Commissioners may deem necessary to be produced, or if any Person shall be guilty of any Contempt of the Commissioners or their Office, the Commissioners shall have such and the same Powers, to be exercised in the same Way, as any Judge of any of Her Majesty's Superior Courts sitting under any Commission may now by Law exercise in that Behalf; and all Headboroughs, Gaolers, Constables, and Bailiffs shall and they are required to give their Aid and Assistance to the Commissioners in the Execution of their Office.

Penalty for false swearing.

XXXIV. Every Person who upon Examination upon Oath or Affirmation before the Commissioners wilfully gives false Evidence shall be liable to the Pains and Penalties of Perjury.

Protection of Commissioners.

XXXV. The Commissioners shall have such and the like Protection and Privileges, in case of any Action brought against them for any Act done or omitted to be done in the Execution of their Duty, as is now by Law given by any Act or Acts now or hereafter to be in force to Justices acting in execution of their Office.

Limitation of Actions.

XXXVI. No Action shall be brought against any Commissioners appointed under this Act, or any other Person whomsoever, for anything done or omitted to be done in the Execution of this Act, unless such Action shall be brought within Six Calendar Months next after the doing of or Omission to do such Thing.

Limitation of Proceedings on Claims, &c.

XXXVII. After the passing of this Act, no further Proceedings shall be taken for the making Claims or objecting thereto, and the deciding thereon, except under or by virtue of the Provisions herein contained.

Woodmen's Cottages may remain after the Inclosures have been thrown out, but the total Quantity of inclosed Land not to be thereby increased.

XXXVIII. 'And whereas in the Inclosures made or to be made in the said Forest under the Authority 'of the Act Forty-eighth of *George* the Third, Chapter Seventy-two, and of the Act Fourteenth and 'Fifteenth of *Victoria*, Chapter Seventy-six, small Portions of Land have been and may be appro- 'priated by the Crown for Cottages and Buildings for Woodmen, with Gardens attached thereto, and 'it may not be expedient that such small Portions of Land should in all Cases be liable to be thrown 'open with the rest of the Inclosures in which they are situate:' Be it enacted, That, notwithstanding anything in the said Acts or either of them contained, Cottages or Buildings erected or to be erected for Woodmen in any Inclosure within the said Forest, and the Sites thereof, with a Garden and Orchard attached to each of such Cottages, not exceeding in each Case Two Acres in Extent, may, if and so long as the Commissioners of Her Majesty's Woods, Forests, and Land Revenues shall think fit, remain, and be held in Severalty in the actual Possession of the Crown, freed and discharged from all Rights of Common and other Rights, Titles, or Claims whatsoever: Provided always, that the total Quantity of Land within the said Forest which Her Majesty, Her Heirs and Successors, are by the said Acts or either of them authorized to hold and keep inclosed and in Severalty shall not be thereby increased, and that the Cottage and Garden shall be situated within a Quarter of a Mile of some Inclosure.

Commissioners may do all Acts done by Commissioners of Woods.

XXXIX. All Acts, Matters, and Things to be done or authorized to be done by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, in pursuance of this Act or of the said recited Acts or any of them, may be done by the Commissioner or other Officer for the Time being of Her Majesty in charge of the said Forest.

CAP. L.

An Act to continue an Act of the Twelfth Year of Her present Majesty, for amending the Laws relating to Savings Banks in *Ireland*, and to authorize Friendly Societies to invest the whole of their Funds in Savings Banks. [24th *July* 1854.]

'WHEREAS an Act was passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to Savings Banks in* Ireland: And whereas the said Act was continued in force by another Act passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty until the First Day of *January* One thousand eight hundred and fifty-four, and until the End of the then next ensuing Session of Parliament: And whereas it is expedient that the said first-recited Act should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 11 & 12 Vict. c. 133.

I. That the said Act shall be further continued until the First Day of *January* One thousand eight hundred and fifty-eight, and until the End of the then next ensuing Session of Parliament. Act further continued.

II. It shall be lawful for the Trustees of Savings Banks duly established according to Law to receive from the Trustees or other proper Officers of Friendly Societies, duly enrolled, registered, or certified in the Manner required by the Acts in force relating to Friendly Societies, any Sum of Money the Property of such Societies, without Restriction as to Amount, under such Regulations as shall be prescribed by the Commissioners for the Reduction of the National Debt, or the Comptroller General acting under them. Funds of Friendly Societies may be deposited in Savings Banks to any Amount.

III. Provided always, That nothing contained in this Act respecting Savings Banks shall render it necessary to have the Rules and Regulations of Savings Banks again enrolled, if the same have been before enrolled according to Law. Savings Banks Rules already enrolled need not be again enrolled.

CAP. LI.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls. [31st *July* 1854.]

'WHEREAS, in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate "Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting "Exemptions from Tolls," certain Provisional Orders have been made by the Right Honourable Viscount *Palmerston*, One of Her Majesty's Principal Secretaries of State, for reducing the Rate of Interest, and for extinguishing the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and such Orders have been published in the *London Gazette*, and in Newspapers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together with the Amount to which the Rate of Interest on such Debts is to be reduced, and the Day up to which the Interest and Arrears of Interest on such Debts are to be extinguished by such Orders, are mentioned in the Schedule to this Act: And whereas it is expedient that the said Provisional Orders should be confirmed, and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, 14 & 15 Vict. c. 38.

That the said Provisional Orders are hereby confirmed, and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament. Provisional Orders confirmed.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
		£ s. d.		
1853. 14 Oct.	3 & 4 Vict. c. 84., "An Act for repairing the "Road from the Maidstone Turnpike Gate "on the Loose Road in the Parish of Maid- "stone in the County of Kent, to Newcastle "in the Parish of Biddenden, and a Branch "Road to the Thorn in the Parish of Smarden "in the same County" - - -	10,570 0 0	4*l.* per Cent.	31st Dec. 1850.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1854.				
7 Jan.	5 W. 4. c. 19., "An Act for repairing the Road "from Little Bowden in the County of North- "ampton to Rockingham in the same County"	£ s. d. 2,728 0 0	3*l.* per Cent.	1st Jan. 1853.
7 Jan.	7 G. 4. c. 19., "An Act for making and main- "taining a Turnpike Road, commencing at "or near a certain House called The Shrews- "bury Arms, situate at Hinderton in the "Township of Little Neston, by way of "Upton, and terminating in the Township "of Hoose, and from Upton aforesaid to the "Township of Birkenhead, and also certain "Branches of Road to communicate there- "with, all in the County Palatine of Chester"	3,400 0 0	3*l.* 10*s.* per Cent.	31st Dec. 1853.
7 Feb.	7 G. 4. c. 13., "An Act for making and main- "taining a Road from Godalming, through "Hascomb, to Pains Hill, in the County of "Surrey" - - - - - - -	2,380 0 0	One Penny per Cent.	31st Dec. 1853.
7 Feb.	5 G. 4. c. 54., "An Act for repairing and im- "proving the Road from Back Lane in the "Parish of Scartho, to Hollowgate Head in "the Parish of Louth in the County of "Lincoln" - - - - - -	4,712 1 0	2*l.* per Cent.	1st Jan. 1854.
3 April	11 G. 4. c. 18., "An Act for more effectually "repairing and maintaining the Road from New "Chappel in the County of Surrey to Ditche- "ling Bost Hills in the County of Sussex, and "from thence to the Town of Brighthelmston "in the same County; and also for making "and maintaining a Branch of Road from the "Town of Ditcheling to Clayton in the County "of Sussex," as far as the same relates to the Ditcheling and Clayton Branch Road -	1,900 0 0	1*l.* 10*s.* per Cent.	31st Dec. 1852.
29 April	57 G. 3. c. 45., "An Act for making and keeping "in repair a Carriage Road from or near the "Town of Brough-under-Stainmore in the "County of Westmoreland, to Middleton Bridge "in the Parish of Romaldkirk in the North "Riding of the County of York, with a Branch "from or near Chapel House to Eggleston "Bridge in the same Parish" - -	1,620 0 0	One Penny per Cent.	31st Dec. 1853.
24 May	4 G. 4. c. 15., "An Act for repairing and im- "proving the Roads from the Town of Stock- "bridge to the City of Winchester, and from "the said City of Winchester to the top of "Stephen's Castle Down, near the Town of "Bishops Waltham in the County of South- "ampton, and from the said City of Winchester "through Otterborne to Bar Gate in the "Town and County of the Town of South- "ampton, and certain Roads adjoining thereto," as far as the same relates to the Road described as "the Winchester and Waltham Road" -	1,500 0 0	One Penny per Cent.	31st Dec. 1853.
19 June	5 G. 4. c. 91., "An Act for making and main- "taining a Road from Brighthelmstone to "Newhaven in the County of Sussex" -	10,650 0 0	2*l.* per Cent.	31st Dec. 1852.

CAP. LII.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads. [31st *July* 1854.]

'WHEREAS an Act was passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize for One Year, and until the End of the then next Session of Parliament, an Application of a Portion of the Highway Rates to Turnpike Roads in certain Cases*, which Act has been continued by sundry Acts until the First Day of *October* in the Year One thousand eight hundred and fifty-four, and to the End of the then next Session of Parliament; and it is expedient that the same be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be continued until the First Day of *October* One thousand eight hundred and sixty, and to the End of the then next Session of Parliament. 4 & 5 Vict. c. 59.

Recited Act further continued.

CAP. LIII.

An Act to confirm Provisional Orders of the General Board of Health for the Districts of *Plymouth, Haworth, Aberdare, Bishop Auckland, Willenhall,* and *Over Darwen.* [31st *July* 1854.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, certain Provisional Orders in the Schedule to this Act contained; and it is expedient that the said Orders should be confirmed, and further Provisions made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Certain Provisional Orders of the General Board of Health confirmed.

I. The Provisional Orders of the General Board of Health contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as the same are authorized by the said Public Health Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act.

Compensation to Officers under Local Act of Borough of Plymouth who may be removed.

II. Every Officer acting under the Local Act recited in the Provisional Order for the Borough of *Plymouth*, in the Schedule of this Act contained, any Part of which is repealed by the said Order, whose Office shall, by reason of the Transfer of the Powers of the Commissioners to the Local Board, be wholly or in part superseded and rendered unnecessary, who shall not be employed and retained in an Office of equal Value by the Local Board of Health for the said Borough, shall be entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the Office which he shall cease to hold, the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board of Health, to be made within Three Months after any such Person shall have been superseded in his Office, founded upon a Declaration made by such Person, setting forth the Salary, Profits, and Emoluments derived by him and his Predecessors for every Year during a Period of Five Years next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board of Health may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office, and his Term therein; and the said Local Board of Health shall from Time to Time pay to the Person entitled to Compensation, out of any Special or General District Rates, in their Discretion, the Money which shall, upon such Report, and any Appeal or Reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

Constitution of Local Board for Haworth.

III. Nine of the Members of the Local Board of Health for the District of *Haworth*, the Boundaries of which are set forth in the Schedule to the *Haworth* Provisional Order appended to this Act, shall be elected by the Owners of and Ratepayers in respect of Property in that portion of the said District included in the Hamlet of *Haworth*, and the remaining Three by the Owners of and Ratepayers in respect of Property in that Portion of the said District included in the Hamlet of *Near Oxenhope;* and Three of the Members so elected for that Portion of the said District included in the Hamlet of *Haworth*, and One of the Members so elected for that Portion of the said District included in the Hamlet of *Near Oxenhope*, shall go out of Office on the Thirty-first Day of *March* in each Year subsequent to that of the First Election of the said Local Board.

First Election of Local Board of Haworth.

IV. The First Election of the Local Board of Health for the District of *Haworth*, for the Purposes of the said Public Health Act, shall take place on the Twenty-fourth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-four.

First Election of Local Board of Aberdare.

V. The First Election of the Local Board of Health for the District of *Aberdare*, for the Purposes of the said Public Health Act, shall take place on the Twenty-fourth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-four.

VI. The

First Election of Local Board of Bishop Auckland.

VI. The First Election of the Local Board of Health for the District of *Bishop Auckland*, for the Purposes of the said Public Health Act, shall take place on the Twenty-fourth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-four.

First Election of Local Board of Willenhall.

VII. The First Election of the Local Board of Health for the District of *Willenhall*, for the Purposes of the said Public Health Act, shall take place on the Twenty-fourth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-four.

First Election of Local Board of Over Darwen.

VIII. The First Election of the Local Board of Health for the District of *Over Darwen*, for the Purposes of the said Public Health Act, shall take place on the Twenty-fourth Day of *August* in the Year of our Lord One thousand eight hundred and fifty-four.

For securing an Outfall for the Sewerage of Over Darwen.

IX. For the Purpose of securing an Outfall for the Sewerage of the District of *Over Darwen*, as constituted by the Provisional Order in the Schedule to this Act annexed, the Local Board for the said District shall have Power to cause their Sewers to communicate with and empty in such Part of the Township of *Lower Darwen* as shall to them appear suitable for that Purpose, making Compensation, in the Manner pointed out by the Public Health Act, 1848, for any Damage caused thereby.

Act incorporated with Public Health Act.

X. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act.

Short Title.

XI. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures, "The Public Health Supplemental "Act, 1854."

SCHEDULE to which this Act refers.

NAMES of PLACES to which the following Provisional Orders of the General Board of Health apply.

PLYMOUTH.	BISHOP AUCKLAND.
HAWORTH.	WILLENHALL.
ABERDARE.	OVER DARWEN.

PLYMOUTH.

Provisional Order for the Application of the Public Health Act to the Borough of Plymouth, in the County of Devon.

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last Return, for the Time being, made up by the Registrar General of Births, Deaths, and Marriages, that the annual Number of Deaths in the Municipal Borough of Plymouth, in the County of Devon, has on an Average of Seven Years exceeded during that Period the Proportion of Twenty-three to a Thousand of the Population, due Inquiry and Report have been made under the Public Health Act, 1848, in that Borough.

And whereas from such Report it appears that notwithstanding there is a Local Act in force in the said Borough, intituled "An Act for better paving, lighting, cleansing, watching, and improving the "Town and Borough of Plymouth, in the County of Devon; and for regulating the Police thereof; and "for removing and preventing Nuisances and Annoyances therein," the Mortality of Plymouth is excessive, and that the real Cause of this excessive Mortality is to be found in the generally defective Nature of the existing sanitary Arrangements, and the divided Jurisdiction exercised by the various Public Bodies; that this divided Jurisdiction further causes unnecessary Expense, and effectually prevents the carrying out of general and comprehensive Measures; that the existing Water Supply requires Improvement and Extension; that the present Sewerage and Drainage is much too limited in Extent; and that where Sewers or House Drains are laid down, they are, in many Cases, defective both in Construction and Arrangement; that the partial Provisions made for either Sewerage or House Drains have been carried out at various Periods and in various Ways, instead of on a combined and carefully arranged System, by which alone due Efficiency can be secured, and that the present Outfalls for the Sewage are also highly prejudicial to Health; that the present System of cleansing the Streets and removing the House Refuse is imperfect; that the existing Burial Grounds are unduly crowded and ought to be closed, sufficient Means of Interment existing within a convenient Distance; that many Portions of the Town are insufficiently lighted, particularly a great Number of the Courts and Lanes occupied by the poorer Classes; that it would be a Means of Health and Comfort to all, but particularly the poorer Classes of the Borough, if public Baths and Wash-houses were established.

And whereas the Public Health Act, 1848, contains Provisions for consolidating local Authority in Corporate Districts in the Hands of the Town Council; for improving and extending Water Supply, and compelling such Supply in Houses where the Expense does not exceed 2*d.* a Week; for providing a general Survey on which Sewerage and other Works may be laid down on a comprehensive and economical Plan; for providing an Outfall for Sewerage and carrying Sewers where necessary through private Property; for compelling the Provision of House Drains and Waterclosets; the cleansing of unwholesome

some Houses and Streets; for regulating the Breadth and Levels of new Streets; for closing Burial Grounds where sufficient Means of Interment exist within a convenient Distance; for distributing the Charge for permanent Works over the Period for which the Works are likely to last, and for rating to the Cost of such Works those who are benefited thereby; for intrusting to the Local Board of Health the Care and Management of the Roads; for lighting and other Matters essential to the sanitary Regulation of the District; and for providing for the Repeal, Alteration, Extension, or further Execution of Local Acts.

Now therefore, in pursuance of the Power vested in us by the Public Health Act, 1848, we the said General Board of Health do, by this Provisional Order, under our Hands and Seal of Office, direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1. "The Public Health Act, 1848," and every Part thereof relating to Corporate Districts, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the Area comprised within the Boundaries of the said Borough of Plymouth.
2. The Sections of the Towns Police Clauses Act, 1847, with respect to Obstructions and Nuisances in the Streets, and with respect to Fires, and with respect to Places of public Resort; and the Sections of the Towns Improvement Clauses Act, 1847, with respect to naming the Streets and numbering the Houses, and with respect to improving the Line of the Streets and removing Obstructions, and with respect to ruinous or dangerous Buildings, and with respect to Precautions during the Construction and Repair of Sewers, Streets, and Houses; and the Sections with respect to the Prevention of Nuisances numbered 104 and 105; and the Section with respect to the Prevention of Smoke; and the Sections with respect to the Construction of Houses for Prevention of Fire; and the Sections with respect to supplying Buildings with fresh Air, numbered 110, 111, and 112; and the Section with respect to Clocks; and so much of the Sections with respect to Things to be done by the Commissioners by Special Order only, as relates to Baths and Washhouses, except so much of the said last-mentioned Sections as requires any Special Order in respect of the Matters contained therein, shall be incorporated with the unrepealed Parts of the said Local Act, and with the said Public Health Act as applied to the said Borough, and any Act of Parliament confirming the same; and the Expression "the Special Act," used in the said Sections, shall be construed to mean the unrepealed Parts of the said Local Act, and the said Public Health Act so applied; and the Expression "Limits of the Special Act," used in the same Sections, shall be construed to mean the District constituted by this Order, and any Act of Parliament confirming the same; and the Expression "the Commissioners," used in the said Sections, shall mean the said Local Board.
3. The Mayor, Aldermen, and Burgesses of the said Borough shall be by the Council of the said Borough the Local Board of Health under the said Public Health Act.
4. Such Parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.
5. The Powers, Authorities, and Duties of the Commissioners for the Time being, acting in execution of the said Local Act, shall cease; and such of them as are granted or imposed by the unrepealed Parts of the said Local Act shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the Officers and Servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act; and for this Purpose the unrepealed Parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said Borough, and all Places within the Limits of the said Borough shall be subject to the unrepealed Parts of the said Local Act.
6. The said Local Board shall be the Commissioners for executing the unrepealed Parts of the said Local Act.
7. All Property and Estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as Circumstances will permit, be held by the said Local Board of Health upon the same Trusts, and for the same Purposes, as by such Commissioners.
8. All Debts, Monies, and Securities for Money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such Parts of the said transferred Property and Estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.
9. Provided always, that if such Property and Estate be insufficient for that Purpose, the Deficiency shall be charged upon the Rates leviable under the said Public Health Act, in the Parts only which would have been chargeable with such Deficiency if this Order had not been made.
10. Provided also, that if such Property and Estate be more than sufficient, the Surplus shall be applied to the exclusive Use of the same Parts and to the same Purposes as it would have been if this Order had not been made.

11. All Expenses which shall be incurred by the said Local Board of Health under the unrepealed Parts of the said Local Act, and which shall not be defrayed out of Monies arising under such Local Act, shall be deemed to be Expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the Rates under that Act (as the nature of the Case may require); and the Monies necessary to be raised for the Purposes of such Local Act may be raised as under the said Public Health Act; and the Provisions of the Public Health Act shall extend and apply to all purchases of Property made under the Powers of such Local Act.
12. Provided always, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order; but, notwithstanding this Order and the Schedule hereunto annexed, all such Things shall be as valid, with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same Manner, in all respects, as if they related to that Board instead of such Commissioners.
13. Provided also, that this Order, and the Repeal of the Parts of the said Local Act mentioned in the Schedule hereunto annexed, shall be without Prejudice to any Penalties incurred under the said Local Act, but all such Penalties may be recovered by the said Local Board of Health according to the Provisions of this Order.

Given under our Hands and under the Seal of the General Board of Health, this Third Day of November, in the Year of our Lord One thousand eight hundred and fifty-three.

(Signed) Shaftesbury.
Edwin Chadwick.
T. Southwood Smith.

Schedule to which this Order refers.

The Parts of the said Local Act referred to in this Order to be repealed are as follows (that is to say):

The Sections numbered respectively in the Copies of the said Act, printed by the King's Printers, 2 to 25, 28 to 36, 45 to 54, 56 to 62, 64 to 73, 81 to 83, 87 to 145, all inclusive.

And so much of any unrepealed Part of the said Act, or of any Act by this Order incorporated therewith, or with the Public Health Act, 1848, as fixes the Amount of any Penalty for any Offence under the said Act, wherever the Penalty for such Offence shall have been fixed by the Public Health Act, 1848, or by any Byelaw of the Local Board of Health, made under and by virtue of the said Public Health Act, at an Amount other than that fixed by the said first-mentioned Act.

HAWORTH.

Provisional Order for altering the Boundaries of the District of Haworth in the West Riding of the County of York, as constituted for the Purposes of the Public Health Act, 1848.

General Board of Health.

Whereas, by Order of Her most Gracious Majesty in Council, bearing Date the 23d Day of October 1851, made under the Provisions of the Public Health Act, 1848, the said Public Health Act was duly applied to the District of Haworth, in the West Riding of the County of York.

And whereas it appears to the General Board of Health appointed for the Purposes of the said Act, that the Boundaries of the said District, as determined by the said Order, should be altered and amended in the Manner prescribed by the said Act.

And whereas the said General Board have, in pursuance of the Provisions of the said Act, directed William Ranger, a Superintending Inspector appointed for the Purposes of that Act, to visit the said District, and to make further public Inquiry, and to examine Witnesses as to the altered Boundaries which might most advantageously be adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said further Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the said Matter with respect to which he was directed to inquire.

And whereas Copies of the Report on such further Inquiry, accompanied by a Notice stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the Boundaries of the said District should be altered, as recommended by the said Superintending Inspector, but the same cannot be done without the Authority of Parliament.

Now

Now therefore, in pursuance of the Power vested in the General Board of Health by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order, under our Hands and Seal of Office, order and direct as follows; that is to say,

That from and after the passing of any Act of Parliament confirming this present Order—

1. The Boundary of the said District for the Purposes of the said Public Health Act shall be the Boundary described in the Schedule to this Order annexed.
2. That from and after the Day appointed by the Act of Parliament confirming this present Order for the First Election of the Local Board of Health for the District hereby constituted, the Public Health Act, 1848, and every Part thereof, except the Section numbered 50 in the Copies of that Act, printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire Area comprised within the Boundary aforesaid; and that the Parts within the said Boundary shall be and constitute a District for the Purposes of the said Public Health Act accordingly, under the Name of the "Haworth District."
3. That from and after the Day fixed for the First Election of a Local Board of Health for the District hereby constituted by any Act of Parliament confirming this Order, the existing Local Board of Health for the District of Haworth, as constituted by the firstly herein-before mentioned Order in Council, shall be dissolved, and the Powers, Authorities, and Duties of the Members of the said Board shall wholly cease and determine; and those of their Treasurer, Clerk, Surveyor, Inspector of Nuisances, Collector, or other Officers, shall cease and determine from any Time appointed by the Local Board to be elected under this Order and the Act of Parliament confirming the same.
4. That the Local Board of Health for the said District to be constituted by this Order and the Act of Parliament confirming the same shall consist of Twelve Persons, to be elected in the Manner directed with respect to such Local Board by the Act of Parliament confirming this Order.
5. That every One of the Twelve Persons so to be elected as last aforesaid shall at the Time of such Election, and so long as he shall continue in Office by virtue of such Election, be resident as in the Public Health Act is required, and be seised or possessed of Real or Personal Estate, or both, to the Value or Amount of not less than Four hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place, of which some Part is within the said District, upon an annual Value of not less than Ten Pounds.
6. That at the First Election of the Members of the said Local Board William Greenwood, Esq. of Oxenhope, shall have the Powers and perform the Duties vested in or imposed upon the Chairman of the Local Board of Health by the said Public Health Act, in relation to the Election by Owners of Property and Ratepayers, and shall perform all other Duties which it may be requisite for him to perform in conducting and completing the said First Election; and in case the said William Greenwood, Esq. from Illness or other sufficient Cause, shall be unable to exercise or discharge such Powers or Duties, or shall be absent, or shall refuse to act, then William Turner, West Lane, Haworth, shall exercise and perform such of the said Powers and Duties as then remain to be exercised or performed.
7. That the Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election, shall be given to the said William Greenwood at his Residence, Oxenhope, or in case he shall refuse or be unable to receive the same, then to the said William Turner at his Residence, West Lane, Haworth.
8. That from and after the Day fixed for the First Election of a Local Board for the District thereby constituted by the Act of Parliament confirming this Order, all Lands, Buildings, Works, Rates, Tolls, Duties, and Hereditaments, Utensils, Materials, Books, Plans, Maps, Deeds, Effects, Contracts, Papers, Monies and Securities for Money, and all other Property and Estate whatsoever, belonging to or vested in the Local Board of Health elected under the firstly herein-before mentioned Order in Council shall be transferred to, vested in, belong to, and be recovered by the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, as fully as the same would or could have belonged to, been vested in, or recovered by the firstly herein-before mentioned Local Board of Health, and shall, as near as Circumstances will permit, be held by the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, upon the same Trusts, and for the same Uses, Intents, and Purposes as the same were or would be held by the said firstly herein-before mentioned Local Board.
9. That from and after the passing of any Act of Parliament confirming this Order, all Bonds, Mortgages, Annuities, Contracts, Debts, Monies and Securities for Money, made, given, contracted, or payable by the Local Board of Health elected under the firstly herein-before mentioned Order in Council shall be paid and satisfied by the Local Board to be elected under this Order and the Act of Parliament confirming the same, out of such Parts of the said transferred Property and Estate as would or ought to have been charged or chargeable in respect of the same, if this Order had not been made; and shall, as near as Circumstances will permit, have the same Priority,

and be paid and satisfied within the same Times, and recovered from the said last-mentioned Local Board as the same might have been recovered from the firstly herein-before mentioned Local Board.

10. Provided always, that this Order shall not annul, defeat, lessen, or otherwise prejudicially affect any Rate, Assessment, Imposition, Composition, Charge, Purchase, Sale, Conveyance, Grant, Demise, Lease, Mortgage, Annuity, Assignment, Bond, Contract, Covenant, Agreement, Security, Matter, or Thing whatsoever before the passing of any Act of Parliament confirming this Order, made, entered into, or done under or by virtue or in pursuance of the firstly herein-before mentioned Order in Council, or with reference to the Purposes of the same; but, notwithstanding this Order, all such Acts, Deeds, Matters, and Things shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Local Board of Health to be elected under this Order and the Act of Parliament confirming the same, as if the same had been made, entered into, or done by, to, or with reference to that Board instead of the Members of the Local Board elected under the firstly herein-before mentioned Order in Council, and may be proceeded on and enforced in the same Manner in all respects as if the Local Board to be elected under this Order and the Act of Parliament confirming the same, instead of the Local Board elected under the firstly herein-before mentioned Order in Council, had been party or privy to the same, and had been named or referred to therein.

Given under our Hands and under the Seal of the General Board of Health, this First Day of February in the Year of our Lord One thousand eight hundred and fifty-four.

(L. S.) (Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

Schedule to which this Order refers.

THE proposed District is bounded by the following Parcels of Pieces of Grounds, Lands, Tenements, and Hereditaments, numbered in the Plan accompanying the Report on Haworth by W. Ranger, Esq., herein-before referred to by the Numbers following their respective Names:—

On the East—

By the Parish of Bingley.

On the South-east—

By the Hamlets of Far and Near Oxenhope to Marsh Bottom.

By the Turnpike Road, called Marsh Road, to Marsh Top, in Near Oxenhope. No.

By Limed Hey	111
Delf-close	108
Cross-close	127
Close near House	128
By Field Head-lane, with the following Fields on the other Side, viz.—	
Plantation	131
Far Copy-field	133
Near Copy-field	134
Oxenhope-waste	136

The ancient Boundary Line dividing Near Oxenhope from Haworth Hamlet.

On the South-west—

By the Parish of Halifax.

On the North-west—

By the Hamlet of Stanbury.

On the North and North-east—

By the Parish of Keighley.

ABERDARE.

Provisional Order for the Application of the Public Health Act, 1848, to the Parish of Aberdare in the County of Glamorgan.

GENERAL BOARD OF HEALTH.

WHEREAS, it having been ascertained from the last Return for the Time being, made up by the Registrar-General of Births, Deaths, and Marriages, that the annual Number of Deaths within the Boundaries of the Parish of Aberdare, in the County of Glamorgan, has on the Average of Seven Years exceeded the Proportion of Twenty-three to a Thousand of the Population of such Parish, the General Board of Health directed Thomas Webster Rammell, one of their Superintending Inspectors, to visit the said Parish, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and Sanitary Condition of the Inhabitants,

ants, and as to any Local Acts of Parliament in force within the said Parish for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Parish, or having relation to the Purposes of the said Act; also, as to the natural Drainage Areas, and the existing Parochial or other Local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices required by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of the said Act.

And whereas Copies of the said Report, accompanied by a Notice stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed, and no such Statements have been received by the said Board.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Parish having relation to the Purposes of the said Public Health Act; that is to say,

An Act passed in the Fifteenth Year of the Reign of Her present Majesty Queen Victoria, intituled "An Act for establishing a Market, and for providing a Market House and Slaughter-houses, at "Aberdare, in the County of Glamorgan."

And whereas from such Report it appears,—

1. That the Population of Aberdare has rapidly increased of late Years, and is still increasing with greater Rapidity than at any Period heretofore.
2. That there are no Local Acts in force (with the Exception of a Market Act), nor any Powers for providing for the sanitary Requirements of the Place, or the Comfort and Convenience of the Inhabitants.
3. That being situate in a Valley, at the Confluence of Two Rivers, the Site is occasionally subject to Floods.
4. That there is no Provision for Drainage, and great Deficiency of Privy Accommodation; and that the Inhabitants, for Want of such Provisions, are forced to resort to the most offensive Expedients in disposing of their Refuse; the greater Portion of it being cast upon Spots of Waste Ground, and the public Streets and Thoroughfares, where it accumulates in Heaps and stagnant Pools.
5. That there is no public Provision for Water Supply, the major Part of the Inhabitants resorting to certain Springs or Spouts, some of which yield Water of impure Quality; that the Labour and Loss of Time incurred in procuring a Supply of this Water are so great as to Amount to a serious Evil; and that, as the Population of the Place goes on increasing, this Evil must increase also, unless some timely Provision be made.
6. That the Houses of the Working Classes, from the Causes above cited, and from their being crowded closely together and ill-ventilated, are generally very unhealthy and comfortless Abodes.
7. That the sanitary Condition of the Place is very bad, Fevers and other zymotic Diseases being continuously present; that the Deaths from these Causes, and of young Subjects, are far beyond the Average even in manufacturing Districts.
8. That the Roads are in a State requiring Improvement.
9. That, although a Gas Company exists, there is no public Lighting.
10. That there is One Burial Ground attached to the Parish Church, which is very old, and now quite full; but that further Burial Accommodation, to the Extent of Eleven Acres, in connexion with the Established Church, will shortly be available; but there are Thirteen small Burial Grounds attached to dissenting Chapels of various Denominations, many of which, from their Condition, und from the Position in proximity to Dwellings, it would be desirable to close.
11. That the Comfort and Health of the Inhabitants would be promoted and their Condition improved, by—
    - *a.* Drainage of the Subsoil in Parts.
    - *b.* A complete System of Refuse Drainage.
    - *c.* Proper Privy Accommodation.
    - *d.* An abundant Supply of pure Water.
    - *e.* Improved Ventilation in the Dwellings of the Working Classes.
    - *f.* Improvement in the State of the Roads.
    - *g.* Lighting of the public Streets.
    - *h.* The closing of some of the existing Burial Grounds, and the Provision of adequate Burial Accommodation in their stead.

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to the said Parish; but the same cannot be done without the Authority of Parliament.

Now

Now therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and official Seal, direct, that from and after the Day appointed for the First Election of the Local Board of Health by any Act of Parliament confirming this Order:—

1. The Public Health Act, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the Parish of Aberdare, in the County of Glamorgan.
2. The Local Board of Health for the said Parish shall consist of Twelve Persons, all of whom shall be elected for the whole of the said Parish.
3. One Third in number of the said Local Board shall go out of Office on the Day next after the Expiration of a Year from the Day appointed by Parliament for the First Election of the said Local Board, and so on annually.
4. Every Person shall, when elected, and while he continues a Member of the said Local Board, be resident, as in the Public Health Act, 1848, is required, and be possessed of Real or Personal Estate, or both, to the Amount of not less than Five hundred Pounds, or shall be so resident and rated to the Relief of the Poor of the said Parish, or of some Township or Place of which some Part is within the said District, upon an annual Value of not less than Twenty-five Pounds.
5. At the First Election of the said Local Board, the Reverend John Griffith, Vicar of Aberdare, shall perform the Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said John Griffith, from Illness or other sufficient Cause, shall be unable to discharge such Duties, or shall be absent, or shall refuse to act, then David Davies, Coal Proprietor, Blaen Gwawr, Aberdare, shall perform such of the said Duties as then remain to be performed.
6. The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said John Griffith, at his Residence, the Vicarage, Aberdare; or in case he shall refuse or be unable to receive the same, then to the aforesaid David Davies, at his Residence, Blaen Gwawr, Aberdare.

Given under our Hands and under the Seal of the General Board of Health, this Twenty-fourth Day of January, in the Year of our Lord One thousand eight hundred and fifty-four.

(L.S.)

(Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

BISHOP AUCKLAND.

Provisional Order for the Application of the Public Health Act to the District of Bishop Auckland, in the County of Durham.

GENERAL BOARD OF HEALTH.

WHEREAS the General Board of Health have, upon the joint Petition of not less than One Tenth of the Inhabitants rated to the Relief of the Poor of and within the Townships of Newgate in Auckland, the Borough of Auckland, and Bondgate in Auckland, commonly called the Township of Bishop Auckland, in the County of Durham, (the Number of the said Petitioners exceeding Thirty in the whole,) directed Thomas Webster Rammell, one of their Superintending Inspectors, to visit the said Township, and to make public Inquiry and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Township, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing Parochial or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices required by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was so directed to inquire as aforesaid, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of the said Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed; and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the Boundaries which might be most advantageously adopted for the Purposes of the Act were not the same as those of the said Township, with respect to which the said Inquiry had been made, the said Board caused the said Thomas Webster Rammell to visit the Parts within the Boundaries proposed to be adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, after having given such Notice as is required by the said Act, did hear all Persons desirous of being heard before him on the Subject of the said Report, and did make further Inquiry and report according to the Directions of the said Board.

And whereas Copies of such further Report, accompanied by a Notice stating that, within the Time directed by the said Act, written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said last-mentioned Report, or any Amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the Time for forwarding such Statements has now elapsed; and all such Statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to so much of the said Township of Bishop Auckland as is included within the Boundaries described in the Schedule to this Order, being the same as the Boundary marked by a dotted Line on the Map accompanying the said First Report of the said Thomas Webster Rammell, and being the same within which the said Inquiry and further Inquiry have been made; but the same cannot be done without the Authority of Parliament.

Now therefore, in pursuance of the Powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under our Hands and Seal, direct:—

That, from and after the passing of any Act of Parliament confirming the present Order,—

1. The Public Health Act, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to so much of the said Township of Bishop Auckland as is comprised within the dotted Line on the Plan annexed to the said First Report, referred to on that Plan as "the Boundary of the proposed District," and described in the Schedule to this Order annexed.
2. The Local Board of Health for the said District shall consist of Nine Persons, and the entire Number shall be elected for the whole of the said District.
3. One Third in Number of the Persons so elected shall go out of Office on the Twenty-fifth day of March in each Year subsequent to that of the First Election of the said Local Board.
4. Every Person shall, at the Time of his Election as Member of the said Local Board, and so long as he shall continue in Office by virtue of such Election, be resident, as in the Public Health Act, 1848, is required, and be seised and possessed of Real or Personal Estate, or both, to the Value or Amount of not less than Five hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place of which some Part is within the said District, upon an annual Value of not less than Twenty Pounds.
5. At the First Election of the said Local Board, the Reverend George Edward Green, Perpetual Curate of St. Andrew, Bishop Auckland, shall have the Powers and perform the Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said George Edward Green, from Illness or other sufficient Cause, shall be unable to discharge such Duties, or shall be absent, or shall refuse to act, then Robert Archibald Douglas Gresley, Esquire, shall perform such of those Duties as then remain to be exercised or performed.
6. The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said George Edward Green, at the Parsonage, Bishop Auckland, or in case he shall refuse or be unable to receive the same, then to the said Robert Archibald Douglas Gresley, at his Residence, Bishop Auckland, within the aforesaid District.

Given under our Hands and under the Seal of the General Board of Health, this Twenty-fourth Day of January, in the Year of our Lord One thousand eight hundred and fifty-four.

(Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

(L.S.)

Schedule.

The following is the Description of the Boundary of the District of Bishop Auckland referred to in the above Order:—

The Boundary of the District of Bishop Auckland, in the County of Durham (as marked by a dotted Line drawn on the Plan of the said Township, prefixed to the First Report on Bishop Auckland, made by Mr. Rammell to the General Board of Health, and dated 22nd October 1852, and described on that Plan as the "proposed Boundary of the proposed District,") commencing at the Centre of the Bowes Turnpike Road, leading from Bishop Auckland to Barnard Castle, and of a Road leading from South Church and

and Etherley Grange respectively, at their Points of Intersection with Cabin Gate. The Line will follow the Centre of the Road running in a Westerly Direction, which forms the Southern Boundary of Cockton Hill Farm belonging to Richard Bowser, Esq., up to the Western Side of a Field on the North Side of the aforesaid Road, marked No. 1; then along the West Fence of that Field, in a Northerly Direction; then Westerly along a Portion of the South Fence of a Field marked No. 2, and belonging to Richard Bowser, Esq.; then Northerly along a Fence which forms the Western Boundary of Fields marked Nos. 2, 3, and 4, up to and across the Road leading from Bishop Auckland to Etherley Grange, along a Fence which forms the Western Boundary of Two Fields marked Nos. 5 and 6, and belonging to Richard Bowser, Esq., up to a Fence forming the South Boundary of the Wear Valley Railway; thence still in a Northerly Direction, across such Railway, and along a Fence forming the Western Boundary of a Field marked No. 7, belonging to the Wear Valley Railway Company, and along a Fence forming the West Boundary of a Field marked No. 8, up to the River Wear; then along the Southern Bank of the River Wear, up to the Point where the River Gaunless falls into the said River; then along the Western Bank of the River Gaunless to the South-east Corner of a Field adjoining the River Gaunless aforesaid, belonging to Messrs. William, Luke, and Robert Seymour, commonly called "Penny Bat Field," and marked No. 9; thence Westerly along a Fence forming the South Boundary of the said Field, and across a Road called the South Church Lane, leading from Bishop Auckland to South Church; and along Fences forming the South Boundary of the Fields marked Nos. 10, 11, and 12, belonging to Richard Bowser, Esq.; and along a Fence forming the South Boundary of a Field marked No. 13, belonging to the Bishop of Durham, and into the Road leading from Bishop Auckland to Cabin Gate; and thence Southerly along the centre of such Road to the first-mentioned Point.

WILLENHALL.

Provisional Order for the Application of the Public Health Act to the Township of Willenhall, in the County of Stafford.

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last Return for the Time being, made up by the Registrar-General of Births, Deaths, and Marriages, from the Deaths registered in a Period of not less than Seven Years, that the Number of Deaths annually within the Boundaries of the Township of Willenhall, in the County of Stafford, has on an Average exceeded during that Period the Proportion of Twenty-three to a Thousand of the Population of such Township, the General Board of Health appointed for the Purposes of the Public Health Act, 1848, have, in pursuance of the Provisions of that Act, directed Robert Rawlinson, a Superintending Inspector, appointed for the Purposes of the said Act, to visit the said Township, and to make public Inquiry, and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Township, for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Township, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing municipal, parochial, or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was directed to Inquire, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of that Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that written Statements might be forwarded to the said Board, with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed; and the Statement which has been received by the said Board has been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Township, and within the same Boundaries as those within and with respect to which the said Inquiry has been made, but the same cannot be done without the Authority of Parliament.

Now therefore, in pursuance of the Powers vested in the said General Board of Health by the Public Health Act, 1848, We, the said General Board of Health, do by this Provisional Order, under our Hands and Seal of Office, order and direct, that from and after the Day appointed for the First Election of the Local Board of Health by any Act of Parliament confirming this present Order,

1. The Public Health Act, 1848, and every Part thereof, except the Section numbered 50, in the Copies of that Act printed by Her Majesty's Printers, shall apply to the entire Area comprised within

within the Boundaries of the said Township of Willenhall, and that the said Township shall be a District for the Purposes of the said Public Health Act accordingly.

2. The Local Board of Health to be elected for the said Township shall consist of Twelve Persons, all of whom shall be elected for the whole of the said District.
3. One Third in Number of the said Local Board shall go out of Office on the 31st Day of March in each Year subsequently to that in which the said First Election takes place.
4. Every Person shall at the Time of his Election as Member of the said Local Board, and so long as he shall continue in Office by virtue of such Election, be resident as in the said Public Health Act, 1848, is required, and be possessed of Real or Personal Estate, or both, to the Value of not less than Five hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place of which some Part is within the said District, upon an annual Value of not less than Twenty Pounds.
5. At the First Election of the said Local Board, James Tildesley, of Willenhall aforesaid, shall have the Powers and perform the Duties vested in or imposed upon the Chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any Election by Owners of Property and Ratepayers, and shall perform all other Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said James Tildesley, from Illness or other sufficient Cause, shall be unable to exercise or discharge such Powers or Duties, or shall be absent, or shall refuse to act, then Ralph D. Gough, also of Willenhall aforesaid, shall exercise and perform such of the said Powers and Duties as then remain to be exercised or performed.
6. The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said James Tildesley, at his Residence, Summerford Place, in the District of Willenhall aforesaid, or in case he shall refuse or be unable to receive the same, then to the said Ralph D. Gough, at his Residence in the same District.

Given under our Hands, and under the Seal of the General Board of Health, this Thirteenth Day of June, in the Year of our Lord One thousand eight hundred and fifty-four.

(Signed) SHAFTESBURY.
EDWIN CHADWICK.
T. SOUTHWOOD SMITH.

(L.S.)

OVER DARWEN.

Provisional Order for the Application of the Public Health Act to the Township of Over Darwen, in the County Palatine of Lancaster.

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last Return for the Time being, made up by the Registrar General of Births, Deaths, and Marriages, from the Deaths registered in a Period of not less than Seven Years, that the Number of Deaths annually within the Boundaries of the Township of Over Darwen, in the County Palatine of Lancaster, has on an average exceeded during that Period the Proportion of Twenty-three to a Thousand of the Population of such Township, the General Board of Health, appointed for the Purposes of the Public Health Act, 1848, have, in pursuance of the Provisions of that Act, directed William Lee, a Superintending Inspector, appointed for the Purposes of the said Act, to visit the said Township, and to make public Inquiry and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with Water, or improving the said Township, or having relation to the Purposes of the said Act; also as to the natural Drainage Areas, and the existing municipal, parochial, or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board upon the several Matters with respect to which he was directed to inquire, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of that Act.

And whereas Copies of the said Report, accompanied by a Notice, stating that written Statements might be forwarded to the said Board, with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed; and such Statement as has been received by the said Board has been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Township, and within the same Boundaries

as those within and with respect to which the said Inquiry has been made, but the same cannot be done without the Authority of Parliament.

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Township of Over Darwen, having relation to the Purposes of the said Public Health Act, that is to say:—

An Act passed in the 10th and 11th Years of the Reign of Her present Majesty, intituled "An Act "for better supplying with Water the Town and Neighbourhood of Over Darwen, in the County of "Lancaster, and for affording a more regular and constant Supply of Water to the Mill Owners and "others on the River Darwen."

Now therefore, in pursuance of the Powers vested in the said General Board of Health by the Public Health Act, 1848, we, the said General Board of Health, do by this Provisional Order, under our Hands and Seal of Office, direct, that from and after the Day appointed for the First Election of the Local Board of Health by any Act of Parliament confirming this present Order,

1.—The Public Health Act, 1848, and every Part thereof, except the Section numbered 50 in the Copies of that Act printed by Her Majesty's Printers, shall apply to the entire Area comprised within the Boundaries of the said Township of Over Darwen, in the County Palatine of Lancaster, and that the said Township shall be a District for the Purposes of the said Public Health Act accordingly.

2.—The Local Board of Health, to be elected for the said Township, shall consist of Twelve Persons, all of whom shall be elected for the whole of the said District.

3.—One Third in Number of the said Local Board shall go out of Office on the 31st Day of March in each Year subsequently to that in which the said First Election takes place.

4.—Every Person shall at the Time of his Election as Member of the said Local Board, and so long as he shall continue in Office by virtue of such Election, be resident as in the said Public Health Act, 1848, is required, and be possessed of Real or Personal Estate, or both, to the Value of not less than Four hundred Pounds, or shall be so resident and rated to the Relief of the Poor of some Parish, Township, or Place, of which some Part is within the said District, upon an annual Value of not less than Ten Pounds.

5.—At the First Election of the said Local Board, Charles Potter, Esq., J. P., shall have the Powers and perform the Duties vested in or imposed upon the Chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any Election by Owners of Property and Ratepayers, and shall perform all other Duties which it may be requisite for him to perform in conducting the said First Election; and in case the said Charles Potter, from Illness or other sufficient Cause, shall be unable to exercise or discharge such Powers or Duties, or shall be absent, or shall refuse to act, then George Handel Openshaw, Esq., shall exercise and perform such of the said Powers and Duties as then remain to be exercised or performed.

6.—The Fourteen Days Notice of Qualification required by the Public Health Act, 1848, to be given by Owners of Property in order to entitle them to vote at the said First Election shall be given to the said Charles Potter, at his Residence within the District of Over Darwen aforesaid, or in case he shall refuse or be unable to receive the same, then to the said George Handel Openshaw, at his Residence in the same District.

Given under our Hands, and under the Seal of the General Board of Health, this Eighth Day of June, in the Year of our Lord One thousand eight hundred and fifty-four.

(Signed) EDWIN CHADWICK.

(L.S.) T. SOUTHWOOD SMITH.

CAP. LIV.

An Act to guarantee the Liquidation of a Loan or Loans for the Service of the Colony of *Jamaica*. [31st *July* 1854.]

'WHEREAS by an Act of the Governor, Council, and Assembly of the Island of *Jamaica*, passed 'in the Seventeenth Year of Her Majesty, intituled *An Act for the better Government of this 'Island, and for raising a Revenue in support thereof*, it was enacted, that so long as the Sum of Thirty 'thousand Pounds, therein-after directed to be annually raised and paid for the Term of Thirty Years, 'and to be appropriated to the Liquidation of the Public Debt and Interest, or any Part thereof, and 'a Sum of Twenty-five thousand Pounds, should be payable under the Provisions of that Act, there 'should be raised, levied, and paid to Her Majesty, Her Heirs and Successors, for the Use and Benefit 'of the Government of the said Island, upon all live and dead Stock, Goods, Wares, and Merchandise 'imported into the said Island, except as therein mentioned, the several Duties enumerated in the Sche- 'dule to the said Act annexed marked (C.), and that there should be payable out of the Revenue Fund 'to be raised under the said Act, and by an Act of the Legislature of the said Island of the Eighth 'Victoria, Chapter Sixteen, to Her Majesty, Her Heirs and Successors, for the Use of the Government 'of that Island, yearly and every Year during the Term of Thirty Years next after the Proclamation of

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'the Act now in recital, the Sum of Thirty thousand Pounds, for the Purpose of paying the annual 'Interest of, at a Rate not exceeding Four *per Cent.*, and for providing a Sinking Fund for the Liqui- 'dation of, such Portion of the Public Debt of the said Island of *Jamaica* as should be guaranteed by 'the *British* Government, as therein-after provided; and it was thereby provided, that no Portion of the 'said annual Sum of Thirty thousand Pounds should be paid unless an Act should have passed the 'Imperial Parliament of *Great Britain*, pledging the Guarantee of the United Kingdom for the Liqui- 'dation of the said Public Debt to the Extent of Five hundred thousand Pounds, with Interest not 'exceeding the Rate aforesaid, and that the Act now in recital should not come into operation until an 'Act should have passed the said Imperial Parliament pledging the Guarantee of the United Kingdom 'as aforesaid: And whereas by another Act of the Governor, Council, and Assembly of the said Island 'of *Jamaica*, passed in the Seventeenth Year of Her Majesty, intituled *An Act for raising a Loan of 'Five hundred thousand Pounds, to be applied to the Redemption of the Public Debt of this Island*, it was 'enacted, that such Persons as should be appointed in that Behalf by Her Majesty, Her Heirs and Suc- 'cessors, should be Agents in *England* under that Act for the Purpose of raising and managing the 'Monies therein-after proposed to be raised, and that the Agents for the Time being under that Act 'should have full Power and Authority to borrow and raise, in *Great Britain*, by Bond, Debenture, or 'otherwise, such Sums, not exceeding in the whole the Sum of Five hundred thousand Pounds Sterling, 'as the Lord High Treasurer, or the Lords Commissioners of Her Majesty's Treasury, or any Three of 'them, might determine; and all Bonds and Debentures to be granted by such Agents under that Act 'should be in such Form as such Agents, or any Two of them, should deem fit and proper, and should 'be transferable and negotiable, and should be made redeemable on the First Day of *June* One thousand 'eight hundred and eighty-five; and every such Bond should be drawn for a Sum not less than Three 'hundred Pounds Sterling, and should bear Interest at the yearly Rate of Four Pounds in the Hundred, 'which Interest should by such Bond or Debenture be made payable half-yearly at some Place in *London* 'to be named for that Purpose in such Bond or Debenture; and that all such Sums of Money as should 'be borrowed and raised under that Act, and all Interest for the same, at the yearly Rate of Four Pounds 'in the Hundred, to be computed from the several Times of borrowing or raising the same, should be 'secured by and out of and should be a Charge on the Revenue to be raised for that Purpose under the 'Provisions of the Act firstly herein recited, and should be a further Charge on the General Revenues 'of the Island, and should be redeemed by a Sinking Fund, and the Interest thereon be paid and secured 'to be paid in manner by such Act in this respect provided; and it was by the Act now in recital further 'enacted, that all Monies to be raised under that Act should be applied to the Redemption of so much of 'the Public Debt of the said Island as is particularly specified in the Schedule F. to the firstly herein 'recited Act annexed: And whereas it is expedient to guarantee, as herein-after mentioned, the Liqui- 'dation of the Sums to be borrowed under the said Acts of the Governor, Council, and Assembly of 'the Island of *Jamaica*, with the Interest thereon not exceeding the Rate in the said Acts mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sums borrowed under recited Jamaica Acts not exceeding 500,000*l.*, and Interest, guaranteed.

I. The Liquidation of all such Sums, not exceeding in the whole the Sum of Five hundred thousand Pounds, as shall be borrowed and raised in *Great Britain* under the said Acts of the Governor, Council, and Assembly of the Island of *Jamaica*, with the Approbation of the Commissioners of Her Majesty's Treasury, together with the Interest thereon, not exceeding the yearly Rate of Four Pounds in the Hundred, shall be guaranteed under this Act; and for giving Effect to such Guarantee it shall be lawful for the Commissioners of Her Majesty's Treasury to direct and cause to be issued and paid out of the growing Produce of the Consolidated Fund of the said United Kingdom such Sums as shall be required to make good any Deficiency which shall happen in the regular Payment on the Part of the Island of *Jamaica* of the Interest accruing due upon such Sums as shall be borrowed as aforesaid, or in the Liquidation of the Principal Sums, when the same shall become payable.

Advances out of Consolidated Fund to be charged on Revenues of Jamaica.

II. All the Sums which shall be so issued and paid out of the Consolidated Fund of the said United Kingdom in respect of the Interest of the Sums borrowed as aforesaid, or the Liquidation of the Principal Sums, with Interest upon the Sums so issued after the yearly Rate of Five Pounds in the One hundred Pounds, to be computed from the several Times of issuing the same, shall be charged upon the Revenues of the Island of *Jamaica*.

No Act of Jamaica varying the Security on the Revenues of Jamaica to be valid until confirmed by Her Majesty in Council.

III. No Act passed by the Legislature of *Jamaica* repealing or reducing the Duties enumerated in Schedule C. to the firstly herein-before recited Act of the Legislature of *Jamaica*, or for varying the Appropriation under the said Act of the said Duties, or of the Revenues raised by the Act of the Eighth Year of *Victoria*, Chapter Sixteen, in the said Act mentioned, or for otherwise altering or affecting the Provision for the Payment of the said Sum of Thirty thousand Pounds, shall be valid unless such Act contain a Clause suspending the Operation of the same until Her Majesty's Pleasure shall have been taken thereon, and the same shall have been confirmed by Her Majesty with the Advice of Her Privy Council, and a Proclamation of such Confirmation having been given shall have been made by the Governor or Person administering the Government of the said Island.

Certificate of Amount paid out of Consolidated Fund to be sent to Jamaica.

IV. The Commissioners of Her Majesty's Treasury shall from Time to Time certify to One of Her Majesty's Principal Secretaries of State the Amount so paid from Time to Time on account of the Interest or Principal of the Sums borrowed as aforesaid; and such Certificate shall be communicated to the Governor or Person administering the Government of the Island of *Jamaica*, and shall be by him communicated to the Council and Assembly of the said Island; and such Certificate shall be conclusive Evidence of the Amount so paid out of the Consolidated Fund of the said United Kingdom, and of the Time when the same was paid on account of the Interest or Principal of the Sums so borrowed.

Accounts to be laid before Parliament.

V. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament, within Fourteen Days next after the Beginning of every Session, an Account of all Sums from Time to Time issued out of the Consolidated Fund of the said United Kingdom by virtue of this Act towards making good any such Deficiency as aforesaid, and also an Account of all Sums repaid by or recovered from the Island of *Jamaica*, by reason of such Advance, with the Interest paid or recovered thereon.

CAP. LV.

An Act for the Registration of Bills of Sale in *Ireland*. [31st *July* 1854.]

'WHEREAS Frauds are frequently committed upon Creditors by secret Bills of Sale of Personal Chattels, whereby Persons are enabled to keep up the Appearance of being in good Circumstances and possessed of Property, and the Grantees or Holders of such Bills of Sale have the Power of taking possession of the Property of such Persons, to the Exclusion of the rest of their Creditors:' For Remedy whereof be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Bills of Sale to be void, unless the same or a Copy thereof be filed within 21 Days, in like Manner as Warrants of Attorney.

I. Every Bill of Sale of Personal Chattels made after the passing of this Act, either absolutely or conditionally, or subject or not subject to any Trusts, and whereby the Grantee or Holder shall have Power, either with or without Notice, and either immediately after the making of such Bill of Sale or at any future Time, to seize or take possession of any Property and Effects comprised in or made subject to such Bill of Sale, and every Schedule or Inventory which shall be thereto annexed or therein referred to, or a true Copy thereof and of every Attestation of the Execution thereof, shall, together with an Affidavit of the Time of such Bill of Sale being made or given, and a Description of the Residence and Occupation of the Person making or giving the same, or, in case the same shall be made or given by any Person under or in the Execution of any Process, then a Description of the Residence and Occupation of the Person against whom such Process shall have issued, and of every attesting Witness to such Bill of Sale, be filed with the Master of the Court of Queen's Bench in *Ireland* within Twenty-one Days after the making or giving of such Bill of Sale (in like Manner as a Warrant of Attorney to confess Judgment in any Personal Action is now by Law required to be filed), otherwise such Bill of Sale shall, as against all Assignees of the Estate and Effects of the Person whose Goods or any of them are comprised in such Bill of Sale, under the Laws relating to Bankruptcy or Insolvency, or under any Assignment for the Benefit of the Creditors of such Person, and as against all Sheriffs Officers and other Persons seizing any Property or Effects comprised in such Bill of Sale in the Execution of any Process of any Court of Law or Equity authorizing the Seizure of the Goods of the Person by whom or of whose Goods such Bill of Sale shall have been made, and against every Person on whose Behalf such Process shall have been issued, be null and void to all Intents and Purposes whatsoever, so far as regards the Property in or Right to the Possession of any Personal Chattels comprised in such Bill of Sale which at or after the Time of such Bankruptcy, or of filing the Insolvent's Petition in such Insolvency, or of the Execution by the Debtor of such Assignment for the Benefit of his Creditors, or of executing such Process, (as the Case may be,) and after the Expiration of the said Period of Twenty-one Days, shall be in the Possession or apparent Possession of the Person making such Bill of Sale, or of any Person against whom the Process shall have issued under or in the Execution of which such Bill of Sale shall have been made or given, as the Case may be.

3 & 4 Vict. c. 105. s. 12.

Defeazance or Condition of every Bill of Sale to be written on the same Paper or Parchment.

II. If such Bill of Sale shall be made or given subject to any Defeazance or Condition or Declaration of Trust not contained in the Body thereof, such Defeazance or Condition or Declaration of Trust shall for the Purposes of this Act be taken as Part of such Bill of Sale, and shall be written on the same Paper or Parchment on which such Bill of Sale shall be written, before the Time when the same or a Copy thereof respectively shall be filed, otherwise such Bill of Sale shall be null and void to all Intents and Purposes as against the same Persons, and as regards the same Property and Effects, as if such Bill of Sale or a Copy thereof had not been filed according to the Provisions of this Act.

Officer of Court to keep a Book containing Particulars of each Bill of Sale.

III. The said Master of the said Court of Queen's Bench shall cause every Bill of Sale, and every such Schedule and Inventory as aforesaid, and every such Copy filed in his said Office under the Provisions of this Act, to be numbered, and shall keep a Book or Books in his said Office in which he shall cause to be fairly entered an alphabetical List of every such Bill of Sale, containing therein the Name, Addition, and Description of the Person making or giving the same, or in case the same shall be made or given by any Person under or in the Execution of Process as aforesaid, then the Name, Addition, and Description

tion of the Person against whom such Process shall have issued and also of the Person to whom or in whose Favour the same shall have been given, together with the Number and the Dates of the Execution and filing of the same, and the Sum for which the same has been given, and the Time or Times (if any) when the same is thereby made payable, according to the Form contained in the Schedule to this Act; which said Book or Books, and every Bill of Sale, or Copy thereof, filed in the said Office, may be searched and viewed by all Persons at all reasonable Times, paying to the said Master for every Search against One Person the Sum of Sixpence, and no more; and in addition to the last-mentioned Book the said Master of the said Court of Queen's Bench shall keep another Book or Index, in which he shall cause to be fairly inserted, as and when such Bills of Sale are filed in manner aforesaid, the Name, Addition, and Description of the Person making or giving the same, or of the Person against whom such Process shall have issued, as the Case may be, and also of the Persons to whom or in whose Favour the same shall have been given, but containing no further Particulars thereof, which last-mentioned Book or Index all Persons shall be permitted to search for themselves, paying to the said Master for such last-mentioned Search the Sum of One Shilling.

Officer entitled to a Fee of One Shilling for filing Bill of Sale.

IV. The said Master shall be entitled to receive, for his Trouble in filing and entering every such Bill of Sale or a Copy thereof as aforesaid, the Sum of One Shilling, and no more; and the said Master shall cause all Fees received by him under this Act, and all Disbursements made thereout for necessary Expenses, to be duly entered in One or more Books to be kept for that Purpose in his Office, and also the Particulars and Amount of every Disbursement, and shall, within One Month after the Thirty-first Day of *December* in each Year, render a true and faithful Account in Writing to the Commissioners of Her Majesty's Treasury of all such Fees and Disbursements in such Form of Account, and with such Particulars of Receipt or otherwise, and accompanied with such Vouchers, as the said Commissioners shall from Time to Time think proper to require and direct; and if upon Examination of any such Account it shall appear to the said Commissioners that any Fees have not been duly accounted for, or that any unreasonable or improper Charge or Deduction has been made in such Account, the said Commissioners may finally settle and adjust the same as they may think reasonable, and the said Master shall alter and amend the Account accordingly; and the said Master shall, when required so to do, submit his Books of Account to the Inspection of the said Commissioners, or any Person whom they may employ for that Purpose.

Office Copies or Extracts may be obtained.

V. Any Person shall be entitled to have an Office Copy or an Extract of every Bill of Sale, or of the Copy thereof, filed as aforesaid, upon paying for the same at the like Rate as for Office Copies of Judgments in the said Court of Queen Bench.

Satisfaction may be entered.

VI. It shall be lawful for any Judge of the said Court of Queen's Bench to order a Memorandum of Satisfaction to be written upon any Bill of Sale or Copy thereof respectively as aforesaid, and also in the said Books kept in the said Master's Office as aforesaid, if it shall appear to him that the Debt (if any) for which such Bill of Sale is given as Security shall have been satisfied or discharged.

Interpretation of Terms.

VII. In construing this Act the following Words and Expressions shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Constructions; (that is to say,)

The Expression "Bill of Sale" shall include Bills of Sale, Assignments, Transfers, Declarations of Trust without Transfer, and other Assurances of Personal Chattels, and also Powers of Attorney, Authorities or Licences to take possession of Personal Chattels as Security for any Debt, but shall not include the following Documents; that is to say, Assignments for the Benefit of the Creditors of the Person making or giving the same, Marriage Settlements, Transfers or Assignments of any Ship or Vessel or any Share thereof, Transfers of Goods in the ordinary Course of Business of any Trade or Calling, Bills of Sale of Goods in Foreign Parts or at Sea, Bills of Lading, *India* Warrants, Warehouse Keepers Certificates, Warrants or Orders for the Delivery of Goods, or any other Documents used in the ordinary Course of Business as Proof of the Possession or Control of Goods, or authorizing or purporting to authorize, either by Endorsement or by Delivery, the Possessor of such Document to transfer or receive Goods thereby represented:

The Expression "Personal Chattels" shall mean Goods, Furniture, Fixtures, and other Articles capable of complete Transfer by Delivery, and shall not include Chattel Interests in Real Estate, nor Shares or Interests in the Stock, Funds, or Securities of any Government, or in the Capital or Property of any incorporated or Joint Stock Company, nor Choses in Action, nor any Stock or Produce upon any Farm or Lands, which by virtue of any Covenant or Agreement, or of the Custom of the Country, ought not to be removed from any Farm where the same shall be at the Time of the making or giving of such Bill of Sale:

Personal Chattels shall be deemed to be in the "apparent Possession" of the Person making or giving the Bill of Sale, so long as they shall remain or be in or upon any House, Mill, Warehouse, Building, Works, Yard, Land, or other Premises occupied by him, or as they shall be used and enjoyed by him in any Place whatsoever, notwithstanding that formal Possession thereof may have been taken by or given to any other Person.

Extent of Act.

VIII. This Act shall not extend to *England* or *Scotland*.

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SCHEDULE.

Number.	Name, &c. of the Person making or giving the Bill of Sale, or of the Person divested of Property.	Name, &c. of the Person to whom made or given.	Whether Bill of Sale, Assignment, Transfer, or what other Assurance, and whether absolute or conditional.	Date of Execution.	Date of filing.	Sum for which made or given.	When and how paid or payable.	Defeazance.	Date of Satisfaction.

CAP. LVI.

An Act to make further Provisions in relation to certain Friendly Societies. [31st *July* 1854.]

10 G. 4. c. 56. 4 & 5 W. 4. c. 40.

'WHEREAS certain Friendly Societies were established and enrolled under the Acts passed in the 'Tenth Year of His late Majesty King *George* the Fourth, Chapter Fifty-six, and the Fourth 'and Fifth Years of His late Majesty King *William* the Fourth, Chapter Forty, relating to Friendly 'Societies, or under One of them: And whereas the Scope and Operation of Friendly Societies since 'the passing of the said Acts have been limited by Law in respect to the Amount for which Policies of 'Assurance payable on the Death of Members of such Societies may be granted; but some of the said 'Societies, established as aforesaid, and which grant or effect Policies of Assurance payable on Death, 'have not been so limited, and such last-mentioned Societies have therefore been excluded the Benefit of 'certain Provisions and Privileges made for and granted to Friendly Societies in respect to Exemption 'from Stamp Duties and otherwise; and it is desirable that there should be special Provisions made 'with respect to such of the said Societies so excepted and excluded as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act to apply only to certain Societies.

I. This Act shall relate to and include such of the said Societies only as grant and effect Policies of Assurance payable at Death exceeding the Sum of One thousand Pounds; and from and after the passing of this Act the said Societies shall cease to be Friendly Societies, and shall not be affected by the Provisions of any Act passed in the present or any future Session of Parliament relating to Friendly Societies, unless therein expressly named.

Acts and Parts of Acts now affecting such Societies to continue in force, except as after provided.

II. The several Provisions contained in the Acts relating to Friendly Societies which were wholly or in part in force on the First Day of this present Session of Parliament with respect to the Societies intended to be affected and provided for by this Act, save and except the Thirty-seventh and Fifty-first Sections of the Act of the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred and fifteen, shall, so far as they now affect such Societies, remain and be in force and unrepealed with respect to the said Societies, except as is herein-after provided.

No Exemption from Stamp Duties.

III. No Exemption from any of the Duties granted by any Act or Acts relating to Stamp Duties shall, from and after the passing of this Act, extend or be construed to extend to any of the Societies intended to be affected and provided for by this Act; and it shall not be lawful for such Societies, after the passing of

of this Act, to assure the Payment of any Money on the Death of any Member or Person whomsoever to any Nominee of such Member or Person, but only to the Person or Persons effecting and contracting for any Assurance with the said Societies respectively, or to his, her, or their Executors, Administrators, or Assigns. Societies not to assure in favour of Nominees.

IV. The Societies intended to be affected and provided for by this Act may carry on, transact, and effect all the Business and Purposes which have been from Time to Time and are duly specified in and allowed by the enrolled or certified Rules of the said Societies respectively, and also may grant, make, or effect all such Assurances on Lives, Survivorships, Contingencies, and Events dependent on or connected with Life or otherwise as may by Law be made or effected, and may make such new Rules or Alterations in Rules as shall not be repugnant to Law, without being required to submit the same to the Registrar of Friendly Societies, and shall not be required to transmit to such Registrar any Statement or Return of Sickness or Mortality or of Assets or Liabilities. Societies affected by this Act may effect the Objects allowed by their Rules, and other legal Assurances.

V. The Trustees of the several Societies intended to be affected and provided for by this Act may from Time to Time lay out and invest the Funds of such Societies, as well in the Manner, and upon the Stocks, Funds, and Securities, which are now authorized by Law with regard to such Societies, as also in or upon Exchequer Bonds and Bills, and any Stocks, Funds, or Securities guaranteed by the Government of *Great Britain*, and Bonds of the City of *London*, or on Mortgage, or in the Purchase of any reversionary, contingent, or other Estate or Interest in any Freehold, Leasehold, or Copyhold Property in *Great Britain* or *Ireland*, or of any such Estate or Interest in any of the Stocks, Funds, or Securities herein-before mentioned and referred to respectively, or of any such Estate or Interest in any Sum or Sums of Money secured upon any such Real and Personal Estate as aforesaid, or upon the Security of any Rates, Tolls, Duties, Assessments, Bonds, Stocks, Debentures, or other Securities of any Persons, Body, or Company authorized by Act of Parliament, Charter, or otherwise to be raised, levied, or mortgaged, and also upon Security of any Life Policy or Policies, although the Amount of the Loan may exceed the then present Value thereof, provided the Premiums on such Policy or Policies and the Interest of the Loan be collaterally secured by or upon some of the Securities herein-before mentioned, and shall and may from Time to Time vary and transpose the said Securities so purchased, and sell the same respectively. Provision for the Investment of the Funds of Societies affected by this Act.

VI. All Powers and Provisions of any Act or Acts of Parliament for ordering and enforcing the Attendance of Witnesses before an Arbitrator under any Reference made a Rule of Court, and for punishing Disobedience to any such Order, shall apply to any Arbitration of any Difference or Dispute under or pursuant to the Rules of any of the Societies intended to be affected and provided for by this Act, for which Purpose a Copy of the Resolution of the Board of Directors, or Committee, or Board of Management of any such Society, authorizing such Reference, signed by the Chairman or any Director or the Secretary of such Society, may be made a Rule of any of Her Majesty's Courts at *Westminster*. Power for Judge or Court to enforce the Attendance of Witnesses before Arbitrators.

VII. The Trustees for the Time being of any Society intended to be affected and provided for by this Act may from Time to Time, with the Consent of the Board of Directors, or Board or Committee of Management thereof, purchase, hire, or take upon Lease, and adapt and furnish, any Buildings for the Purpose of holding the Meetings and transacting the Business of such Society, and shall hold the same in trust for the Use of such Society, and may, with such Consent as aforesaid, mortgage, sell, exchange, or let the same or any Part thereof; and the Receipt in Writing of such Trustees shall be a valid and legal Discharge for the Money arising from any such Mortgage, Sale, Exchange, or Lease, and for any other Moneys payable to them by virtue of this Act; and no Purchaser, Mortgagee, Lessee, Assignee, or other Person shall be bound to ascertain or show whether any such Consent shall have been given as aforesaid, or be answerable for the Misapplication or Nonapplication of the Moneys in any such Receipt expressed to be received, or be bound to see to the Application thereof: Provided always, that any Building which now belongs to any such Society may be held and dealt with in the same Manner as if it had been acquired under or by virtue of this Act. Power to purchase and hold Buildings for Offices of Society.

VIII. It shall not be lawful for the Trustees of any Friendly Society coming under the Provisions of this Act to make any Investment of the Funds of such Society either in a Savings Bank, or with the Commissioners for the Reduction of the National Debt: Provided always, that where the Funds or any Part thereof of any such Friendly Society shall be invested in a Savings Bank or with the said Commissioners, such Funds shall be withdrawn from such Savings Bank or from the said Commissioners by the said Trustees within the Space of Twelve Months after the passing of this Act, if required by the said Commissioners. Trustees of Friendly Societies not to invest Funds in Savings Banks, &c.

IX. In citing this Act in other Acts of Parliament, and in legal Proceedings and Instruments, it shall be sufficient to use the Expression "The Friendly Societies Discharge Act, 1854." Short Title.

X. This Act shall extend to *Great Britain* and *Ireland*, and the Islands of *Guernsey*, *Jersey*, and *Man*. Extent of Act.

CAP. LVII.

An Act to amend the Law relating to the Appointment of Returning Officers in certain Cases. [31st *July* 1854.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Sixty-eight, it is amongst other Things enacted, that the Writ for making any Election of a Member to serve in Parliament for any Borough, Town Corporate, Port, or Place returning Members to serve in Parliament in *England* and *Wales* shall thereafter be directed to the Returning Officer of such Borough, Town Corporate, Port, or Place respectively: And whereas by another Act passed in the Session of Parliament holden in the Sixth and Seventh Years of His late Majesty, Chapter One hundred and one, it was amongst other Things enacted, that if at any Time during which any Precept ought to be issued or other Act done by or with regard to the Returning Officer for any City, Borough, or Town, the Office of Returning Officer shall happen to be vacant, it shall be lawful for the Sheriff of the County in which such City, Borough, or Town is situate, by Writing under his Hand to appoint some fit Person as his Deputy to perform the Duties of Returning Officer during such Vacancy: And whereas Difficulties and Delay may arise in the Appointment of such sufficient Deputy, in the Case of a Vacancy in the Office of Returning Officer, by reason of the Writ being directed to such Returning Officer, and there being no Person qualified to receive and execute the same:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sheriff to be Returning Officer in Boroughs where the Office of Returning Officer shall be vacant.

I. Every Writ for making any Election of a Member to serve in Parliament for any Borough, City, or Town shall be directed to the Returning Officer of the said Borough or his Deputy, and in their Absence to the Sheriff of the County in which the said City, Borough, or Town is situate; and in all Cases whatever, whenever there shall be, either from temporary Vacancy or from some other Cause, no Person duly qualified in any Borough, City, or Town to perform the Duties of a Returning Officer for the same, the Sheriff of the County in which such Borough, City, or Town is situate shall be charged with the Execution of the said Writ, and shall execute the same and in all respects perform the Duties of and incidental to the Office of Returning Officer: Provided always, that it shall not be lawful for the said Sheriff to receive or execute the Writ, except when there shall be no Person within the said Borough, City, or Town legally qualified and competent as Returning Officer to execute the same.

CAP. LVIII.

An Act to continue certain Turnpike Acts in *Great Britain*, and to make further Provisions concerning Turnpike Roads in *England*. [31st *July* 1854.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified, and to make further Provisions concerning Turnpike Roads in *England*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1855, &c., with certain Exceptions.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament, shall be continued until the First Day of *October* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament, except an Act of the Fifty-fourth of King *George* the Third, Chapter One hundred and eighty, "for repairing the Road from *Potton* in the County of *Bedford*, and "*Gamlingay* in the County of *Cambridge*, to *Eynesbury* in the County of *Huntingdon*," and an Act of the Third Year of King *George* the Fourth, Chapter Sixty-four, "for amending and maintaining the Road "from *Whitchurch* to *Ternhill* in the County of *Salop*," and except as herein-after mentioned.

Acts in Schedule to this Act continued.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-five, and no longer, unless Parliament shall in the meantime continue the same respectively.

Any Money applicable to Payment of Turnpike Debts may be applied in manner provided by 12 & 13 Vict. c. 87. with respect to Sinking Funds under that Act.

III. Where any Money arising from any Sinking Fund provided under any Local Turnpike Act, or from the Sale of surplus Land, or from Compensation payable by any Company, Corporation, or Person, or from any other Source, is or may be applicable to the Payment of the Principal Debts owing on the Security of the Tolls of any Turnpike Road, or of any particular Class of such Debts, it shall be lawful for the Trustees or Commissioners of such Road, if they think fit, from Time to Time (so often as the Money so applicable amounts to the Sum of Two hundred Pounds, or to such other Sum as the said Trustees or Commissioners, with the Consent in Writing of One of Her Majesty's Principal Secretaries of State, may determine), to apply the same in or towards the Discharge of such Debts or Class of Debts, in manner provided by the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-seven, with respect to the Application of Monies arising from the Sums set apart as therein mentioned, in or towards the Discharge of Monies borrowed, charged, or secured, after the passing of that Act, and such Money may be so applied as aforesaid, notwithstanding the Provisions

Provisions of any Local or other Act for the Payment of such Principal Debts rateably, or by Lot, or otherwise.

Power to Executors, &c. to consent.

IV. All Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such are for the Time being entitled to any Money charged or secured on the Tolls of any Turnpike Road, may offer to accept and may accept under this Act such Composition in respect of such Money or any Part thereof as they in their Discretion may deem expedient, as if they respectively were so entitled in their own Right, discharged of all Trusts in respect thereof, and all Executors, Administrators, Guardians, Trustees, and Committees so consenting are hereby severally indemnified for so doing.

Tolls not to be charged without Consent of Secretary of State.

V. It shall not be lawful for the Trustees or Commissioners of any Turnpike Road to borrow any Money on the Credit of the Tolls of such Road, or to make any Mortgage, Charge, or Security of or upon such Tolls, without the previous Consent in Writing of One of Her Majesty's Principal Secretaries of State: Provided always, that this Enactment shall not be applicable where Power is given by any Local Act to borrow a limited Sum for a specific Object on Security of such Tolls, nor shall it prevent the Execution of Mortgages which may be given in lieu of Mortgages lost or cancelled or otherwise for securing or further securing Money already charged on the Tolls of any Turnpike Road.

Short Title.

VI. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1854."

Extent of Act.

VII. This Act shall not apply to *Ireland*.

SCHEDULE.

An Act for enlarging the Term and Powers of an Act of King George the Second, and Two Acts of His present Majesty, for repairing the Road from Hedon to Hull, and other Roads therein mentioned, in the County of York. 52 G. 3. c. xxi.

An Act for repairing the Road from Chatham to Canterbury in the County of Kent. 52 G. 3. c. lxxxi.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Canterbury Lane within the Liberty of the Town of Folkestone to a Place in the Parish of Folkestone called Mudshole, and other Roads therein mentioned, in the County of Kent. 54 G. 3. c. xiv.

An Act for making and maintaining certain Roads from the Town of Stroud and several other Places therein mentioned, all in the County of Gloucester. 54 G. 3. c. lxxx.

An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford. 55 G. 3. c. xxxviii.

An Act for making and maintaining a Turnpike Road from and out of the Turnpike Road at the Bottom of Coalbrook-Dale in the Parish of Madeley, into the Turnpike Road leading from Shiffnal to Shrewsbury, at or near a Place called Watling Street in the Parish of Wellington, all in the County of Salop. 57 G. 3. c. xii.

An Act for continuing and amending an Act of His present Majesty, for repairing the Roads near the Towns of Hockerton, Kirklington, Southwell, Normanton, and Winkbourne, with a Branch from Kirklington to the Street-Gate Road and the Newark and Southwell Turnpike Road at Greet Bridge in the County of Nottingham. 58 G. 3. c. vii.

An Act to continue the Term and enlarge the Powers of several Acts for repairing the Roads from Basingstoke through Popham Lane, Sutton Scotney, and Stockbridge in the County of Southampton to a Place called Lobcomb Corner in the County of Wilts. 58 G. 3. c. lxxiii.

An Act to enlarge the Term and Powers of an Act of His late Majesty, for making and maintaining the Road from near Lightpill Gate in the Parish of Rodborough to near Birdlip in the Parishes of Brimpsfield and Cowley, or one of them, all in the County of Gloucester. 1 G. 4. c. xx.

An Act for more effectually improving the Road from Gateshead in the County of Durham to the Church Lane near Ryton Lane Head, and from the Bar Moor to the Hexham Turnpike Road near Dilston Bar, in the County of Northumberland, and other Roads therein described, and also for altering the Line of a certain Part of the first above-mentioned Road. 1 G. 4. c. xxx.

An Act to continue the Term and alter and enlarge the Powers of an Act of the Fortieth Year of His late Majesty's Reign, for repairing the Road leading from the Turnpike Road in Witney to the Road on Swerford Heath, and the Road leading from the Road from Woodstock to Birmingham, through Charlbury, to the Road from Chipping Norton to Burford, all in the County of Oxford. 1 G. 4. c. lxxxii.

An Act for repairing the Roads from Tetbury to Symondshall, from Froeester Hill to Dunkirk, and from the Latterwood to Nailsworth, and other Roads therein mentioned, all in the County of Gloucester. 1 & 2 G. 4. c. lxxxiii.

An Act for repairing, widening, and maintaining several Roads in the Counties of Dorset and Devon, leading to and through the Borough of Lyme Regis, and from the Turnpike Road on Uplyme Hill to the Turnpike Road at the Three Ashes in the Parish of Crewkerne in the County of Somerset. 1 & 2 G. 4. c. cviii.

An Act for more effectually repairing, widening, amending, and improving the Roads from Wigan to Preston in the County Palatine of Lancaster. 3 G. 4. c. iii.

An Act for continuing the Term, and altering, amending, and enlarging the Powers of several Acts passed for repairing the Roads from Chappel Bar, near the West End of the Town of Nottingham, to 3 G. 4. c. x.

Newhaven, and from the Four Lane Ends, near Oakerthorpe, to Ashbourne, and from the Cross Post on Wirksworth Moor, to join the Road leading from Chesterfield to Chapel-en-le-Frith, at or near Longston, in the County of Derby, and from Selstone to Annesley Wodehouse, in the County of Nottingham.

3 G. 4. c. lxi. An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to the Cross Post on Minchinhampton Common, and other Roads thereto adjoining, and for making a new Piece of Road from the said Bridge to the Cross in the Parish of Avening, all in the County of Gloucester.

3 G. 4. c. lxiii. An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchinhampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned.

3 G. 4. c. lxvii. An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the Directing Post near the Town of Farnham in the County of Surrey.

3 G. 4. c. xc. An Act for more effectually repairing the Road from the Guide Post near the End of Drayton Lane near Banbury in the County of Oxford to the House called the Sun Rising, at the Top of Edge Hill in the County of Warwick.

3 G. 4. c. xcviii. An Act for making, widening, repairing, and maintaining certain Roads leading to and from the Town of Honiton in the County of Devon.

4 G. 4. c. viii. An Act for repairing and amending the Road from the City of Peterborough through Oundle and Thrapston to Wellingborough in the County of Northampton, and several other Roads near or adjoining thereto.

4 G. 4. c. xlix. An Act for more effectually repairing and improving the Yorkshire District of the Road from Keighley in the West Riding of the County of York to Kirkby-in-Kendal in the County of Westmoreland, and for making several Diversions therefrom, within the said West Riding of the County of York.

4 G. 4. c. lxxxv. An Act for more effectually repairing the Road from the South End of Brown's Lane in the Parish of Great Staughton, in the County of Huntingdon, to the Bedford Turnpike Road, in the Parish of Lavendon, in the County of Buckingham.

5 G. 4. c. xliv. An Act for making and maintaining a Turnpike Road from Colne in the County of Lancaster, to communicate with the Road leading from Clitheroe in the same County to Skipton in the County of York.

5 G. 4. c. xlvi. An Act for more effectually repairing the Road from the Trent Bridge in the County of the Town of Nottingham to Cotes Bridge in the County of Leicester.

5 G. 4. c. lvi. An Act for repairing the Lower Road from Greenwich to Woolwich in the County of Kent.

5 G. 4. c. lxxxii. An Act for making and maintaining a Turnpike Road from Roundhay Bridge to Collingham in the County of York.

5 G. 4. c. xcvii. An Act for repairing, widening, improving, and maintaining in repair the First District of Turnpike Roads leading to and from the Town of Bridport in the County of Dorset.

5 G. 4. c. cv. An Act for improving and more effectually repairing the Roads from the Town of Bolton-in-the-Moors to Nightingales in the Township of Heath Charnock, and for making a Branch Road from Little Bolton to or near the Crown in Horwich; and for enabling the Trustees therein named, together with the Trustees North and South of Yarrow, and the Trustees of the Road from Westhoughton to Duxbury Stocks, to make a new Line of Road from Hole House Brow in the said Township to the Town of Chorley, and a Branch Road from Rawlinson Bridge to Halliwell Field in the same Township, and another Branch Road in the Township of Duxbury, all in the County Palatine of Lancaster.

6 G. 4. c. xxiii. An Act for making and maintaining a Turnpike Road from Cainscross, through Stroud, over Rodborough and Minchinhampton Commons, to the Town of Minchinhampton, with several Branches therefrom, all in the County of Gloucester.

6 G. 4. c. xxvi. An Act for making a Turnpike Road from the Hope Turnpike in the Leominster and Hereford Road to or nearly Burley Gate in the Hereford and Bromyard Turnpike Road, and from thence to a Place called the Trumpet in the Ledbury and Hereford Turnpike Road, all in the County of Hereford.

6 G. 4. c. lxxxiv. An Act for making and maintaining a Turnpike Road from Trebarwith Sands, on the Sea Shore, to Condolden Bridge on the Road leading from Bossiney to Camelford, all in the County of Cornwall.

6 G. 4. c. lxxxvii. An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith.

6 G. 4. c. cxliv. An Act for repealing Two Acts for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit Gate in the County of Derby; and also an Act for making a Road from Banner Cross in the West Riding of the County of York to Fox House in the County of Derby; and for consolidating the Trusts of certain Roads mentioned in the said Acts; and for amending and making certain other Roads to communicate therewith; and for other Purposes relating thereto.

6 G. 4. c. clii. An Act for making and maintaining a Turnpike Road from the Town of Kingston-upon-Hull, through the Town of Hessle, to the East End of the Town of Ferriby, all in the County of the Town of Kingston-upon-Hull.

7 G. 4. c. ix. An Act for making and maintaining a Turnpike Road from Cannock in the County of Stafford to Penkridge in the same County.

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An Act for amending and maintaining the Road leading from the Turnpike Road on Farrard's Common in the Parish of Bradford, through Holt and Melksham, to Homan's Stile in the Parish of Lacock in the County of Wilts, and the Road leading therefrom to the Bath Turnpike Road upon Kingsdown Hill in the same County. 7 G. 4. c. xviii.

An Act for more effectually repairing and improving the Road from West Houghton to near Halliwell Field, in the Township of Heath Charnock in the County of Lancaster. 7 G. 4. c. lxxxii.

An Act for making and maintaining a Turnpike Road from Gomersal to Dewsbury in the West Riding of the County of York, with Two Branch Roads therefrom. 7 G. 4. c. xciii.

An Act for repairing the Road from Alford to Boston, and from thence to Cowbridge in the Township of Frithville, in the County of Lincoln. 7 & 8 G. 4. c. xvii.

An Act for more effectually repairing and improving the Road from Wadhurst to the Turnpike Road at Lamberhurst Down, both in the County of Sussex, and from the Turnpike Road at Pullen's Hill to West Farleigh Street, both in the County of Kent. 9 G. 4. c. xvii.

An Act for making and maintaining a Turnpike Road from the Bridport Turnpike Road at Allington, through Broadwindsor and Drimpton in the County of Dorset, to the Crewkerne Turnpike Road at or near Clapton Bridge, and also from Hewish Toll Gate to the Crewkerne Turnpike Road at or near Roundham Corner in the Parish of Crewkerne in the County of Somerset. 9 G. 4. c. xix.

CAP. LIX.

An Act to allow Verdicts on Trials by Jury in Civil Causes in *Scotland* to be returned although the Jury may not be unanimous. [31st *July* 1854.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: From and after the passing of this Act, if upon the Trial by Jury of any Civil Cause in the Court of Session in *Scotland* the Jury are unable to agree upon a Verdict, and if, after having been kept in Deliberation for a Period of Six Hours, Nine of the said Jury shall agree, the Verdict agreed to by such Nine may be returned as the Verdict of the Jury, and shall be taken and shall have the same Force and Effect as if found unanimously by the whole of the said Jury, any Statute to the contrary notwithstanding, and during the said Period they may be furnished with necessary Refreshment by Leave of the Judge.

If Jury unable to agree, and if after Six Hours Nine of the Jury agree, the Verdict of such Nine to be taken.

CAP. LX.

An Act to amend an Act of the Twelfth and Thirteenth Years of Her present Majesty for the more effectual Prevention of Cruelty to Animals. [31st *July* 1854.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the several Laws relating to the cruel and improper Treatment of Animals, and the Mischiefs arising from the driving of Cattle, and to make other Provisions in regard thereto*, every Person impounding any Horse, Ass, or other Cattle or Animal was required to supply such Cattle or Animal daily with good and sufficient Food and Nourishment whilst impounded; and by the said Act every such Person who should so find, provide, and supply any such Horse, Ass, or other Cattle or Animal with such daily Food and Nourishment as aforesaid should and might and they were thereby authorized to recover of and from the Owner or Owners of such Cattle or Animal not exceeding double the full Value of the Food and Nourishment so supplied to such Cattle or Animal, by proceeding before any One Justice of the Peace within whose Jurisdiction such Cattle or Animal should have been so impounded and supplied with Food as aforesaid, in like Manner as any Penalty or Forfeiture, or any Damage or Injury might be recovered under and by virtue of any of the Powers or Authorities in the said Act contained, and which Value of the Food and Nourishment so to be supplied as aforesaid such Justice was thereby fully authorized and empowered to ascertain, determine, and enforce as aforesaid; and every Person who should have so supplied such Food and Nourishment as aforesaid should be at liberty, if he should so think fit, instead of proceeding for the Recovery of the Value thereof as last aforesaid, after the Expiration of Seven clear Days from the Time of impounding the same, to sell any such Horse, Ass, or other Cattle or Animal openly at any public Market (after having given Three Days public printed Notice thereof) for the most Money that could be got for the same, and to apply the Produce in discharge of the Value of such Food and Nourishment so supplied as aforesaid and the Expenses of and attending such Sale, rendering the Overplus (if any) to the Owner of such Cattle or Animal; and any such Persons as aforesaid neglecting or refusing to supply such Cattle or Animal with such Food as aforesaid were made liable to certain Penalties: And whereas by an Act passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of Her present Majesty, intituled *An Act for the more effectual Prevention of Cruelty to Animals*, the said first-recited Act and a certain other Act extending the Provisions of the same to *Ireland* were repealed; and by

5 & 6 W. 4. c. 59

12 & 13 Vict. c. 92.

'the said Act of the Twelfth and Thirteenth Years of Her Majesty it was enacted, that every Person 'who should impound or confine, or cause to be impounded or confined, in any Pound or Receptacle of 'the like Nature, any Animal, should provide and supply during such Confinement a sufficient Quantity 'of fit and wholesome Food and Water to such Animal, and every such Person who should refuse or 'neglect to provide and supply such Animal with such Food and Water as aforesaid should, for every 'such Offence, forfeit and pay a Penalty of Twenty Shillings; and Power is thereby given in case 'of Neglect for a certain Time to supply such Food and Water for any Person to supply the same, and 'the reasonable Cost of such Food and Water is to be paid by the Owner of such Animal before such 'Animal is removed to the Person who shall supply the same, and the said Costs may be recovered in 'like Manner as therein provided for the Recovery of Penalties under the said Act: And whereas it is 'doubtful whether the last-recited Act gives any Remedy to the Person impounding for the Recovery of 'a Compensation for the Food and Water provided for any Animal, and no Power is given to sell the 'Animal, although full Provisions for those Purposes were contained in the said first-recited Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Persons who have impounded Animals, &c. since passing of 12 & 13 Vict. c. 92., may recover Expenses.

I. Every Person who since the passing of the said Act of the Twelfth and Thirteenth Years of Her Majesty has impounded or confined, or hereafter shall impound or confine as in the said Act mentioned, any Animal, and has provided and supplied or shall hereafter provide and supply such Animal with Food and Water as therein mentioned, shall and may and he is hereby authorized to recover of and from the Owner or Owners of such Animal not exceeding double the Value of the Food and Water so already or hereafter to be supplied to such Animal, in like Manner as is by the said last-mentioned Act provided for the Recovery of Penalties under the same Act; and every Person who has supplied or shall hereafter supply such Food and Water shall be at liberty, if he shall so think fit, instead of proceeding for the Recovery of the Value thereof as last aforesaid, after the Expiration of Seven clear Days from the Time of impounding the same to sell any such Animal openly at any public Market (after having given Three Days public printed Notice thereof) for the most Money that can be got for the same, and to apply the Produce in discharge of the Value of such Food and Water so supplied as aforesaid and the Expenses of and attending such Sale, rendering the Overplus (if any) to the Owner of such Animal.

Power to sell Animals, &c. after being impounded Seven Days.

Provision of 2 & 3 Vict. c. 47. as to the using of Dogs for Purposes of Draught within the Metropolitan District extended to all Parts of the United Kingdom.

II. 'And whereas by an Act passed in the Second and Third Years of Her present Majesty it was 'enacted, under a Penalty, that Dogs should not be used for the Purposes of Draught within the Metro-'politan Police District, and it is desirable that such Enactment should be extended to all Parts of the 'United Kingdom:' Be it enacted, That any Person who shall, from and after the First Day of *January* One thousand eight hundred and fifty-five, on any public Highway in any Part of the United Kingdom, use any Dog for the Purpose of drawing or helping to draw any Cart, Carriage, Truck, or Barrow, shall forfeit and pay a Penalty not exceeding Forty Shillings for the First Offence, and not exceeding Five Pounds for the Second and every subsequent Offence, such Penalties to be recovered in like Manner as is provided for the Recovery of Penalties under the Act of the Twelfth and Thirteenth Years of Her said Majesty.

Interpretation of Terms.

III. The Words and Expressions to which a Meaning is affixed by the said Act of the Twelfth and Thirteenth Years of Her Majesty, and which are introduced into this Act, shall have the same Meaning in this Act, and the Word Animal shall in the said Act and in this Act mean any domestic Animal, whether of the Kind or Species particularly enumerated in Clause Twenty-nine of the said Act, or of any other Kind or Species whatever, and whether a Quadruped or not.

CAP. LXI.

An Act to authorize the Application of a Sum of Money out of the forfeited and unclaimed Army Prize Fund in enlarging and improving the Royal Military Asylum. [31st *July* 1854.]

'WHEREAS by the Act of the Second Year of His late Majesty King *William* the Fourth, for 'consolidating and amending the Laws relating to the Payment of Army Prize Money, the Com-'missioners of the Royal Hospital at *Chelsea* were authorized from Time to Time to appropriate such 'Sums of Money, forming a Part of the Prize Money then already forfeited or unclaimed, or thereafter 'to become forfeited or unclaimed, as they might think expedient and proper, to the general Service 'and Expenses of the said Royal Hospital, or relating thereto; And whereas a Sum of Sixty-seven 'thousand eight hundred and eighty-four Pounds Thirteen Shillings and Twopence Three Pounds 'per Centum Consolidated Bank Annuities, arisen from forfeited and unclaimed Shares of Army Prize 'Money, is now standing in the Books of the Governor and Company of the Bank of *England*, to an 'Account intituled "The Stock Account of the Paymaster General and Secretary-at-War, as Trustees '"for the Army Prize Fund:" And whereas the Royal Military Asylum at *Chelsea* for the Reception 'of the Children of Soldiers requires to be enlarged for the Reception of an additional Number of 'Children, and it is expedient that a Part of the said Annuities should be applied in making such 'Enlargement and in improving the Buildings of the said Asylum:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Paymaster General and Secretary-at-War, or in case of the Vacancy of the Office of either of them then the other of them, shall, by Sale of a sufficient Part of the said Sum of Sixty-seven thousand eight hundred and eighty-four Pounds Thirteen Shillings and Twopence Consolidated Bank Annuities, raise such Sum or Sums, not exceeding in the whole the Sum of Ten thousand Pounds, as the Commissioners of Her Majesty's Treasury shall by Warrant under their Hands direct, and pay or cause to be paid such Sum or Sums to the Governor and Company of the Bank of *England*, to the Credit of Her Majesty's Paymaster General, and such Sum or Sums shall be placed to such Account as the Commissioners of Works and Buildings shall direct, and shall be applied by such Commissioners in such Manner as they, with the Approbation of the said Commissioners of Her Majesty's Treasury shall think fit, in enlarging, altering, repairing, and improving the Buildings of the Royal Military Asylum.

Part of forfeited and unclaimed Army Prize Fund may be applied in enlarging and improving Royal Military Asylum.

CAP. LXII.

An Act to extend the Benefits of Two Acts of Her Majesty relating to the Constitution, Transmission, and Extinction of Heritable Securities in *Scotland*. [31st *July* 1854.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Transmission and Extinction of Heritable Securities for Debt in* Scotland; and another Act was passed in the Session of Parliament holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Constitution and Transmission of Heritable Securities for Debt in* Scotland, *and to render the same more effectual for the Recovery of Debt*, by which last-recited Act it is made competent to insert in Bonds and Dispositions in Security certain short Clauses set forth in the Schedule to the said Act annexed, or any of them; and it is expedient to extend the Benefits of the said Acts, and to make further Provision with a view to the Objects thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:

8 & 9 Vict. c. 31.

10 & 11 Vict. c. 50.

I. The whole Provisions and Enactments of the recited Acts shall be taken to apply and shall apply to all Heritable Bonds, and to all Deeds which, according to the existing Law and Practice, require to be followed by Infeftment in order to constitute a Security over Lands or the Rents or Profits thereof, as well as to Bonds and Dispositions in Security in the Form in the Schedule annexed to the said last-recited Act, unless in so far as such Provisions or Enactments are inapplicable to the Form or Objects of such Bonds or Deeds respectively.

Provisions of recited Acts to apply to all Heritable Securities, as well as to Bonds and Dispositions in Security.

II. It shall be competent to insert in Assignations, Writs of Acknowledgment, and Notarial Instruments, made and granted in Terms of the recited Acts or either of them, a Clause for the Registration thereof, in the Form of the Clause of Registration contained in the Schedule annexed to the said last-recited Act; and such Clause shall be a sufficient Warrant to the Keeper of any competent Register of Deeds to receive and record the said Writings therein for Preservation.

Assignations, &c. may be registered for Preservation.

III. Where any Assignation granted in Terms of the recited Acts or either of them shall not have been or may not be registered in the Lifetime of the Grantee, such Assignation shall, notwithstanding, be as full and sufficient Warrant of Sasine in favour of the Party having Right thereto by Service or otherwise as if it had been a Disposition and Assignation including a Precept of Sasine in the ordinary Form in use prior to the passing of the recited Acts or either of them, and Infeftment being passed upon the same in the Form or as nearly as may be in the Form prescribed by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to simplify the Form and diminish the Expense of obtaining Infeftment in Heritable Property in* Scotland, and duly recorded, shall be to all Intents and Purposes good and valid Infeftment in favour of the Party so infeft.

Unregistered Assignation to be available to Heir of Grantee.

8 & 9 Vict. c. 35.

IV. Nothing herein contained shall prevent the granting or expeding of Deeds affecting Heritable Subjects, or the Constitution, Transmission, or Extinction of Heritable Securities, in the Forms competent and in use at the passing of this Act.

Existing Forms of Security still to be competent.

CAP. LXIII.

An Act to continue the Poor Law Commission for *Ireland*. [31st *July* 1854.]

'WHEREAS by the Act of the Eleventh Year of Her Majesty, Chapter Ninety, Provisions were made for the Constitution and Appointment of Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, Secretaries, Inspectors, and other Officers: And whereas by an Act of the Fifteenth Year of Her Majesty, Chapter Sixty-eight, Provisions were made for the Appointment of Two Persons, who, together with the Commissioners appointed under the said first-recited Act should be "The Commissioners for administering the Laws for the Relief of the Poor in *Ireland*:" And whereas by an Act of the Sixteenth Year of Her Majesty, Chapter Thirty-seven, the Provisions of

10 & 11 Vict. c. 90.

14 & 15 Vict. c. 68.

15 & 16 Vict. c. 37.

'of the said first-recited Act were continued until the Twenty-third Day of *July* One thousand eight 'hundred and fifty-four, and thenceforth to the End of the then next Session of Parliament: And 'whereas the above-mentioned Provisions of the said first-recited Act will expire at the End of the 'Session of Parliament held next after the Twenty-third Day of *July* in the present Year, and it is 'expedient that the Commission for administering the Laws for the Relief of the Poor in *Ireland*, as 'constituted under said first and second recited Acts, should be continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said recited Acts or either of them, together with every Person by the said Acts or either of them constituted by virtue of his Office, such Commissioner, and every Secretary, Inspector, and other Officer and Person appointed or to be appointed by the Commissioners, under the Provisions of the said first-recited Act now in force, shall, unless he shall previously resign or be removed, or otherwise cease to hold his Office, be empowered to hold his Office and exercise the Powers thereof under the said Acts or either of them until the Twenty-third Day of *July* One thousand eight hundred and fifty-nine, and thenceforth until the End of the then next Session of Parliament; and until the Expiration of the said Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at Pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the said recited Acts or either of them, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed by Her Majesty, Her Heirs and Successors, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said recited Acts or either of them is described, some other fit Person to the said Office.

Irish Poor Law Commission further continued.

CAP. LXIV.

An Act to amend an Act of the last Session for extending the Public Libraries Act, 1850, to *Ireland* and *Scotland*. [31st *July* 1854.]

'WHEREAS it is expedient to amend the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and one, so far as the same relates to *Scotland*, and to 'give greater Facilities for the Establishment there of Public Libraries and Museums:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. In the Construction of this Act the following Words and Expressions shall have the Meanings hereby assigned, if not inconsistent with the Context or Subject Matter; that is to say, the Expression "Parliamentary Burgh" shall mean a Burgh or Town to which Magistrates and Councils were provided by the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Seventy-seven; the Expression "Occupier of Premises" shall mean a Male Occupier of a Dwelling House or other Heritable Subjects of the yearly Value of Ten Pounds or upwards, not being a Lodger or a Party in the Occupation as Tenant of a furnished House let for a less Period than One Year, but in such Case shall mean the Party by whom such House is so let.

So much of 16 & 17 Vict. c. 101. as relates to Scotland repealed.

II. So much of the said Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and one, as relates to *Scotland*, is hereby repealed, but such Repeal shall not invalidate or affect anything already done in pursuance of such Act; and all Public Libraries and Museums established in *Scotland* under that Act shall be considered as having been established under this Act.

Short Title.

III. In citing this Act for any Purpose whatever, it shall be sufficient to use the Expression "The Public Libraries Act (*Scotland*), 1854."

Meeting to be called for considering the Adoption of this Act in any Burgh or Town or Part thereof.

IV. Upon the Requisition in Writing of the Magistrates and Council of any Royal Burgh, Parliamentary Burgh, Burgh of Regality, or Burgh of Barony in *Scotland*, whose Population according to the then last Census shall exceed Ten thousand Persons, the Chief or Senior Magistrate of such Burgh, or, in the Case of a Burgh not being a Royal or Parliamentary Burgh, the Sheriff of the County in which such Burgh is situated, shall, within Ten Days after the Receipt of such Requisition, convene a Meeting of the Occupiers of Premises in such Burgh, or in such Part thereof within which it may in such Requisition be proposed to adopt this Act, for the Purpose of considering whether this Act shall be adopted for such Burgh or such Part thereof, such Meeting to be held in the Town Hall or other convenient Place on a Day not less than Twenty-one Days or more than Thirty Days after the Receipt of such Requisition, and Notice of the Time and Place of such Meeting to be given by affixing the same upon the Doors of the several Parish Churches within such Burgh Fourteen Days preceding the Day of Meeting.

Qualification of Voters.

V. For the Purpose of deciding as to the Adoption of this Act, all Occupiers of Premises in such Burgh or in such Part thereof as aforesaid, as the Case may be, shall be entitled to vote, and Companies or Copartnerships occupying Houses or other Heritable Subjects above the yearly Value of Ten Pounds,

so as to afford more than One Qualification of Ten Pounds, may grant Authority in Writing to any One of the Partners of such Company or Copartnership to vote, but such Company or Copartnership shall not so authorize or have Right to Vote by more than One Partner in respect of each Qualification of Ten Pounds afforded by such Premises; and any Dispute as to the Qualification or Identity of any Occupier of Premises shall be decided by such Senior Magistrate or Sheriff, as the Case may be, whose Decision shall be final.

Act may be adopted at the Meeting, unless Poll demanded.

VI. If at such Meeting it shall be determined by a Majority of Two Thirds of the Votes of the Occupiers of Premises present that the Provisions of this Act shall be adopted in such Burgh or in such Part thereof respectively, then the same shall from thenceforth come into operation therein, unless a Poll shall be demanded in Writing at such Meeting by any Five Persons present and qualified to vote, and in that Case the Meeting shall be adjourned to a future Day for the Purpose of declaring the Result of the Poll.

Poll to be open for One Day, and State of Poll to be ascertained and declared.

VII. When such Poll shall be demanded, such Magistrate or Sheriff as aforesaid shall appoint the necessary Number of Clerks, and cause proper Poll Books to be prepared, and such Poll shall be proceeded in within such Period as he shall determine, not exceeding Two Days from the Day of the holding of such Meeting; and the Poll shall be kept open for One Day at the Places fixed by him, commencing at Nine of the Clock in the Forenoon and ending at Four of the Clock in the Afternoon; and as soon after the Close of the Poll as may be the Poll Clerks shall transmit to such Magistrate or Sheriff the State of the respective Polls, who shall sum up the same, and openly declare the Result of the total Poll at the adjourned Meeting.

Majority of Two Thirds necessary for Adoption of Act.

VIII. If it shall appear by the Result of such Poll that Two Thirds of the Votes given have been given in favour of the Adoption of this Act, then the same shall from thenceforth come into operation in such Burgh or such Part thereof as aforesaid; and in all Cases of the Adoption of this Act the same shall be put into execution by the Magistrates and Council of the Burgh.

Assessments may be levied to the Extent of One Penny in the Pound for defraying Expenses.

IX. For defraying the Expenses incurred in calling the Meeting and in taking such Poll, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution, the Magistrates and Council of such Burgh shall yearly assess all Occupiers of Premises within the Burgh, or within such Part thereof where it may have been decided to adopt this Act, in the Sums necessary for defraying such Expenses, but in no Case to an Amount exceeding One Penny in the Pound of the yearly Rent of such Premises; and such Assessments shall be made, levied, and recovered by the Magistrates and Councils of such Burgh or Town in such and the like Manner, from the same Descriptions of Persons and Property, and with and under the like Powers, Provisions, and Exceptions, as the general Assessments leviable under the Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Thirty-three, for Police and other Purposes, are authorized to be made, levied, and recovered, and as if such Magistrates and Council were Commissioners elected under that Act, and the said Assessments were Part of the general Assessments authorized to be thereby made.

Accounts of the Magistrates and Council in relation to this Act to be open to Inspection.

X. The Magistrates and Council shall provide and keep Books in which shall be entered true and regular Accounts of their Receipts, Payments, and Liabilities with reference to the Execution of this Act, to be called "The Public Libraries Account," and such Books shall at all reasonable Times be open to the Inspection of every Person liable to be assessed by virtue of this Act, without Fee or Reward, who respectively may take Copies of or make Extracts from such Books, without paying for the same; and in case such Magistrate and Council, or any of them respectively, or any of their respective Officers or Servants having the Custody of such Books, shall not permit the same Accounts to be inspected, or Copies of or Extracts from the same to be made or taken, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Boundaries of Burghs, &c.

XI. The Boundaries of Parliamentary Burghs, Royal Burghs, Burghs of Regality and of Barony, shall for the Purposes of this Act be the same as the Boundaries declared for such Burghs by and for the Purposes of the said Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter Thirty-three.

Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.

XII. The Magistrates and Council of any Burgh may from Time to Time appropriate for the Purposes of this Act any Land or Buildings vested in them, and also purchase, feu, or rent any Land, and may, upon any Land so appropriated, rented, feued, or purchased respectively, erect any Buildings suitable for Public Libraries or Museums, or both, and may alter and extend any Buildings for such Purposes, and repair and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Certain Clauses of 8 & 9 Vict. c. 19. incorporated with this Act.

XIII. All the Clauses and Provisions of the "Lands Clauses Consolidation Act (*Scotland*), 1845," with respect to the Purchase of Lands by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making a Title, and also with respect to Conveyances of Lands, so far as the same Clauses and Provisions respectively are applicable to the Cases contemplated by the last Section, shall be incorporated in this Act; and the Expression "the Special Act," used in the said Clauses and Provisions, shall be construed to mean this Act; and the Expression "the Promoters of the Undertaking," used in the same Clauses and Provisions, shall be construed to mean the Magistrates and Council of the Burgh in question.

XIV. The

Lands, &c. may be sold or exchanged.

XIV. The Magistrates and Council of any Burgh may sell any Lands vested in them for the Purposes of this Act, or exchange the same for any Lands better adapted for the Purposes; and the Monies to arise from such Sale, or to be received for Equality of Exchange, or a sufficient Part thereof, shall be applied in or towards the Purchase of other Lands better adapted for such Purposes.

General Management to be vested in Magistrates and Councils.

XV. The general Management, Regulation, and Control of such Libraries and Museums shall be vested in and exercised by the Magistrates and Council of the Burgh, or such Committee as they respectively may from Time to Time appoint (the Members whereof need not be Magistrates or Councillors), who may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Maps, and Specimens of Art and Science, for the Use of the Library or Museum, and cause the same to be bound or repaired when necessary, and appoint salaried Officers and Servants, and dismiss the same, and make Rules and Regulations for the Safety and Use of the Libraries and Museums, and for the Admission of Visitors; and the Lands so to be appropriated, purchased, or rented as aforesaid, and all other Real and Personal Property whatever presented to or purchased for any Library or Museum established under this Act, shall be vested in such Magistrates and Councils.

Property of Library, &c. to be vested in them.

Admissions to Museum to be free.

XVI. The Admission to all Libraries and Museums established under this Act shall be open to the Public free of all Charge.

CAP. LXV.

An Act for further continuing certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*. [31st *July* 1854.]

10 & 11 Vict. c. 98.

'WHEREAS an Act was passed in the Session holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law as to Ecclesiastical Jurisdiction in* England, by which it was enacted, that certain of the Provisions therein contained should continue until the First Day of *August* One thousand eight hundred and forty-eight, and, if Parliament were then sitting, until the End of the then Session of Parliament; and such Provisions have been continued by sundry Acts until the First Day of *August* One thousand eight hundred and fifty-four, and to the End of the then next Session of Parliament: And whereas it is expedient that the said Provisions should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Provisions of the said Act shall continue until the First Day of *August* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament.

Certain Provisions of recited Act further continued.

CAP. LXVI.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. [31st *July* 1854.]

3 & 4 Vict. c. 89.

'WHEREAS an Act was passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to exempt until the Thirty-first Day of* December *One thousand eight hundred and forty-one Inhabitants of Parishes, Townships, and Villages from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor:* And whereas the said Act has been since continued by sundry Acts until the First Day of *October* in the Year One thousand eight hundred and fifty-four, and to the End of the then next Session of Parliament; and it is expedient that the said Act should be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall continue in force until the First Day of *October* in the Year one thousand eight hundred and fifty-five.

Recited Act further continued.

CAP. LXVII.

An Act to facilitate the Purchase of Common, Commonable, and other Rights by the Principal Officers of Her Majesty's Ordnance. [31st *July* 1854.]

'WHEREAS it is expedient that greater Facilities should be given to the Principal Officers of Her Majesty's Ordnance to purchase Common, Commonable, and other Rights:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Principal Officers of Ordnance may avail themselves of certain Powers con-

I. It shall be lawful for the Principal Officers for the Time being of Her Majesty's Ordnance (if they shall think proper so to do) to use and avail themselves of all the Powers and Provisions contained in the Lands Clauses Consolidation Act, 1845, for the Purpose of ascertaining, making, and paying Compensation for and extinguishing all Rights of Common, Commonable, and other Rights in, over, or affecting any Lands the Soil of which has at any Time been or shall hereafter be purchased or taken by the

the said Principal Officers, under the Act of the Fifth and Sixth *Victoria*, Chapter Ninety-four, and for such Purpose the Principal Officers for the Time being of Her Majesty's Ordnance shall be deemed and taken to be Promoters of an Undertaking within the Meaning of the said Lands Clauses Consolidation Act, 1845, and all the Powers and Provisions of the last-mentioned Act may, if necessary, be treated as if they had been contained in the said Act of the Fifth and Sixth *Victoria*, Chapter Ninety-four, for the Purpose of being used or made available by the said Principal Officers for the Time being: Provided always, that nothing herein contained shall prejudice or affect the Powers and Authorities of the Principal Officers of Her Majesty's Ordnance for the Time being under the last-mentioned Statute.

tained in 8 & 9 Vict. c. 18. as to extinguishing Rights of Common, &c.

II. And in case the said Principal Officers of Her Majesty's Board of Ordnance shall have purchased or shall hereafter purchase any Land, and the Common, Commonable, and other Rights in and over the same, and a Valuer shall have been appointed in the Matter of any Inclosure Proceeding in respect of such Lands under the Provisions of "The Acts for the Inclosure, Exchange, and Improvement of Land," the Duties and Powers of such Valuer in relation to the Land so purchased shall, upon Payment of the Purchase Money for such Common, Commonable, and other Rights over the same, cease and determine, and the Inclosure Commissioners for *England* and *Wales* shall, by an Order under their Seal, award such Amount of Compensation to such Valuer as they shall deem just to be paid by the said Principal Officers, and such Valuer shall be bound to accept the same as a full Compensation for his Services in the Matter of the said Inclosure, so far as respects the Land, and Common, Commonable, and other Rights so purchased.

Power of Valuer appointed under Inclosure Act to cease on Purchase of Common Rights by Ordnance.

III. Any Purchase of the Soil of any Lands, or of any Common, Commonable, or other Rights in or over the same, which shall be made under the Provisions of any Act of Parliament, shall be valid in Law to all Intents and Purposes, although at the Time of such Purchase Proceedings for an Inclosure of such Lands were or shall be proceeding.

Purchase may be made although Proceedings pending.

CAP. LXVIII.

An Act to provide for the Application of certain Stock purchased with Monies which arose from the Sale of Part of the Land Revenues of the Crown in *Ireland*. [31st *July* 1854.]

'WHEREAS there is now standing in the Names of the Commissioners of Her Majesty's Treasury Forty-one thousand one hundred and seventy-six Pounds and Tenpence Three Pounds Five Shillings *per Centum* Bank Annuities in the Books of the Governor and Company of the Bank of *Ireland*, purchased with Monies which arose from the Sales of certain Quitrents and other Hereditaments, Part of the Possessions and Land Revenues of the Crown in *Ireland*, such Sales having been made under the Authority of an Act passed in the Session of Parliament held in the Third Year of the Reign of His late Majesty King *George* the Fourth, Chapter Sixty-three, by which Act it was provided that no Part of the Stock, Funds, or Annuities to be purchased with the Monies to arise from any Sale thereby authorized should at any Time be transferred or transferable without the Authority of Parliament: And whereas it is expedient that the said Forty-one thousand one hundred and seventy-six Pounds and Tenpence Three Pounds Five Shillings *per Centum* Bank Annuities should be applied as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The said Forty-one thousand one hundred and seventy-six Pounds and Tenpence Three Pounds Five Shillings *per Centum* Bank Annuities so as aforesaid standing in the Names of the Commissioners of Her Majesty's Treasury in the Books of the Governor and Company of the Bank of *Ireland* shall be applicable to the same Purposes and be transferable in the same Manner in all respects as if the same Annuities had been purchased with Monies arising from Sales of Portions of the Possessions and Land Revenues of the Crown in *Ireland* made in pursuance of the Powers contained in an Act passed in the Session of Parliament holden in the Tenth Year of the Reign of His said Majesty King *George* the Fourth, Chapter Fifty, and by which said last-mentioned Act Monies arising from the Sales made in pursuance thereof are authorized to be invested in the Purchase of Lands and Hereditaments to become Part of the Possessions and Land Revenues of the Crown.

Stock purchased with Monies arising from Sales of Crown Estates in Ireland under 3 G. 4. c. 63. to be applicable as Monies arising from Sales under 10 G. 4. c. 50.

CAP. LXIX.

An Act to indemnify Local Boards of Health as regards rating for the Repair of Highways, under the Public Health Act, 1848. [31st *July* 1854.]

'WHEREAS Doubts have arisen, under the Provisions of the Public Health Act, 1848, whether the Money requisite for the Repair of Highways in Districts under the Public Health Act, 1848, should be raised by Highway Rates or by General District Rates; and it is expedient to indemnify Local Boards of Health who have repaired Highways out of Rates the legal Applicability of which to the Purpose of such Repair is doubtful:' Be it therefore enacted by the Queen's most Excellent

Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Highway Rate not to be deemed invalid.

I. No Highway Rate made before the passing of this Act by any Local Board of Health shall, nor shall the Application thereof, be deemed invalid or illegal by reason of such Rate having been made or applied, wholly or in part, for defraying any Expenses in relation to the Highways within the Limits of the District of such Local Board; and any such Rate so far as the same has not been levied and collected and applied before the passing of this Act, may be levied and collected, and may be applied, wholly or in part (as the Case may be), for or towards the defraying of such Expenses as aforesaid, and such Local Board, and all Persons acting under their Authority, are hereby released and indemnified from and against all Proceedings whatsoever on account of the making, levying, and collecting of any such Rate, or the Application thereof for defraying any such Expenses as aforesaid.

Short Title.

II. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "Local Boards Highway Repair Indemnity "Act, 1854."

CAP. LXX.

An Act to enable the Trustees of *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, in the Parish of *Saint Marylebone*, to augment the Salaries of the Ministers of the said Chapels.

[31st *July* 1854.]

1 W. 4. c. 59.

'WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, Cap. 59., after reciting, amongst other things, that His Majesty was seised to Him, His Heirs and Successors, of all those Three several Chapels called respectively by the Names of *Portland* Chapel, *Oxford* Chapel, and *Welbeck* Chapel, and the Ground whereon the same respectively stood, situate in the Parish of *Saint Marylebone* in the County of *Middlesex*, and that Divine Service had for several Years past been performed in the said Chapels by Curates or Ministers duly licensed for that Purpose, although none of the said Chapels had been appropriated or consecrated, it was by the said Act enacted, that the said Chapel called *Portland* Chapel, and the said Chapel called *Oxford* Chapel, and the Ground and Soil whereon the same respectively stood, and all Rents, Profits, and Produce to arise and become payable in respect of the said Two Chapels, with the Appurtenances, should be and that the same were thereby vested in *William* Viscount *Lowther*, First Commissioner of His Majesty's Woods, Forests, and Land Revenues, and in the Reverend *George Chandler* Doctor of Laws, Rector of the District Church of *All Souls* in *Saint Marylebone*, and their respective Successors in the said Office and District Rectory, as a Body Corporate, and that the said Chapel called *Welbeck* Chapel, situate in *Westmoreland Street* in the said Parish, and the Ground and Soil whereon the same stood, and all Rents, Profits, and Produce to arise and become payable in respect of the same Chapel, with the Appurtenances, should be and the same were thereby vested in the said *William* Viscount *Lowther*, as such Commissioner as aforesaid, and the Reverend *John Hume Spry* Doctor in Divinity, Rector of the Parish of *Saint Marylebone* aforesaid, and their respective Successors in the said Office and Rectory, as a Body Corporate, to the Intent that after Consecration of the said Three Chapels respectively Divine Service according to the Rites of the United Church of *England* and *Ireland* should be performed therein as therein is mentioned; and after making Provision for the Appropriation of certain Seats in the said Chapels, and for the letting certain other Pews and Seats in the said Chapels at such Rents as in the said Act referred to, it was by the said Act now in recital further enacted, that the said Trustees should keep separate Accounts of what should be received in respect of the said Rents so to be reserved as aforesaid on Leases of the Pews and Seats in the said Three Chapels respectively, so that the Rents to be reserved in respect of each of the said Chapels might be applied as therein-after mentioned for the exclusive Benefit of such Chapels respectively; and it was declared that the said Trustees for the Time being of the said Chapels respectively should, by and out of the Rents and Profits to be payable for the Time being in respect of the said Seats or Pews, subject to such Payments as therein is mentioned, by and out of the said Rents and Profits, pay or cause to be paid to Persons therein mentioned respectively, or other the Curates or Ministers for the Time being of the said Chapels respectively, such annual Sums by way of Salaries or Stipends for their Services, not exceeding in the first instance the Sum of Three hundred and fifty Pounds for each Curate or Minister, but with Power for the Trustees for the Time being of the said Chapels respectively, either for a limited Period or permanently, but with the Consent of the Lord Bishop of *London* for the Time being, to increase such annual Salaries to any Sum not exceeding Four hundred and fifty Pounds for any of such Curates or Ministers, in case the Trust Funds or Monies should in the Opinion of the said Trustees authorize such Increase to any One or more of the said Curates or Ministers; and subject to such Payments as therein is mentioned, the said Trustees were directed to invest the Residue of the Rents and Profits to arise from letting the said Pews or Seats within the said Three Chapels respectively in the Purchase of Three Pounds *per Cent.* Consolidated Bank Annuities in the Names of the said Trustees for the Time being of the said Chapels respectively, and should receive the Interest and

Dividends

'Dividends of such Bank Annuities, and the Interest and Dividends of the Bank Annuities to be purchased as after-mentioned, and invest the same from Time to Time in the Purchase, in their Names, of like Bank Annuities, to the Intent that such several Bank Annuities might accumulate; and it was by the said Act now in recital further enacted, that the said several Bank Annuities, so to be purchased as last aforesaid should be held by the said Trustees respectively for the Time being in such Shares as should appear to have resulted from the Surplus of the Rents and Profits arising from the Seats, Pews, Vaults, and Cellars of such Chapels respectively, as a Fund by Sale or Transfer whereof to raise Money from Time to Time for defraying the Costs and Expenses of such rebuilding or repairing of the said Chapels, and the Furniture and Chattels therein, as in the said Act mentioned, with the Proviso that if at any Time or Times it should happen that the Rents and Profits payable in respect of the said Seats or Pews should be insufficient to discharge the annual or other Payments therein-before directed to be made thereout respectively, together with the Costs, Charges, and Expenses of the Trustees for the Time being in the Execution of the Trusts therein-before declared, it should be lawful for the respective Trustees for the Time being of the said Bank Annuities, by and out of the Dividends, or by Sale and Transfer of a competent Part of the Capital thereof that should be held in trust for the Chapel the Rents and Profits of which should be so insufficient as aforesaid, to levy and raise from Time to Time such a Sum or Sums of Money as should enable them to satisfy and discharge the Deficiency, and to apply the Sum or Sums of Money so to be levied in Payment of such Deficiency accordingly: And whereas it is expedient that the Trustees of the said Chapels, acting under the Trusts and Powers of the said Act, should be empowered to increase the Salaries of the Ministers of the said Chapels respectively as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Trustees to augment Salaries of Incumbents.

I. Whenever the Rents and Profits of any of the said Three several Chapels shall have afforded a surplus Residue for Investment as aforesaid of not less than Two hundred Pounds in each Year for Three successive Years during the Incumbency of any Curate or Minister in such Chapel, after satisfying all the Payments charged thereon under the above-mentioned Act, including a Salary of Four hundred and fifty Pounds to such Curate or Minister, the Trustees respectively for the Time being of the said Chapels respectively shall and may at any Time or Times hereafter, at their Discretion, with the Consent of the Lord Bishop of *London* for the Time being, augment the Salaries or Salary of all or any of the Curates or Ministers of the said Chapels respectively by and out of the Funds and Premises by the said Act applicable to the Payment of the Salaries of the said Curates or Ministers, by allowing them any Sum not exceeding One Half of any surplus Residue which may accrue in any succeeding Year of such Incumbency: Provided nevertheless, that the Salary of any of the said Curates or Ministers shall not at any Time exceed the yearly Sum of Six hundred Pounds; but no Augmentation shall be made to any Minister or Curate, except out of the Rents and Profits of the Chapel of which he shall be Minister or Curate, or of the Income of the Stock or Funds which may have arisen from the Investment of any surplus Rents or Profits arising from any such Chapel; and no Part of the said Stocks or Funds shall be sold for the Purpose of providing such augmented Salary; and any such augmentation shall be made on such Trusts and under such Conditions as the said Trustees for the Time being, with the Consent of the Lord Bishop of *London*, shall think fit, and shall by any Deed or Deeds direct.

Meetings of the Trustees.

II. The Trustees respectively for the Time being of the said Chapels may hold their Meetings for the Purposes of this and the said recited Act either as by the said recited Act is provided, or at such Time of the Year and such Place, and either within the said Parish of *Saint Marylebone* or within the City and Liberty of *Westminster*, as they from Time to Time may think fit.

The First Commissioner of Works to be a Trustee in the Place of the First Commissioner of Woods.

III. The First Commissioner for the Time being of Her Majesty's Works and Public Buildings shall be a Trustee of the said Chapels respectively jointly with the several Rectors thereof as Bodies Corporate, as by the said Act is provided with respect to the First Commissioner of Her Majesty's Woods, Forests, and Land Revenues and the said Rectors and their respective Successors, and such Parties shall be and continue Trustees of the said Chapels in all respects as by the said Act is provided; and all the Stocks, Funds, Monies, and Securities now belonging to the Trustees respectively appointed by or in pursuance of the said Act shall immediately after the passing of this Act be transferred and paid to the Trustees of the said Chapels respectively appointed by this Act, and be held by them on the Trusts by the said Act declared.

CAP. LXXI.

An Act to amend the Law concerning the making of Borough Rates in Boroughs not within the Municipal Corporation Acts. [31st *July* 1854.]

'WHEREAS by an Act of the Fifteenth and Sixteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Statutes relating to the Assessment and Collection of County Rates in* England *and* Wales, it was, among other things, provided, that from and after the passing of the said Act it should be lawful for the Justices of the Peace in any County in *England* and *Wales*, in General or Quarter Sessions assembled, to appoint any Number of Justices, not

15 & 16 Vict. c. 81.

'not exceeding Eleven in Number nor less than Five, to be a Committee for the Purpose of preparing 'a Basis or Standard for the assessing of County Rates, and that it should be lawful for the Justices of 'the Peace assembled at their General or Quarter Sessions to order and direct a fair and equal County 'Rate to be made according to the Basis or Standard for the Time being in force: And whereas there 'are divers Boroughs not being within the Provisions of the Municipal Corporation Acts in which 'Borough Rates in the Nature of County Rates have heretofore been made under the various Acts 'repealed by the said Act of the Fifteenth and Sixteenth of Her Majesty, and which Boroughs have 'not as many as Five Justices of the Peace: And whereas Doubts have arisen whether since the 'passing of the said Act of the Fifteenth and Sixteenth of Her Majesty a Rate in the Nature of a County 'Rate can be made in such Boroughs by reason of the Want of a sufficient Number of Justices: And 'whereas it is expedient to remove such Doubts, as also to amend the Law in respect to the making of 'such Rates in the said Boroughs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices in Boroughs not within Provisions of Municipal Corporations Act may make Borough Rates.

I. From and after the passing of this Act it shall and may be lawful for the Justices of the Peace in any Borough not being within the Provisions of the Municipal Corporation Act, and not being liable to contribute to any County Rate, from Time to Time to make and levy within their Borough a Borough Rate in the Nature of a County Rate for defraying any Expenses incurred before the passing of this Act, and which may hereafter be incurred for all or any of the Purposes defined in the Municipal Corporations Act, 1835, as Purposes for which a Borough Rate may be levied; and for that Purpose the Justices of such Borough and all Persons acting under their Authority shall, within their Borough, have all the Powers and Protection which were given to Justices of the Peace by virtue of the Act made in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third in the said Municipal Corporations Act mentioned, and all Powers given to Town Councils by any Acts since passed concerning the making and levying of Borough Rates in Boroughs being within the Municipal Corporations Act, 1835, or as near thereto as the Nature of the Case will admit: Provided always, that such Borough Justices shall not be empowered to hear or determine any Appeal against any such Rate; and if any Person shall think himself aggrieved by any such Rate, it shall be lawful for him to appeal to the Recorder of the Borough in which such Rate has been made, or in case there shall be no Recorder within such Borough then to the Justices at the next Court of Quarter Sessions for the County within which such Borough is situate, or whereunto it is adjacent, and such Recorder or Justices respectively shall have Power to hear and determine such Appeal, and to award Relief in the Premises as in the Case of an Appeal against any County Rate; and all Sums of Money levied in pursuance of such Borough Rate shall be paid over to the Treasurer of the Borough for the Time being, and be applied by him for the Purposes for which the same are applicable as herein-before mentioned.

As to Appeals.

CAP. LXXII.

An Act to provide for Payment of the Salaries of the Sheriff and Sheriff Clerk of Chancery in *Scotland*. [31st *July* 1854.]

10 & 11 Vict. c. 47.

'WHEREAS by an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years 'of the Reign of Her present Majesty, intituled *An Act to amend the Law and Practice of* Scotland 'as to the Service of Heirs, it was enacted, that it should be lawful for Her Majesty to appoint a fit 'Person, being a Person qualified for the Office of Sheriff of a County in *Scotland*, to be the Sheriff of 'Chancery for the Purposes of the said Act, and also to appoint a fit Person to act both as Sheriff Clerk 'of Chancery and as Clerk of the Presenter of Signatures in Exchequer; and it was thereby provided 'that such Sheriff and Sheriff Clerk should respectively receive such Salaries in respect of their Offices 'as should be from Time to Time fixed by the Commissioners of Her Majesty's Treasury, and that such 'Salaries should be payable "out of the Fees receivable in the Office of Chancery:" And whereas Her 'Majesty appointed a Sheriff of Chancery and a Sheriff Clerk of Chancery, and Salaries were fixed by 'the said Commissioners payable as aforesaid: And whereas the Fees now receivable in the Office of 'Chancery have been diminished, and are inadequate to provide for Payment of the said Salaries, and 'Part of the Salary due and payable to the said Sheriff is unpaid, and it is proper that the said Salaries 'should be paid out of the Funds from which the Salaries of Sheriffs of Counties are payable, and that 'Provision be made for Payment of the Arrears of the Salary of the said Sheriff now unpaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Funds from which Salaries of Sheriff and Sheriff Clerk of Chancery to be payable.

I. The said recited Act, in so far as it enacts that the said Salaries of the said Sheriff of Chancery and Sheriff Clerk of Chancery shall be payable out of the Fees receivable in the Office of Chancery in *Scotland*, is hereby repealed; and the said Salaries and any Increase thereof shall hereafter be payable out of the Funds from which the Salaries of Sheriffs are payable, and the Part of the Salary due, but not hitherto paid to the Sheriff of Chancery, shall be paid out of the said Funds.

Power to Treasury to grant to Sheriff of Chancery such Salary as shall seem meet, and a retiring Annuity, subject to Provisions of 16 & 17 Vict. c. 80. s. 38.

II. 'And whereas by an Act passed in the last Session of Parliament, intituled *An Act to facilitate* '*Procedure in the Sheriff Courts in* Scotland, it was enacted, that it should be lawful to grant to any 'Sheriff such Salary as to the Commissioners of Her Majesty's Treasury might seem meet, not being 'less than Five hundred Pounds by the Year, and also to grant to any Sheriff a retiring Allowance or 'Annuity in respect of long Service: And whereas Doubts exist whether the said Enactments apply to 'the Office of Sheriff of Chancery, and it is just and proper that such Doubts should be removed:' Be it enacted, That it shall be lawful to grant to the Sheriff of Chancery such Salary as to the Commissioners of Her Majesty's Treasury may seem meet, not exceeding Five hundred Pounds by the Year, commencing from the First Day of *November* One thousand eight hundred and fifty-three, and also a retiring Annuity in respect of long Service, subject to the Provisions and Conditions set forth in the Thirty-eighth Section of the said last-recited Act, which Salary and Annuity shall be payable out of the same Funds from which the Salaries and Annuities of Sheriffs of Counties are payable.

CAP. LXXIII.

An Act to amend the Acts for the Regulation of Joint Stock Banks in *Scotland*.

[31st *July* 1854.]

7 & 8 Vict. c. 113. 9 & 10 Vict. c. 75.

'WHEREAS an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An* '*Act to regulate Joint Stock Banks in* England: And whereas the said Act was extended to *Scot-* 'land and *Ireland* by an Act passed in the Ninth and Tenth Years of the Reign of Her Majesty, 'intituled *An Act to regulate Joint Stock Banks in* Scotland *and* Ireland: And whereas it is expedient 'that the recited Acts should be amended in certain of the Provisions thereof, in so far as the same 'apply to *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Right of Retention or Lien over Shares of Partners not to be affected.

I. No Clause directed by the said Acts to be inserted in the Deed of Partnership of any Joint Stock Banking Company in *Scotland* to be executed previous to such Company being incorporated under the recited Acts shall take away or impair the Right of Retention or Lien which, in virtue of the Common Law of *Scotland*, such Company has or may be entitled to exercise over the Shares of its Partners, for or in respect of any Debt or Liability incurred or Obligation undertaken by them to the Company.

The Company to sell Shares acquired in virtue of Right of Lien.

II. Provided, That as often as the Company may, in virtue of their Right of Lien or Retention acquire any Shares in the Company's Stock, they shall be bound to sell the same within Six Months after the same shall have been so acquired, and in such Manner as is by the said first-recited Act provided for the Sale of forfeited Shares; and the Company shall be bound to account to the Party or Parties interested in such Shares, or to their Creditors, or Heirs or Executors, for the Balance of the Price or Prices which may have been realized by such Sale, after paying the Debt due to the Company, and the Expenses incurred by them in securing their Debt and selling the Shares.

Provision to be made as to signing Bills and Notes.

III. In such Deed of Partnership there shall be inserted Provisions regulating the Manner in which Bills of Exchange or Promissory Notes of the Company may be made, accepted, or endorsed, and it shall not be necessary that such Bills of Exchange or Promissory Notes be signed in the Manner prescribed by the first-recited Act.

CAP. LXXIV.

An Act to render Reformatory and Industrial Schools in *Scotland* more available for the Benefit of Vagrant Children.

[7th *August* 1854.]

'WHEREAS it is expedient that Reformatory and Industrial Schools in *Scotland* should be made 'more available for the Education and Training of Vagrant Children:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Sheriff or Magistrate to send Vagrant Children to School unless Security found for good Behaviour.

I. When any young Person apparently under the Age of Fourteen Years shall, from and after the passing of this Act, be found begging, or, not having any Home or settled Place of Abode or proper Guardianship, and having no lawful or visible Means of Subsistence, shall be found wandering, and though not charged with any actual Offence, shall be brought by any Constable or Police Officer before any Sheriff or Magistrate, it shall be lawful for the said Sheriff or Magistrate, after due Inquiry, and Intimation to the Inspector of the Poor, and due Intimation to the Parents, Guardians, or others interested in such young Person, if the same can be found, and unless the Parents, Guardians, or other Persons interested in such young Person shall appear and find Security for his or her good Behaviour, enacted in the Books of Court according to the Form (or as near thereto as may be) contained in the Schedule (B.) annexed hereto, such Security to be for any Sum not less than One Pound and not more than Five Pounds, and for any Period not exceeding Twelve Calendar Months, if he shall see Cause, to order by a Writing under his hand, according to the Schedule (A.), or as near thereto as may be, such young

young Person forthwith to be transmitted to and received at any Reformatory School, Industrial School, or other similar Institution within *Scotland*, whether established by a Parochial Board or by an Association of Individuals, which may have been sanctioned by the Secretary of State for the Purposes of this Act, the Directors or Managers of which may be willing to receive such young Person, for such Period of Time as may appear necessary for his or her Education and Training, but such young Person shall not be detained beyond the Age of Fifteen Years without his or her Consent, such Magistrate having due Regard to the religious Belief of such Child, or to any Wish expressed by the Parents, Guardians, or other Relative as to the particular Institution to which such Child shall be committed or removed, and with Power to Secretary of State to order such Removal; and on such Security as aforesaid being at any Time found, the Sheriff or the committing or other acting Magistrate for the Time being may order the Discharge of such young Person from any such School or Institution: Provided always, that if the Parent or Guardian of any such young Person shall express a Preference for any One such School out of Two or more within the Jurisdiction of the Sheriff or Magistrate, such Sheriff or Magistrate shall order such young Person to be sent to the School so preferred, if the Managers be willing and able to receive him.

Punishment on wilfully leaving and refusing to return to School.

II. If any young Person who shall be sent to any such School or Institution, under the Provisions of this Act, shall wilfully leave and abscond therefrom before attaining the Age of Fifteen Years, or being duly discharged therefrom, and shall refuse to return, it shall be lawful to the Sheriff or to the committing or any other acting Magistrate, on summary Complaint at the Instance of any Officer of the said School or Institution, (and which Complaint shall be conducted in the Forms, or as nearly as may be, and subject to all the Provisions of the Act of the Ninth Year of King *George* the Fourth, Chapter Twenty-nine,) to punish such young Person by Whipping, or by Imprisonment for any Term not exceeding Twenty Days, and if he shall see proper to order that such young Person be thereafter re-transmitted to such School in manner foresaid.

Penalty on Persons wilfully withdrawing young Persons from School.

III. When any young Person has been sent by any Sheriff or Magistrate to such School or Institution sanctioned as aforesaid, any Person who shall directly or indirectly wilfully withdraw such young Person from such School or Institution, or induce him or her to abscond therefrom, before he or she has been regularly discharged, or who shall knowingly conceal or harbour such young Person, or otherwise prevent his or her Return thereto, then such Person so offending shall be liable for every such Offence in a Penalty not exceeding Five Pounds, to be recovered on summary Complaint before any Sheriff or Magistrate at the Instance of any Officer of such School or Institution, or any Person authorized by the Directors or Managers, with Concurrence of the Public Prosecutor, and, failing Payment, the Offender may be imprisoned for any Period not exceeding Sixty Days; and such Penalty, deducting the Expense of Prosecution, shall be paid over to the Treasurer of the Institution in which such young Person was placed and for behoof thereof.

Parents and others may be sued for Expenses of Support of Children in School.

IV. In every Case where any such young Person has been sent by any Sheriff or Magistrate to such School or Institution as aforesaid, it shall be competent for the Treasurer or other Officer thereof to sue the Parents or Step-parents of such young Person or other Persons who may be liable to support him or her for Payment of the Cost of Support and other Expenses incurred by the said School or Institution in regard to such young Person, and to recover the same by Action in the Sheriff's Small Debt Court: Provided always, that the Sheriff may, on Cause shown, modify the Amount of such Cost and Expenses as he shall think reasonable, or remit the same altogether, as in the Circumstances of the Case may seem just.

Expense of Children to be paid for by Parochial Board when not received from Parents, &c.

V. Where any young Person shall be sent to such School or Institution, and where the Cost of Support of such young Person has not been received from the Parents of such young Person or other Parties liable for his or her Support, it shall be competent for the Treasurer or other Officer of such Institution, or other Person authorized by the Directors or Managers, to recover the Cost of such Support and other Expenses of such young Person, or any Balance thereof unpaid, from the Parochial Board of the Parish on which such young Person, if a Pauper, would have been chargeable in the first instance; and such Cost and Expenses are hereby declared to form a valid Charge upon the Funds within the Management of the said Parochial Board, under the Act Eighth and Ninth *Victoria*, Chapter Eighty-three, declaring that such Sums shall be annually on the Thirty-first of *December* in every Year charged against the said Parochial Board for the Year then ending, and shall be sued for within Three Months after the Lapse of every such Year, and not thereafter, and the Amount may be sued for under the Sheriff Small Debt Act, First *Victoria*, Chapter Forty-one, as amended by the Seventeenth and Eighteenth *Victoria*, Chapter Eighty, although the Amount be greater than the Sum to which the Prosecutions by the said Acts are limited: Provided always, that the Sheriff shall have Power to fix the Cost of Support at such Rate as he may consider just and reasonable; and on Payment of the said Sums the said Parochial Board shall have all competent Remedy for Relief and Recovery of the Sums paid by them against all Persons or Parishes bound in Relief and Payment thereof.

Power to make Rules, &c.

VI. It shall be lawful for the Directors and Managers of such Schools and Institutions as aforesaid to make all necessary Rules, Orders, and Byelaws for the Regulation and Management of the Schools and Institutions as aforesaid under their Charge, not repugnant to the Provisions of this Act, but no such Rules,

Rules, Orders, or Byelaws shall be enforced until they have been submitted to and approved by the Lord Advocate of *Scotland.*

Power to Education Committee of Privy Council to grant Aid to Directors of Schools.

VII. It shall be lawful for the Education Committee of Her Majesty's Privy Council, out of the Monies at their Disposal voted by Parliament for the Purposes of Education, to grant to the Directors or Managers of any such School or Institution sanctioned as aforesaid, who may be willing to receive such young Persons as aforesaid, such Aid as they may judge proper towards the Erection of suitable Buildings, and the annual Expense of such School or Institution, under such Regulations as to the Accommodation required and the Qualification of Teachers as the Committee of Council may prescribe; and all Schools and Institutions receiving such Aid shall be open to the Inspection of Her Majesty's Inspector of Schools, or to any other Inspector specially appointed for the Inspection thereof.

Act not to interfere with Powers of Removal under 8 & 9 Vict. c. 83.

VIII. Nothing in this Act contained shall be construed to prevent any Parochial Board on whose Funds the Cost of Support of any such young Person as aforesaid shall have become a Charge from adopting such Steps for his or her Removal as may be competent to them under the Provisions of the Eighth and Ninth *Victoria*, Chapter Eighty-three.

SCHEDULE A.

At the Day of I [*A.B.* Sheriff *or* Magistrate of] under the Powers of the Reformatory Schools (Scotland) Act, 1854, hereby order, that *C.D.* belonging to and apparently of the Age of Years, and who was brought before me under the Provisions of the said Act, to be taken to the School, at , therein to remain, under the Powers and Provisions contained in the said recited Act, until he be duly discharged therefrom or attain the Age of Fifteen Years.

Given under my Hand, Date and Place foresaid.

SCHEDULE B.

I *or* we [*name and design the Cautioners*] do hereby judicially enact ourselves in the Books of the Court, at and bind and oblige [myself *or* ourselves, my *or* our Heirs, Executors, and Successors, jointly and severally,] under the Penalty of for the good Behaviour of *A.B.* belonging to and that for the Period of Calendar Months, all in Terms of the First Section of the Reformatory Schools (Scotland) Act, 1854.

Subscribed by me [*or* us] at the Day of , before these Witnesses.

A.B. and *C.D.*

C A P. LXXV.

An Act to remove Doubts concerning the due Acknowledgment of Deeds by Married Women in certain Cases. [7th *August* 1854.]

3 & 4 W. 4. c. 74.

'WHEREAS by the Act passed in the Session of Parliament holden in the Third and Fourth Years of King *William* the Fourth, Chapter Seventy-four, "for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance," it is provided that every Deed to be executed by a Married Woman for any of the Purposes thereof, except such as may be executed by her in the Character of Protector for the sole Purpose of giving her Consent to the Disposition of a Tenant in Tail, shall, upon her executing the same or afterwards, be produced and acknowledged by her as her Act and Deed before a Judge of One of the Superior Courts at *Westminster*, or a Master in Chancery, or before Two of the Perpetual Commissioners or Two Special Commissioners to be respectively appointed as therein provided, and a Certificate of the taking of such Acknowledgment is thereby directed to be lodged with some Officer of the Court of Common Pleas at *Westminster*, who is directed, after satisfying himself that the Requisitions of the said Act have been complied with in manner therein mentioned, to cause the said Certificate to be filed of Record in the said Court of Common Pleas: And whereas it is apprehended that Deeds executed by Married Women under the Provisions of the said Act may be liable to be invalidated by the Circumstance that the Judge, or Master in Chancery, or One or both of the Commissioners, taking the Acknowledgment, may be or may have been interested or concerned, either as a Party or otherwise, in the Transaction giving Occasion for such Acknowledgment, and it is not expedient that Deeds executed in good Faith under such Circumstances should be invalidated:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acknowledgment of Deed not impeachable by reason

I. No Deed which has been acknowledged or which shall hereafter be acknowledged by a Married Woman before a Judge of One of the Superior Courts of *Westminster*, or a Master in Chancery, or before Two of the Perpetual Commissioners or Two Special Commissioners appointed as by the said Act is

only of Party before whom same was taken being interested.

is required, shall be impeached or impeachable at any Time after the Certificate of such Acknowledgment has been filed of Record in the Court of Common Pleas at *Westminster*, by reason only that such Judge or Master in Chancery, or such Commissioners, or either of them, was or were interested or concerned, either as a Party or Parties, or as Attorney or Solicitor or Clerk to the Attorney or Solicitor of one of the Parties, or otherwise, in the Transaction giving Occasion for such Acknowledgment.

Staying Proceedings for quashing Certificate of Acknowledgment.

II. Provided, That if any Proceeding instituted before the Thirteenth Day of *July* One thousand eight hundred and fifty-four in the said Court of Common Pleas, for the Purpose of quashing or taking off the File of Records of the said Court any Certificate of an Acknowledgment of a Deed by a Married Woman, on the Ground that such Judge or Master in Chancery, or either of such Commissioners, was interested or concerned as aforesaid, shall be pending at the passing of this Act, it shall be lawful for the said Court to proceed with and dispose of the same as if this Act had not passed, except that if the said Court shall be satisfied that any Person or Persons acting *bonâ fide* has or have been induced by the Terms of the Orders made by the said Court in *Hilary* Term One thousand eight hundred and thirty-four to acknowledge, or to accept a Title depending on the Acknowledgment of, any Deed or Deeds before Commissioners, One of whom may have been interested or concerned as aforesaid, the said Court may refuse to permit the Certificate to be quashed or taken off the File on such Terms as to the Payment of Costs and Expenses as the said Court shall think fit to make.

Court of Common Pleas may make Rules, &c.

III. The Court of Common Pleas may from Time to Time make any Rules which to them may seem fit for preventing any Commissioners interested or concerned as aforesaid from taking any Acknowledgment under the said recited Act, anything herein contained to the contrary notwithstanding, so nevertheless that no such Rule shall make invalid any Acknowledgment after the Certificate shall have been filed of Record as aforesaid.

CAP. LXXVI.

An Act for the Formation, Regulation, and Government of Convict Prisons in *Ireland*.

[7th *August* 1854.]

'WHEREAS it is expedient to amend the Laws now in force relating to Convict Prisons and Hulks, and to establish Rules and Regulations for the Government of Prisons or Hulks set apart for the Reception of Prisoners under Rule or Order of Transportation or of Penal Servitude, in *Ireland*: And whereas it is expedient that all the Powers relating to Convict Depôts, Hulks, or Prisoners under Rule or Order of Transportation, set forth in the Act passed in the Seventh Year of His Majesty King *George* the Fourth, Chapter Seventy-four, or any other Act, should be vested in Directors to be appointed as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of 7 G. 4. c. 74. as relates to Hulks, &c. repealed.

I. So much of the Act passed in the Seventh Year of His Majesty King *George* the Fourth, Chapter Seventy-four, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland, as relates to Hulks, Penitentiaries, or Convict Depôts, or to the Classification, Government, and Inspection of the Prisoners confined therein, or to the supplying of Clothing for any Prisoners under Rule or Order of Transportation by the local Inspector of any Gaol, shall be and they are hereby repealed.

Power to Lord Lieutenant to set apart Places, &c. for Convict Prisons.

II. It shall and may be lawful for the Lord Lieutenant, by Warrant to be published in the *Dublin Gazette*, to set apart and appoint Places of Confinement either at Land or on board Vessels to be provided for that Purpose for Prisoners under Sentence or Order of Transportation or of Penal Servitude; and all such Places of Confinement so set apart and appointed, and all Yards, Offices, Grounds, and Premises thereunto pertaining, shall be held to be and considered "Convict Prisons."

Convict Prisons to be free from all Rates, Taxes, &c.

III. All Convict Prisons now established or hereafter to be established, and all Lands, Buildings, Tenements, and Hereditaments thereunto belonging, with the Appurtenances thereof, and all Persons in respect thereof, shall be wholly freed and discharged from all Taxes, Rates, Assessments, and public Charges whatsoever.

Lord Lieutenant to appoint Directors of Convict Prisons.

IV. It shall and may be lawful for the Lord Lieutenant to appoint not more than Three Persons to be Directors of the said Convict Prisons, with such Salaries as the Commissioners of Her Majesty's Treasury shall approve, and the said Directors shall, subject to the Directions which they may from Time to Time receive from the Chief Secretary to the Lord Lieutenant, have the Control and Management of all the said Convict Prisons, and of all Prisoners confined therein; and it shall and may be lawful for the Lord Lieutenant to appoint One of such Persons to be Chairman of such Directors, and One of them, or One other Person, to act as Secretary and Accountant, and from Time to Time to remove any of such Persons to be so appointed, and to appoint another or others in his or their Stead; and the said Directors shall be One Body Politic and Corporate, by the Name of the "Directors of Convict Prisons for *Ireland*," and by that Name have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall have Power and Authority to take and purchase and hold Lands, Tenements, and Hereditaments to them, their Successors and Assigns, for the Purposes of this Act, or any other Act or Acts amending the same.

V. The

Directors empowered to contract for Diet, Clothing, and Manufactures for Convict Prisons.

V. The said Directors of Prisons shall have Power to make Contracts with any Persons whosoever for the Clothing, Diet, and other Necessaries, for the Maintenance and Support of the Convicts confined in Convict Prisons in *Ireland*, and for the Implements and Materials for any kind of Manufacture, Trade, or Works, in which Convicts confined in such Prisons shall be employed, and also to carry on such Manufacture, Trade, or Works in such Prisons, and to sell such Goods, Wares, and Merchandise as shall be there wrought or manufactured, and also to carry on any Works in any Place outside such Prisons, where the Chief Secretary shall direct.

Directors to report to Chief Secretary and to Parliament

VI. The said Directors of Prisons shall, on or before the Tenth Day of *March* in each Year, and oftener if required by the Chief Secretary, make a Report in Writing under their Hands to the Chief Secretary, specifying the State of the Buildings, the Behaviour and Conduct of the Officers of the several Convict Prisons, and of the Convicts, the Amount of the Earnings of the Convicts, and the Expense of all such Convict Prisons, the Rules and Regulations made by them, and such other Matters relating to the Discipline and Management of such Prisons as the said Directors shall deem expedient, or as the said Chief Secretary shall direct; and every such Report shall be laid before both Houses of Parliament within One Calendar Month next after the Receipt thereof, if Parliament be then sitting, or if not, then within One Calendar Month after the then next meeting of Parliament.

Appointment of Officers.

VII. It shall and may be lawful for the Lord Lieutenant to appoint for each Convict Prison in *Ireland* a Governor, Chaplain or Chaplains, a Medical Officer or Medical Officers, and such other Officers and Servants as shall be deemed to be necessary for the Service and Discipline of such Prison, and to remove all or any of them, and to fix the Salaries to be paid to the said Governor, Chaplain or Chaplains, Medical Officer, and all other Officers and Servants so appointed, subject to the Approval of the Commissioners of Her Majesty's Treasury.

Directors of Prisons may require Officers to give Security.

VIII. It shall be lawful for the said Directors of Prisons, if they shall deem it necessary, to require any Person employed in the Convict Service in *Ireland* to give Security for the due Performance of his Duties, in such Sums, and with such collateral Securities, and in such Form as the Lord Lieutenant shall direct.

Power to remove dismissed Officers refusing to give up Possession of Houses, &c.

IX. If any Person appointed to any Office or Employment in any Convict Prison in *Ireland*, who shall be removed from his Office or Employment, shall refuse or neglect to quit the said Prison, or to give up Possession of any House, Building, or Apartment therein or belonging thereto, within such Period as shall be fixed in any Order or Notice in Writing, to be signed by the Directors of Prisons, not being less than Forty-eight Hours after the Delivery to such Person of any such Order or Notice, then it shall be lawful for any Justice of the Peace acting for the County in which the Convict Prison is situate, on the Application of any One of the said Directors, by Warrant under the Hand and Seal of such Justice, to direct the Sheriff of the County to remove such Person out of the Prison; and the said Sheriff shall thereupon clear the Possession thereof, so far as relates to any Part of the Prison, or any House, Building, or Apartment therein or belonging thereto, occupied by or in possession of such Person, in like Manner as upon a Writ of Habere facias possessionem.

Directors to make Rules for Convict Prisons, subject to Approval of Chief Secretary.

X. It shall and may be lawful for the said Directors of Prisons to make and from Time to Time to alter Rules for the Regulation of all Convict Prisons in *Ireland*, and for the Duties and Conduct of the Governors and other Officers of said Prisons, and for the Diet, Clothing, Maintenance, Employment, Instruction, Discipline, and Correction of the Convicts imprisoned therein; provided nevertheless, that no Rule, whether it be original, or any Amendment or Revocation of a former Rule, shall be enforced until it shall have been approved of by the Chief Secretary.

Offenders under Sentence of Transportation or Penal Servitude may be removed from and to Government Prisons.

XI. It shall be lawful for the Chief or Under Secretary to direct the Removal from and to any Convict Prison of any Convict under Sentence or Order of Transportation or Penal Servitude, who shall appear by the Certificate of the Medical Officer of the Gaol to be freed from any putrid or infectious or cutaneous Distemper, and fit to be removed from the Gaol, Prison, or other Place in which such Offender shall be confined; and the Sheriff or Gaoler having the Custody of any Convict whose Removal to a Convict Prison shall be ordered in manner aforesaid shall, when so required to do, deliver up the said Convict to the Constabulary Officer or other Officer or Person who shall produce the said Order so made as aforesaid, together with a Copy, attested by the said Sheriff or Gaoler, of the Sentence and Date of Conviction of such Convict, and also a Return specifying such other Particulars within the Knowledge of the said Sheriff or Gaoler concerning such Convict as may be from Time to Time directed by the Chief or Under Secretary of the Lord Lieutenant: And the said Constabulary Officer or other Officer or Person shall give a Receipt to the said Sheriff or Gaoler for such Convict, and shall thereupon, with all convenient Despatch, convey and deliver up any such Convict, with the said attested Copy and Return, into the Custody of the Governor of the Convict Prison mentioned in the said Order; and the said Governor shall give a Receipt in Writing for every Convict so received into his Custody to such Constabulary Officer or other Officer or Person as his Discharge.

As to Employment of Convicts at Work.

XII. Such Convicts may be employed in Work every Day in the Year, except *Sundays*, *Christmas Day*, *Good Friday*, and any other Day or Days appointed for a General Fast or Thanksgiving, or any Holiday or Holidays as may be fixed and stated in the General Rules to be made by the Directors of Prisons, to be appointed under this Act, for so many Hours, not exceeding Twelve, exclusive of the Time allowed for Meals and Exercises, as the said Directors shall order: Provided always, that the said

Directors, by a written Order, may allow any Convict at his own Request to labour for a longer Time than is required by the Rules to be made as aforesaid.

As to Discharge of Convicts.

XIII. No Convict who shall have been received into the Custody of the Governor of any such Convict Prison shall be dismissed from the said Prison at the End or other Determination of his Term, if he shall then labour under any acute or dangerous Distemper, unless at his Request, and when such Convict shall be finally discharged such decent Clothing and such Assistance in Money or otherwise as shall be judged proper by the Directors shall be given to such Convict.

None but certain Persons to enter Convict Prisons.

XIV. No Person, except the Judges of Her Majesty's Superior Courts of Law in *Ireland*, the Judges of Assize, the Directors, Officers, and Servants of the Prison, or such other Persons as shall be authorized by the Directors or by the Rules to be made under this Act, shall be allowed at any Time to enter any Part of any Convict Prison, or to converse or hold Communication of any kind with any of the Prisoners.

Governor to have the same Power over Prisoners in his Custody as the Sheriff or Gaoler.

XV. After the Delivery of any such Convict as aforesaid into the Custody of the Governor of any Convict Prison, such Governor, or other Person having the Custody of Convicts under his Direction, shall, during the Term for which such Convict shall be ordered to remain in his Custody, have the same Powers over such Convicts, whether within or without the Prison, as are incident to the Office of Sheriff or Gaoler, and in case of any Abuse of such Custody, or other Misbehaviour or Negligence in the Discharge of his Office, shall be liable to the same Punishment to which a Gaoler is now liable by Law.

Directors may order Convicts to be punished by close Confinement, or by personal Correction.

XVI. In case any Convict shall be guilty of any repeated Offence against the Rules of the Prison, or shall be guilty of any greater Offence than the Gaoler or Keeper is by this Act empowered to punish, the said Gaoler or Keeper shall forthwith report the same to the Directors, or One of them, for the Time being; and any One such Director shall have Power to inquire upon Oath, and to determine concerning any such Matter so reported to him or them, and to order the Offender to be punished by close Confinement for any Term not exceeding One Month, or by personal Correction.

Additional Punishment to Convicts escaping, breaking or attempting to break Prison.

XVII. Every Prisoner who shall be ordered to be detained in any Convict Prison, who at any Time shall break Prison, or who while being conveyed to such Prison shall escape from the Person or Persons having the lawful Custody of such Prisoner, shall be punished by an Addition, not exceeding Two Years, to the Term of his Sentence; and every Prisoner in any Convict Prison who at any Time shall attempt to break Prison, or who shall forcibly break out of his Cell, or make any Breach therein with Intent to escape therefrom, or shall escape or attempt to escape when at work outside the Prison, shall be punished by an Addition, not exceeding One Year, to the Term of his Imprisonment.

Punishment of Persons rescuing or attempting to rescue Convicts.

XVIII. Every Person who shall rescue any Convict who shall be ordered to be imprisoned in any Convict Prison, either during the Time of his Conveyance to or from any Convict Prison or of his Imprisonment therein, and also every Person who shall aid in any such Rescue, shall be guilty of Felony, and every Person having the Custody of any such Convict as aforesaid, or being employed by the Person having such Custody as a Keeper, Underkeeper, Turnkey, Assistant, or Guard, who shall knowingly and willingly allow any such Convict to escape, also every Person who, by supplying Arms, Tools, or Instruments of Disguise, or otherwise, shall in any Manner aid any such Convict in any Escape, though no Escape be actually made, and every Person who shall attempt to rescue any such Convict, or aid in any such Attempt, though no Rescue be actually made, shall be guilty of Felony; and every Person having such Custody as aforesaid who shall carelessly allow any such Convict to escape shall be guilty of a Misdemeanor, and, being lawfully convicted of such Misdemeanor, shall be liable to Fine or Imprisonment, or to both, at the Discretion of the Court.

Punishing Officers for furnishing Convicts with prohibited Articles.

XIX. Every Officer or Servant of any Convict Prison, or any other Person or Persons, who shall bring in or carry out, or endeavour to bring in or carry out, or knowingly allow to be brought in or carried out, to or for any Convict, or carry to any Convict while employed outside the Prison Walls, any Money, Clothing, Provisions, Tobacco, Spirits, Letters, Papers, or other Articles whatsoever, not allowed by the Rules of the said Prison, shall, if an Officer or Servant of the Prison, be subject to Dismissal from Office, or, if it be thought fit, such Officer or other Person or Persons shall, upon the Order of any of the Directors of Prisons, be apprehended and carried before a Justice of the Peace, who shall be empowered to hear and determine any such Offence in a summary Way; and every such Officer or Servant, or other Person or Persons, upon Conviction of such Offence before a Justice of the Peace, shall be liable to pay a Penalty not exceeding Fifty Pounds, or, in the Discretion of the Justice, to be imprisoned in the Common Gaol or House of Correction, there to be kept, with or without Hard Labour, for any Period not exceeding Six Calendar Months.

Directors may act as Justices of the Peace.

XX. It shall be lawful for the Directors of Prisons, or any of them, and he or they are hereby authorized, in any Prison, either on Land or on board any Vessel, and also in every Place wherein any Offenders under Rule or Order of Sentence of Transportation or Penal Servitude shall be detained, or shall be employed to labour, to act in every respect as a Justice or Justices of the Peace as if he or they had been named in the Commission of the Peace, and had been duly qualified to act as a Justice or Justices of the Peace for the County or Place in which such Place of Confinement or Convict Prison shall be, or any Convict shall be employed to labour.

XXI. Every

XXI. Every Person who, upon Examination on Oath or Affirmation before the said Directors of Prisons, or any of them, shall wilfully give false Evidence, shall be liable to the Pains and Penalties of Perjury. Penalty for false Evidence.

XXII. The Provisions of all Acts of Parliament for rendering Justices of the Peace more safe in the Execution of the Duties of their Office shall extend to the Directors or any of them, and the several Governors or other Officers of Convict Prisons acting in the Execution of this Act. Protection of the Directors and Officers.

XXIII. All Actions, Suits, and Prosecutions to be commenced against any Person or Persons for anything done in pursuance of this Act shall be laid and tried in the County or Place where the Fact was committed, and shall be commenced within Six Months after the Fact committed, and not otherwise nor afterwards. Limitation of Actions.

XXIV. Every Convict or other Person who shall commit any Offence mentioned in this Act, or in any way relating to any Convict Prison for which he is not liable to be summarily convicted, may be tried before the Justices of Oyer and Terminer at *Dublin*, or for the County in which the Offender shall be taken; and in any Case of any Prosecution for any such Offence, either against a Convict or against any other Person or Persons concerned therein or accessory thereunto, a Copy, properly attested, of the Order of Commitment to such Prison, with Proof that the Person then in question before the Court is the same who was delivered with such Order, and Production of the Register of the said Prison, shall be sufficient Evidence of all the Facts entered in such Register as to such Convict, without the Production of any Record of Conviction or other Proof that such Convict had been convicted of Felony, and legally ordered to be imprisoned in any Convict Prison. Mode of Trial and Conviction.

XXV. From and after the passing of this Act, all Prison Clothing required to be supplied to Convicts on Removal to Convict Prisons from any Gaol or other Place of Confinement in *Ireland* shall be provided by the Directors of Prisons. Clothing to be furnished by Directors of Prisons.

XXVI. No Governor or other paid Officer of any Convict Prison shall, either in his own Name or in the Name of any other Person, provide, furnish, or supply for his own Profit any Materials, Goods, or Provisions for the Use of any Convict Prison, nor shall be concerned directly or indirectly in furnishing or supplying the same, or in any Contract relating thereto, under Pain of forfeiting the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Dublin*. Officers not to be concerned in Contracts, &c. Penalty 100*l.*

XXVII. It shall and may be lawful for the respective Clerks of the Crown, and they are hereby required, at each Assizes and General Gaol Delivery in every Town, County of a City, and County of a Town in *Ireland*, and at every Special Commission of Oyer and Terminer and Gaol Delivery therein, and at every Term or Session of the Commission of Oyer and Terminer and Gaol Delivery for the County of *Dublin*, or for the County of the City of *Dublin*, and the respective Clerks of the Peace are also hereby required at each Quarter Sessions to furnish the Commissioners of Prisons with a complete Schedule, duly signed, in the Form to this Act annexed, of the several Prisoners brought to Trial and sentenced to Transportation or to Penal Servitude at such Assizes and General Gaol Delivery, and at such Special Commission, and at each and every Term or Session of the Commission of the County of *Dublin* and of the County of the City of *Dublin* respectively, and at each and every Quarter Session, specifying the particular Crime of which each Prisoner was accused, and stating the Sentence of the Judge on each Trial, and whether the said several Sentences have been executed respectively, or whether the whole or any and what Part or Parts of them have been remitted, and to transmit the same to the said Directors of Prisons within Ten Days after the Termination of the said Assizes, Gaol Delivery or Quarter Sessions aforesaid, and the Copy of the said Schedule, or all or any Part thereof, duly certified by the Directors of Prisons, shall be deemed to be a Caption, and due and sufficient Evidence of the Order or Rule of Court in respect of any such Prisoner. Clerks of Crown and Peace to furnish Schedule of Convicts.

XXVIII. The Directors to be appointed by the Lord Lieutenant under this Act, and the Governors, and all inferior Officers whatsoever belonging to Convict Prisons in *Ireland*, shall be within the Provisions of the several Acts passed for regulating Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in Her Majesty's Service to all Intents and Purposes as if the said Directors, Governors, and Officers of the said several Convict Prisons had been mentioned in the Schedules to the said Acts. Officers of the Convict Prisons to be within the Provisions of the several Superannuation Acts.

XXIX. All Persons who shall be found trespassing upon any Grounds, Buildings, Yards, Offices, or other Premises whatsoever, belonging or pertaining to any Convict Prison, or shall enter the same without being an Officer of the said Prison, or authorized by Leave by any of the Directors of Prisons, or the Governor of the said Convict Prison, shall, upon Conviction thereof before a Justice of the Peace for the County in which any such Convict Prison may be situate, be adjudged to pay a Fine not exceeding for the First Offence Forty Shillings, to be recovered in the usual Way, or in default of Payment then the Offender may be sent to the Common Gaol, with or without Hard Labour, for any Period not exceeding One Month; and for a Second or subsequent Offence the Offender may be fined in any Sum not exceeding Five Pounds, to be recovered in the same usual Way, or in default to be liable to Imprisonment, with or without Hard Labour, for a Period not exceeding Three Calendar Months. Penalty on Persons trespassing on Grounds, &c. pertaining to Convict Prisons.

XXX. The Expression "Lord Lieutenant" shall be deemed to extend to and include any Chief Governor or Governors of *Ireland*. "Lord Lieutenant."

SCHEDULE to which this Act refers.

Name.	Age.	Crime.	Sentence.	Date of Conviction.	Before whom tried.	Where tried.	Remarks.

Dated this Day of *A.B.* Clerk of the Crown [*or* Peace] for

CAP. LXXVII.

An Act to provide for the Mode of passing Letters Patent and other Acts of the Crown relating to *India*, and for vesting certain Powers in the Governor General of *India* in Council.

[7th *August* 1854.]

'WHEREAS Doubts may arise as to the Mode of passing Letters Patent and other Acts of the Crown relating to *India* in certain Cases where Her Majesty's Pleasure is to be signified under Her Royal Sign Manual, and it is expedient to remove such Doubts, and to provide an uniform Mode of proceeding in such Cases: And whereas it is expedient to provide for the Administration by the Governor General of *India* in Council of such Parts of the Territories for the Time being under the Government of the *East India* Company as it may not be advisable to include in any Presidency or Lieutenant-Governorship, and to vest in such Governor General of *India* in Council the Powers now vested in the Governor of the Presidency of *Fort William* in *Bengal*:' Be it enacted and declared, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:

Warrants, &c. under Royal Sign Manual relating to India to be countersigned by President of Board of Control.

I. Whenever it shall please Her Majesty to cause Letters Patent to be issued under the Great Seal of the United Kingdom for the Nomination or Appointment of any Person to any Office in *India*, or to any Office relating to the Government thereof, or for any other Purpose whatsoever relating to *India*, the Warrant under Her Majesty's Royal Sign Manual for causing such Letters Patent to be passed under the said Great Seal shall be countersigned by the President of the Board of Commissioners for the Affairs of *India*, and by no other Person, and shall be sealed with the Privy Seal, for which sealing such Royal Sign Manual so countersigned shall be sufficient Warrant to the Lord Keeper of the Privy Seal, and such Warrant under the Royal Sign Manual, so countersigned and sealed as aforesaid, shall be a sufficient Authority to the Lord High Chancellor, or Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom, for passing Letters Patent under such Great Seal, according to the Tenor of the same Warrant; and whenever Her Majesty's Royal Sign Manual is or may be required to any Warrant or Writing for the Appointment or Removal of any Person to or from any Office in *India*, or any Office relating to the Government thereof, or is or may be required to any Warrant or Writing, for the Purpose of signifying Her Majesty's Approbation or Consent to any Appointment or Removal to or from any such Office, or for any other Purpose whatsoever relating to *India*, such Warrant or Writing shall be countersigned by the President of the said Board, and by no other Person; and every such Warrant or Writing as aforesaid under Her Majesty's Royal Sign Manual which may have been heretofore countersigned by such President shall not be deemed to have required any other Counter-signature or Verification.

If Office of President vacant, then by Secretary of State.

II. During any Vacancy in the Office of President of the Board of Commissioners for the Affairs of *India*, any Warrant or Writing required under this Act or otherwise to be countersigned by such President shall be countersigned by one of Her Majesty's Principal Secretaries of State.

The immediate Government of any Part of the Indian Territories may be vested in the

III. It shall be lawful for the Governor General of *India* in Council, with the Sanction and Approbation of the Court of Directors of the *East India* Company, acting under the Control and Direction of the Board of Commissioners for the Affairs of *India* from Time to Time, by Proclamation duly published, to take under the immediate Authority and Management of the said Governor General of *India* in Council any Part or Parts of the Territories for the Time being in the Possession or under the Government of the said Company, and thereupon to give all necessary Orders and Directions respecting the Administration

Administration of such Part or Parts of the said Territories, or otherwise to provide for the Administration thereof: Provided always, that no Law or Regulation in force at any such Time as regards any such Portion of Territory shall be altered or repealed except by Law or Regulation made by the Governor General of *India* in Council. Governor General of India in Council.

IV. It shall be lawful for the said Governor General of *India* in Council, with the like Sanction and Approbation, from Time to Time to declare and limit the Extent of the Authority of the Governor in Council, Governor, or Lieutenant Governor of *Bengal*, or of *Agra*, or the North-west Provinces, who is now or may be hereafter appointed. Governor General may limit the Powers of Governors herein named.

V. All Powers now or at any Time vested in or exercised by the Governor in Council, or Governor of the Presidency of *Fort William* in *Bengal*, or in or by the Governor General of *India* in Council in respect of such Presidency, and which for the Time being shall not have been transferred to the Governor in Council, Governor, or Lieutenant Governor of *Bengal*, or of *Agra*, or the North-west Provinces, shall be vested in and may be exercised by the Governor General of *India* in Council, and the Governor General of *India* shall no longer be the Governor of the said Presidency of *Fort William* in *Bengal*. Certain Powers transferred to the Governor General in Council.

VI. All Acts of the Governor General of *India*, or of the Governor General of *India* in Council, done before the Commencement of this Act, in respect to the Presidency of *Fort William* in *Bengal*, shall be as good and valid and of the same Force and Effect as if done by the Governor of the said Presidency. Past Acts declared valid.

VII. In the Construction of this Act "*India*" shall be construed to mean the Territories for the Time being in the Possession and under the Government of the *East India* Company. Interpretation.

VIII. This Act shall be read and construed as Part of the Act of the last Session of Parliament, Chapter Ninety-five. Act to be construed with 16 & 17 Vict. c. 95.

CAP. LXXVIII.

An Act to appoint Persons to administer Oaths, and to substitute Stamps in lieu of Fees, and for other Purposes, in the High Court of Admiralty of *England*. [7th *August* 1854.]

'WHEREAS Doubts have arisen whether the "Commissioners to administer Oaths in Chancery" 'may lawfully administer Oaths, or take Declarations, Affirmations, or Attestations, in the High 'Court of Admiralty of *England*: And whereas it is expedient that fit and proper Persons should be 'forthwith appointed for such Purposes; and it is also expedient to provide for the Collection of the 'Fees payable in relation to Proceedings in the said Court by means of Stamps to be provided and used 'for the Purpose:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may for all Purposes be cited as the "Admiralty Court Act, 1854." Short Title.

II. This Act shall come into operation on the First Day of *August* One thousand eight hundred and fifty-four. Commencement of Act.

III. It shall be lawful for the Judge of the High Court of Admiralty of *England*, and he is hereby empowered, from Time to Time and as and when he may think fit, to appoint any Person practising as a Proctor, Solicitor, or Notary Public in any Part of *England* and *Wales* to administer Oaths and take Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the High Court of Admiralty of *England*; and such Persons shall be styled "Commissioners to administer "Oaths in Admiralty," and shall be entitled to charge and takea Fee of One Shilling and Sixpence for every Oath administered by them, and for every Declaration, Affirmation, and Attestation taken by them, subject to any Order of the Judge of the said Court varying or annulling the same. Judge of Admiralty may appoint Solicitors and Notaries to administer Oaths, &c.

IV. The Fiat or Document by which any such Commissioner shall be appointed shall bear a Stamp of One Pound, and it shall not be necessary that any such Appointment should be published in the *London Gazette*. Commissioner's Appointment to bear a 1*l.* Stamp.

V. It shall not be necessary to sue out any Commission to take the personal Answers of any Party in any Matter, Suit, or Proceeding in the said Court; and any such Answers may be filed without any further or other Formality than is required in the swearing and filing of an Affidavit. Personal Answers may be taken without a Commission.

VI. It shall not be necessary to sue out any Commission for the Examination of any Witnesses in any Matter, Suit, or Proceeding in the said Court; and any Examiner appointed by any Order of the said Court shall have the like Power of administering Oaths as Commissioners now have under Commissions issued by the Court for the Examination of Witnesses. Examiners empowered to administer Oaths.

VII. All Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the said High Court of Admiralty shall and may be sworn and taken in *England* and *Wales* before any such Commissioner appointed as aforesaid, or before any Magistrate or Justice of the Peace, or before any Commissioner to administer Oaths in Chancery. Answers, Affidavits, &c., how to be sworn and taken in England and Wales.

VIII. All Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations in or relating to any Matter, Suit, or Proceeding in the said High Court of Admiralty of *England* shall and may be sworn and taken in *Scotland* or *Ireland*, or the *Isle of Man*, or the Channel Islands, Answers, Affidavits, &c., how to be sworn and taken out

of England and Wales.

Islands, or any of them, or in any Colony, Island, Plantation, or Place under the Dominion of Her Majesty, in Foreign Parts, before any Judge, Court, Magistrate, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Island, or Plantation, or Place respectively, or before any of Her Majesty's Consuls or Vice Consuls in any Foreign Parts out of Her Majesty's Dominions; and the Judge and other Officers of the said High Court of Admiralty shall take Judicial Notice of the Seal or Signature, as the Case may be, of any such Judge, Court, Magistrate, Notary Public, Person, Consul, or Vice Consul attached, appended, or subscribed to any such Answers, Examinations, Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations, or the Documents to be used in the said Court.

Penalty for false swearing, &c.

IX. All Persons swearing, declaring, affirming, or attesting before any Person authorized by this Act to administer Oaths and take Declarations, Affirmations, and Attestations, shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein, as if the Matter sworn, declared, affirmed, or attested had been sworn, declared, affirmed, or attested before any Court or Person now by Law authorized to administer Oaths and take Declarations, Affirmations, and Attestations.

Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.

X. If any Person shall forge the Signature or the Official Seal of any such Commissioner, Judge, Court, Magistrate, Notary Public, or other Person lawfully authorized to administer Oaths and take Declarations, Affirmations, or Attestations under this Act, or shall tender in Evidence any Answers, Examination, Deposition on Oath, Declaration, Affirmation, Attestation, or other Judicial or Official Document, with a false or counterfeit Signature or Seal of any such Commissioner, Judge, Court, Magistrate, Notary Public, or other Person authorized as aforesaid, attached or appended thereto, knowing the same Signature or Seal to be false or counterfeit, every such Person shall be guilty of Felony, and shall be liable to the same Punishment as any Offender under an Act passed in the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Admission in Evidence of certain official and other Documents.*

Power to appoint Persons under special Circumstances to administer Oaths, &c.

XI. The Judge of the High Court of Admiralty of *England* may, whenever it shall appear to him necessary so to do, authorize any Person to administer Oaths and to take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations during the Time such Person shall be on the High Seas, or in any Place not within Her Majesty's Dominions, in or relating to Prize Proceedings in the said Court, and it shall not be necessary to affix any Stamp to the Fiat or Document by which any such Person shall be appointed.

Power of Judge to issue Commissions as heretofore, to administer Oaths, &c.

XII. Nothing herein contained shall abridge or lessen the Power of the Judge of the said High Court of Admiralty of *England* as it now exists to issue Commissions as heretofore, and to appoint fit Persons to administer Oaths, take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations, and generally to execute any Commissions, nor shall affect in any Manner the Power of the Judge or Surrogates of the said Court to administer Oaths and take Affidavits, Depositions on Oath, Declarations, Affirmations, and Attestations as heretofore, in or relating to any Matter, Suit, or Proceeding in the said Court.

Power to Court to proceed by way of Monition.

XIII. In all Cases in which a Party has a Cause or Right of Action in the High Court of Admiralty of *England* against any Ship, or Freight, Goods, or other Effects whatever, it shall not be necessary to the Institution of the Suit for such Person to sue out a Warrant for the Arrest thereof, but it shall be competent to him to proceed by way of Monition, citing the Owner or Owners of such Ship, Freight, Goods, or other Effects to appear and defend the Suit, and upon satisfactory Proof being given that the said Monition has been personally served upon such Owner or Owners, the said Court may proceed to hear and determine the Suit, and may make such Order in the Premises as to it shall seem right.

Her Majesty may by Order in Council vary, alter, or abolish Fees, &c.

XIV. Her Majesty may by Order in Council from Time to Time vary, alter, or abolish all or any of the Fees payable in relation to Proceedings in the High Court of Admiralty of *England*, and may substitute One or more Fee or Fees in lieu thereof, and may direct that all or any of such Fees shall, from a Day to be named in such Order and thenceforth, be collected by means of Stamps, to be provided and used in manner herein-after mentioned.

After such Order Fees not to be received in Money, but by means of Stamps.

XV. From and after the Day named in such Order the Fees directed by such Order to be received by Stamps shall not be received in Money, but by a Stamp denoting the Amount of the Fee which otherwise would be payable; and where any Fee shall be payable in respect of any Document, such Stamp shall, at the Expense of the Party liable to pay, and in such Manner and under such Regulations as shall by any Order of the Judge of the said Court be directed, be stamped or affixed on the Vellum, Parchment, or Paper on which the Proceeding in respect whereof such Fee is payable is written, printed, or engrossed, or which may be otherwise used in reference to such Proceeding.

Commissioners of Inland Revenue to give the necessary Directions as to the Stamps, and to keep separate Accounts.

XVI. The Commissioners of Inland Revenue shall from Time to Time and as Occasion shall require give the necessary Directions for carrying the same into effect, and shall provide everything that is requisite for that Purpose, and shall do or cause to be done everything that is necessary for the Receipt and Collection of the Money to be paid for such Stamps, and the said Commissioners shall cause separate and distinct Accounts to be kept of all Sums of Money received or collected by them in respect of the Sale of such Stamps, and of all Costs, Charges, and Expenses incurred by them, or by their Direction, in carrying the same into effect.

XVII. The Commissioners of Inland Revenue may, if they think it necessary to do so, authorize proper Persons for the Sale and Distribution of all or any of the Stamps to be used under this Act, and may allow to such Persons the usual or customary Discount or Poundage thereon. Provision for Sale of Stamps.

XVIII. The Commissioners of Inland Revenue shall from Time to Time make such Regulations as they shall think fit for the Allowance of such Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or for which the Owner may have no immediate Use, or which through Mistake or Inadvertence may have been improperly or unnecessarily used, and such Allowance shall be made either by giving other Stamps in lieu of the Stamps so allowed, or by repaying the Amount or Value to the Owner or Holder thereof, after deducting the Discount or Poundage (if any) allowed on Stamps of the like Kind. Commissioners of Inland Revenue may make Regulations as to Allowance for spoiled Stamps.

XIX. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care or Management of the Commissioners of Inland Revenue shall (so far as the same are applicable and consistent with the Provisions of this Act), in all Cases not hereby expressly provided for, be of full Force and Effect with respect to the Stamps to be provided under or by virtue of this Act, and to the Vellum, Parchment, or Paper on or to which the same Stamps shall be impressed or affixed, and be applied and put in execution for collecting and securing the Sums of Money denoted thereby, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually to all Intents and Purposes as if such Provisions had been herein repeated and specially enacted with reference to the said last-mentioned Stamps and Sums of Money respectively. Provisions of former Acts relating to Stamps to be applicable to Stamps under this Act.

XX. No Document which by any Order as aforesaid ought to have had a Stamp impressed thereon or affixed thereto shall be received or filed or be used in relation to any Proceeding in the High Court of Admiralty, or be of any Validity for any Purpose whatsoever, unless or until the same shall have a Stamp impressed thereon or affixed thereto in the Manner directed by such Order: Provided always, that if at any Time it shall appear that any such Document which ought to have had a Stamp impressed thereon or affixed thereto has, through Mistake or Inadvertence, been received or filed or used without having such Stamp impressed thereon or affixed thereto, the Judge of the said Court may, if he shall think fit, order that a Stamp, not exceeding in Value Four Times the Amount of such original Stamp, shall be impressed thereon or affixed thereto; and thereupon, when the proper Stamp shall, in compliance with such Order, have been impressed on such Document or affixed thereto, such Document, and every Proceeding in reference thereto, shall be as valid and effectual as if such Stamp had been impressed thereon or affixed thereto in the first instance. No Document to be received or used unless stamped.

XXI. If any Officer of the High Court of Admiralty, or other Person, shall do or commit or connive at any fraudulent Act or Practice in relation to any Stamp to be used under the Provisions of this Act, or to any Fee or Sum of Money to be collected or which ought to be collected by means of any such Stamp, or if any such Officer or Person shall be guilty of any wilful Act, Neglect, or Omission in relation to any such Stamp or Fee as aforesaid, whereby any Fee or Sum of Money which ought to be collected shall be lost, or the Payment thereof evaded, every such Officer or Person so offending may be dismissed from his Office or Employment by the Judge of the said Court. Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed.

XXII. It shall be lawful for the Commissioners of Her Majesty's Treasury, on the Recommendation of the Judge of the High Court of Admiralty, to order to be paid to any Person now or hereafter holding any Office or Employment in the said Court, who shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, or shall be desirous of resigning the same, a Superannuation or Allowance; and in ascertaining and awarding the Amount of such Superannuation or Allowance the said Commissioners shall proceed according to the Principles laid down in the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four. Power to Treasury to order Pensions for retiring Officers.

XXIII. Except where it shall be otherwise expressed, the Provisions of this Act shall apply to all Instance, Prize, and other Matters, Suits, and Proceedings of which the High Court of Admiralty may legally take cognizance. Provisions to extend to Instance, Prize, and other Matters.

CAP. LXXIX.

An Act for further regulating the Sale of Beer and other Liquors on the Lord's Day.

[7th *August* 1854.]

'WHEREAS the Provisions in force against the Sale of fermented and distilled Liquors on the 'Morning of the Lord's Day have been found to be attended with great Benefits, and it is im- 'portant to extend such Provisions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 11 & 12 Vict. c. 49.

I. That it shall not be lawful for any Licensed Victualler or Person licensed to sell Beer by Retail to be drunk on the Premises or not to be drunk on the Premises, or any Person licensed or authorized to sell any fermented or distilled Liquors, or any Person who by reason of the Freedom of the Mystery or Craft of Vintners of the City of *London*, or of any Right or Privilege, shall claim to be entitled to sell Wine by Retail to be drunk or consumed on the Premises, in any Part of *England* or *Wales*, to open or keep Licensed Victuallers, &c. prohibited from opening Houses for Sale of Beer, &c.

during certain Hours of Sunday, &c.

keep open his House for the Sale of or to sell Beer, Wine, Spirits, or any other fermented or distilled Liquor between Half-past Two o'Clock and Six o'Clock or after Ten o'Clock in the Afternoon, on *Sunday*, or on *Christmas Day*, or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sunday*, *Christmas Day*, or *Good Friday*, or such Days of Public Fast and Thanksgiving, except as Refreshments to a *bonâ fide* Traveller or a Lodger therein.

Houses, &c. of public Resort prohibited from being opened for Sale of Liquors, &c. on Sundays, &c.

II. That no Person shall open any House or Place of Public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in any Part of *England* or *Wales* between Half-past Two o'Clock and Six o'Clock or after Ten o'Clock in the Afternoon, on *Sunday*, or on *Christmas Day* or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sundays*, *Christmas Day*, or *Good Friday*, or such Days of Public Fast and Thanksgiving, except as Refreshment for Travellers.

Power to Constables to enter Houses, &c.

III. That it shall be lawful for any Constable at any Time to enter into any House or Place of public Resort for the Sale of Beer, Wine, Spirits, or other fermented or distilled Liquor or Liquors; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be deemed guilty of an Offence against this Act.

Penalty for Offences against this Act.

IV. That every Person who shall offend against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, to a Penalty not exceeding Five Pounds for every such Offence, and every separate Sale shall be deemed a separate Offence.

CAP. LXXX.

An Act to provide for the better Registration of Births, Deaths, and Marriages in *Scotland*.

[7th *August* 1854.]

'WHEREAS it is expedient that a complete and uniform System of Registration of Births, Deaths, and Marriages should be established and maintained in *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Present System of Registration to cease on 31st December 1854, and this Act to come into operation.

I. From and after the Thirty-first Day of *December* One thousand eight hundred and fifty-four, the present System of Registration of Births, Deaths, and Marriages in *Scotland* shall cease and determine, in so far as regards Births, Deaths, and Marriages taking place after the said Thirty-first Day of *December*, and this Act shall come into operation: Provided always, that it shall be competent for any Person to register, on or before the Thirty-first Day of *December* One thousand eight hundred and fifty-five, in the Registers kept and in use before the passing of this Act, any Birth, Death, or Marriage which shall have taken place on or before the Thirty-first Day of *December* One thousand eight hundred and fifty-four, in the same Manner as if this Act had not been passed: Provided also, that all existing Registers of Births, Deaths, and Marriages, including all such Entries as may be made as aforesaid, and all Extracts and Certificates from such Registers, shall be and remain of the same legal Force and Effect in all respects as if this Act had not been passed.

Her Majesty may provide an Office, and appoint a Registrar General.

II. On and after the passing of this Act it shall be lawful for Her Majesty to provide a proper Office in the General Register House at *Edinburgh*, to be called "The General Registry Office of Births, Deaths, and Marriages," in which shall be kept and preserved a Register of all Births, Deaths, and Marriages in *Scotland*, and to appoint, under the Seal appointed to be used in *Scotland* in place of the Great Seal thereof, the Person for the Time being holding the Office of the Deputy of the Lord Clerk Register of *Scotland* to be Registrar General of Births, Deaths, and Marriages in *Scotland*; and such Registrar General shall be paid, in addition to whatever Salary he may enjoy as Deputy Clerk Register, a Salary not exceeding Four hundred Pounds *per Annum*.

The Registrar General may appoint a Secretary.

III. It shall be lawful for the Registrar General, with the Approbation of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, to appoint a Secretary, who may act in his Absence with all the Powers and in the Discharge of all the Duties hereby given to or imposed upon the Registrar General; and such Secretary shall be paid a Salary not exceeding Three hundred Pounds *per Annum*.

Appointment of Clerks and other Officers.

IV. It shall be lawful for the Registrar General, with the Approbation of the said Commissioners of Her Majesty's Treasury, to appoint such Clerks, Officers, and Servants as shall be deemed necessary to carry on the Business of the General Registry Office, and at pleasure, with the like Approbation, to remove them or any of them, and, with the like Approbation, to fix the Salaries of such Clerks, Officers, and Servants, according to the Duties and Services which they may have respectively to perform.

Expenses of Registry Office and Books, &c., how to be provided.

V. The Salary of the Registrar General and Secretary, and all the Expenses of the General Registry Office, including the Expenses of Clerks, Officers, and Servants, and of Books and Stationery, and of making and copying Indexes and Inventories, and in relation to Sessional Registers or private Burial Registers, and all Expenses incurred from Time to Time in the Publication and Transmission of Notices in pursuance of this Act, or otherwise, under the Directions and by the Authority of the Registrar General

General, or of the Sheriff, and all other Expenses connected with the Business of the said Office not herein otherwise provided for, shall be paid by the said Commissioners of Her Majesty's Treasury out of any Monies to be hereafter voted by Parliament for that Purpose.

Regulations for Management of Office and Duties of Officers to be framed.

VI. One of Her Majesty's Principal Secretaries of State, or the Registrar General with the Approbation of such Principal Secretary, shall and may from Time to Time make Regulations for the Management of the General Registry Office, and for the Discharge of the Duties of the Registrar General, Clerks, Officers, and Servants of the said Office, and of the Registrars and Assistant Registrars herein mentioned, so that such Regulations be not contrary to the Provisions of this Act; and the Regulations so made and approved shall be binding on the Registrar General and Secretary, and the Clerks, Officers, and Servants, and on the Registrars and Assistant Registrars; and a Copy of all such Regulations shall be laid before both Houses of Parliament within Six Weeks after the same are approved of, or if Parliament shall not be then sitting, within One Month after the Commencement of the next Session.

Abstract of Registers to be laid annually before Parliament.

VII. The Registrar General shall transmit once in every Year to Her Majesty's Secretary of State for the Home Department a General Abstract of the Numbers of Births, Deaths, and Marriages registered during the foregoing Year, in such Form and at such Date as such Secretary shall from Time to Time prescribe; and every such annual General Abstract shall be laid before Parliament within One Month after Receipt thereof, or if Parliament shall not be then sitting, within One Month after the Commencement of the next Session.

Registrar for each Parish to be elected by the Parochial Board.

VIII. A Registrar of Births, Deaths, and Marriages shall be elected in manner herein-after provided by the Parochial Board of each Parish, (including the several Parishes erected or to be erected under the Provisions of an Act passed in the Seventh and Eighth Year of the Reign of Her present Majesty, Chapter Forty-four,) not being a Burgh or Part of a Burgh, appointed and acting under an Act passed in the Eighth and Ninth Year of the Reign of Her present Majesty, Chapter Eighty-three, and such Parochial Board shall be the Judges of the Qualification of Persons to be elected to the Office of Registrar: Provided always, that any Session Clerk who is in Office at the Date of the passing of this Act shall be the Registrar under this Act for the Parish of which he is Session Clerk, unless it shall be proved to the Sheriff that he is unfit for the Office of Registrar, or that the Duties he has to discharge are incompatible with such Office.

Meetings of Parochial Board to be called by the Inspector of the Poor.

IX. The Meetings of the Parochial Board in any such Parish for the Trial of the Qualifications and the Election of a Registrar shall be called by the Inspector of the Poor acting under the said Act, by the Direction either of the Sheriff or of the Parochial Board, in such and the like Manner as the ordinary Meetings of the Parochial Board are called under the said Act, and such Meetings shall be called and held forthwith after the passing of this Act; and such Inspector shall, within Six Days after a Vacancy in the Office of Registrar of the Parish of which he is Inspector shall become known to him, apply to the Sheriff or the Parochial Board to appoint a Time and Place for a Meeting of the Parochial Board for the Purpose of electing a Registrar to supply such Vacancy; and in case there shall happen to be no Inspector for the Time, the Chairman of the Parochial Board shall make such Application to the Sheriff, or shall himself appoint a Time and Place for such Meeting: Provided, that if the Vacancy be caused by the Death of a Registrar who was a Schoolmaster, it shall be competent to the Sheriff, or, with the Consent of the Sheriff, to the Parochial Board, or Chairman calling the Meeting, to postpone the Election, for any Period not exceeding Four Months, until the Election of the Successor of such Schoolmaster.

Parishes may be divided or united.

X. If it shall at any Time appear to the Sheriff that it is desirable that any Parish should be divided, or that Two or more Parishes or Portions of Parishes should be united into One District, the Sheriff may divide such Parish or unite such Parishes or Portions of Parishes into One or more Districts as he shall think fit, and each such District shall be held to be and be a separate Parish for the Purposes of this Act; and the Sheriff shall fix the distinctive Name by which each such District shall be called for the Purposes of this Act; and a written or printed Notice of such Division or Union, setting forth such distinctive Names, shall be affixed on the Doors of all the known Places of Public Worship within the Parish or Parishes thereby affected for Three consecutive Weeks before such Division or Union shall come into operation, and be published Twice a Week for Three consecutive Weeks in Two Newspapers published or usually circulated in the Parishes or in the County in which the same are situated: Provided always, that any Session Clerk who, under the Provisions of this Act, would be entitled to be Registrar of any Parish, shall be the Registrar of such One of the said Districts as shall be appointed by the Sheriff.

Sheriff may annex small Portion of a Parish to the Parish adjoining.

XI. It shall be lawful for the Sheriff, if he shall deem it expedient, in order to avoid any Doubt as to the Boundary of a Parish or otherwise, to annex, for the Purposes of this Act, any small Portion of a Parish to an adjoining Parish: Provided always, that any Charges payable out of the Parochial Funds for Registrations in respect of such Portion so annexed shall be payable and paid by the Parish from which such Portion is detached to the Parish to which the same is annexed: Provided also, that the Parochial Board of the Parish from which such Portion is taken shall have no Voice in the Election of the Registrar of the Parish to which the same is annexed.

Election of Registrar by Parochial Board.

XII. At the Time when this Act shall come into operation, and at any Time thereafter when there shall be a Vacancy in the Office of Registrar, the Parochial Board shall, subject to the Provisions herein-

herein-before contained, by a Majority of the Votes of the Members present at a Meeting specially called for the Purpose, elect the Registrar of the Parish or District; and in case any Dispute or Difference shall arise as to the voting or Majority of Votes at such Election, or any other Proceedings connected therewith, the same shall be settled summarily by the Sheriff on hearing verbally the Parties or their Agents; and in all Cases of temporary Vacancy of the Office of Registrar, by Death or otherwise, the Sheriff shall appoint an Interim Registrar, who shall, during the Time he shall act, have the like Powers and be bound to discharge the like Duties as the Registrar; and in all Cases of the Election or Appointment of a Registrar or Interim Registrar, such Election or Appointment shall, within Ten Days thereof, be intimated in Writing to the Registrar General by the Parochial Board or the Sheriff, as the Case may be.

Where there is no Parochial Board Heritors may appoint the Registrar.

XIII. In case there shall not be a Parochial Board acting under the said Act in any Parish or District at the Time when this Act shall come into operation, or at any Time thereafter, in which it is necessary to elect a Registrar under this Act, the Heritors shall, subject to the Approbation of the Sheriff, appoint a Registrar therein.

Registrar may appoint Assistant.

XIV. It shall be lawful for every Registrar, with the Approbation of the Parochial Board, or where there is no Parochial Board with the Approbation of the Sheriff, to appoint, by a Writing under his Hand, a fit Person, for whom he shall be responsible, to be his Assistant in case of his Illness or unavoidable Absence, or otherwise ceasing to hold his Office, until the Appointment of another Registrar, and also to act in all Cases where such Assistant may be authorized or required so to do by any Regulation to be made in virtue of this Act, and it shall also be lawful for such Registrar, with the like Approbation, to dismiss such Assistant; and the Entries made in the Registers of Births, Deaths, and Marriages herein-after mentioned, and Extracts made therefrom, and the Duties performed by such Assistant Registrar, shall be of the like Force and Effect as if made or performed by the Registrar: Provided always, that each Folio or Page of such Registers on which any Entry shall be made shall be signed by the Registrar, and every such Entry shall be authenticated by him, by affixing his Initials thereto, unless where the Registrar shall by Indisposition or other sufficient Cause be unable to act, in which Case such Assistant shall sign and authenticate such Registers, and the Entries therein.

Registrars not to acquire vested Rights in their Offices, and to be subject to Removal.

XV. No Registrar shall acquire any vested Right in or to his Office by virtue of his Appointment; and in case any Registrar shall fail or neglect or refuse to discharge the Duties of his Office, or shall be unfit or incompetent to discharge such Duties, it shall be lawful for the Parochial Board to make Application to the Sheriff for his Removal from his Office of Registrar, and the Sheriff shall thereupon hear Parties, and take such Proceedings in reference to such Application as he shall think fit; and if the Sheriff shall be of opinion that such Registrar has failed or neglected or refused to discharge the Duties of his Office, or is unfit or incompetent to discharge such Duties, the Sheriff shall remove such Registrar from his Office of Registrar, and shall direct Notice of such Removal to be forthwith sent to the Parochial Board, and to be published in the Parish of which he was the Registrar, in such Manner as the Sheriff shall direct; and such Registrar shall, from and after such Publication, cease to hold his Office under this Act, and shall be incapable of being reappointed thereto, and the Parochial Board shall, in manner herein provided, elect a Registrar to supply the Vacancy caused by such Removal; and the Judgment of the Sheriff in all such Cases shall be final, and not subject to Review in any Court or by any Process whatsoever.

Appointments exempt from Stamp Duty.

XVI. The Appointments of the Registrar General, and Secretary, and of the several Registrars and Assistant Registrars under this Act, and the certified Copies of Registers, Extracts, and Certificates herein mentioned, shall be exempt from all Stamp Duties.

Fees payable to Registrar.

XVII. The Registrar shall be entitled to demand, in respect of Registration and the other Duties required to be performed by him under the Provisions of this Act, the several Fees herein authorized to be taken, and shall keep a correct Account of all Sums received by him in virtue of this Act in the course of each Year, and shall, within Ten Days after the Thirty-first Day of *July* yearly, deliver or transmit a Copy of such Account up to the said Thirty-first Day of *July*, authenticated by him, to the Sheriff, to be preserved in the Sheriff Clerk's Office, and to be furnished by the Sheriff to the Registrar General, and, if required, to One of Her Majesty's Principal Secretaries of State.

Existing Registers, &c. previous to 1820 to be transmitted to the Registrar General, and subsequent Registers, &c. to be delivered up to the Registrars.

XVIII. All existing Parochial Registers, Minutes, and Documents of every Description relating to the Registration of Births, Deaths, and Marriages which shall have been kept in every Parish prior to the First Day of *January* One thousand eight hundred and Fifty-five shall, as far as regards such Registers, Minutes, and Documents made and entered prior to the Year One thousand eight hundred and twenty, be transmitted, under the Direction of the Sheriff, to the Registrar General, for Preservation in the General Registry Office at *Edinburgh*, and as far as regards such Registers, Minutes, and Documents from the Year One thousand eight hundred and twenty, inclusive, to the said First Day of *January* One thousand eight hundred and fifty-five, shall be delivered over to the Custody and Care of the Person who shall be appointed Registrar of the Parish under this Act; and where any Parish shall be divided, such last-mentioned Registers, Minutes, and Documents shall remain in the Custody of the Registrar of that Portion of the divided Parish wherein such Registers, Minutes, and Documents are at the Time of the Division; and the Registrar to whom such Registers, Minutes, and Documents shall be so delivered shall, if required by the Registrar General, make or cause to be made exact Inventories and Indexes thereof in

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so far as such Inventories and Indexes do not already exist, noticing in such Inventories any Blanks or Deficiencies therein or other Matter requiring to be noticed; and an authenticated Copy of each such Inventory and a General Abstract of each such Index shall be transmitted by him to the Registrar General, for Preservation in the General Registry Office; and the Registers, Minutes, and Documents, from the Year One thousand eight hundred and twenty to the said First Day of *January* One thousand eight hundred and fifty-five, hereby appointed to remain with the Registrar of the Parish, shall, at the End of Thirty Years after the said First Day of *January*, be transmitted, under the Direction of the Sheriff, to the Registrar General, for Preservation as aforesaid; and all such Registers, Minutes, and Documents, and the original Inventories, Indexes, and General Abstracts, and the authenticated Copies thereof, whether in the Custody of the Registrar or Registrar General, may be searched, and certified Copies of Entries taken therefrom, at all reasonable Times, by any Person, upon Payment of the Fees authorized to be taken for the like Searches and Copies made in or taken from the Registers and Indexes appointed to be kept under this Act.

Provision as to Sessional Registers.

XIX. Provided always, That if in the Registers kept in any Parish prior to the First Day of *January* One thousand eight hundred and fifty-five there shall be entries of Births, Deaths, and Marriages intermixed with Entries or Records relating to Sessional or other Matters, it shall be lawful for the Sheriff to direct either that Copies of the Entries of Births, Deaths, and Marriages shall be made and delivered to the Registrar of the Parish for the Purposes and under the Provisions of this Act, so that the existing Register may remain in the Custody in which it then is, or that Copies of the Entries or Records relating to such Sessional or other Matters shall be made and delivered over to the Parties interested therein, and the existing Register be delivered to the Registrar of the Parish; and in either Case such Copies shall be examined by the Sheriff and the Registrar, and authenticated by the Sheriff.

Provision as to Burial Registers.

XX. And whereas Registers are kept at various Burial Grounds and Cemeteries which are private Property and maintained at private Expense, and are necessary towards the Protection of the Rights of the Owners thereof, such Registers shall, upon Proof to the Satisfaction of the Sheriff to the above Effect, remain with the Proprietors thereof: Provided, that correct Copies of all such Registers in use on the Thirty-first Day of *December* One thousand eight hundred and fifty-four shall be prepared and authenticated at the Sight of the Sheriff, who shall certify the same, and shall be delivered to the Registrar of the Parish wherein such Burial Ground or Cemetery is situated; but nothing herein contained shall, after the said Thirty-first Day of *December*, relieve any such Proprietors from the Necessity of registering Deaths in the Parochial Registers under the Provisions of this Act.

The Sheriff to superintend Registrars.

XXI. The Sheriff of each County shall have the Control and Superintendence of the Registrars of the several Parishes and Districts within such County: Provided, that where a Parish shall be situated in more Counties than one, such Parish shall, for the Purposes of this Act, be held to be within the County in which the Parish Church is situated.

Register Boxes to be provided.

XXII. The Registrar General shall furnish to the Registrar of every Parish a strong Iron Box, to hold the Registers, Copies of Registers, and all other Records, Papers, or Documents connected with such Registers, in the Custody of the Registrar, and every such Box for each Registrar shall be furnished with a Lock and Two Keys, and no more, and One of such Keys shall be kept by the Registrar, and the other Key shall be kept by the Sheriff; and the Register Books of each Parish, while in the Custody of the Registrar, and not in use, shall be always kept in the Register Box, which shall always be left locked; and where, from the Number of Register Books, such Boxes may not be sufficient to contain the same, such Register Books shall be deposited and kept in Fireproof Places approved of by the Sheriff, which shall be kept locked as such Boxes are hereby required to be.

Books and Forms to be provided.

XXIII. Upon the Application of the Registrar General, there shall be furnished to him from Time to Time, from Her Majesty's Stationery Office, all such Stationery, Books, Certificates, Schedules, Notices, and Forms as shall be necessary in the Execution of this Act, and as the Registrar General shall require and direct, and the Register Books shall be of durable Materials, and in them shall be printed upon each Side of every Leaf the Heads of Information herein required to be known and registered of Births, Deaths, and Marriages respectively, and every Page of each Book shall be numbered progressively by printed Numbers from the Beginning to the End of the Book, beginning with Number One; and each such Page shall be ruled and filled up according to the Form given in the Three several Schedules (A.), (B.), and (C.) hereunto annexed, and each separate Entry shall be numbered at the Beginning thereof with successive Numbers, beginning with Number One; and the Registrar General shall furnish to the Registrar of every Parish or District a sufficient Number of Register Books of Births, and of Register Books of Deaths, and of Register Books of Marriages, and of Certificates, Schedules, Notices, and Forms.

On Removal or Death of Registrars, Register Boxes, Books, &c. to be delivered up to Successors.

XXIV. In every Case in which any Registrar, Interim Registrar, or Assistant Registrar shall die or be removed from or resign or otherwise cease to hold his Office, all Register Boxes, Keys, Books, Documents, and Papers in his Possession as Registrar, Interim Registrar, or Assistant Registrar, or which shall come into the Possession of his Representatives, shall be delivered up as soon as conveniently may be to his Successor in Office, or to such other Person as the Parochial Board or the Sheriff shall direct; and if any Person shall refuse to give up any such Box, Key, Book, Document, or Paper in such Case as aforesaid, it shall be lawful for the Sheriff of the County where such Person shall be or reside, upon summary Application made for that Purpose by the Parochial Board or any one authorized by them, or

without such Application, to issue a Warrant for bringing such Person before such Sheriff; and upon such Person not appearing or not being found, it shall be lawful for the Sheriff to hear and determine the Matter in a summary Way; and if it shall appear to him that any such Box, Key, Book, Document, or Paper is in the Custody or Power of any such Person, and that he has refused or wilfully neglected to deliver the same, the Sheriff is hereby authorized and required to commit such Person to the Common Gaol of such County, or to any legal Gaol or Place of Confinement within the same, near the Place where such Person may be or reside, there to remain without Bail until he shall have delivered up the same, or until Satisfaction shall have been given in respect thereof to the Person in whose Custody the same ought to be, or to the Parochial Board.

Registrars to dwell in Parish, and put their Names on their Houses, and their Names to be affixed on Doors of Places of Public Worship.

XXV. The Registrar and Assistant Registrar shall dwell or have a known Place of Business within the Parish or District of which he is Registrar or Assistant Registrar; and every Registrar shall cause his Name, with the Addition of Registrar for the Parish or District for which he shall be so appointed, to be placed in some conspicuous Place outside of or on or near the outer Door of his own Dwelling House, or of his usual Place of Business if different or apart from his Dwelling House; and the Sheriff shall cause to be printed and affixed for Two consecutive *Sundays* in the Month of *November* One thousand eight hundred and fifty-four, and in the Month of *July* yearly thereafter, upon some conspicuous Place on the Doors of all the known Places of Public Worship within the County of which he is Sheriff, and of every Burgh in such County, a List of the Names and Dwelling Houses or usual Places of Business, if different or apart from the Dwelling Houses, of every Registrar and Assistant Registrar in such County or Burgh respectively.

Registrar to learn and register Births and Deaths.

XXVI. Every Registrar shall, subject to the Regulations to be made as aforesaid, be and he is hereby authorized and required to inform himself carefully of every Birth and Death which shall happen within his Parish or District, and to learn and register, as soon after the Event as conveniently may be done, and without Fee or Reward, save as herein-after provided, in One of the said Register Books, the Particulars required to be registered, according to the Forms in the Schedules (A.) and (B.) hereunto annexed respectively, touching every such Birth or every such Death, as the Case may be, every such Entry being made in Order from the Beginning to the End of the Book as aforesaid; and in case of the Parish of the Birth being different from the Parish of the Domicil of the Parents of the Child, the Registrar of the Parish of the Birth shall, within Eight Days after the Entry of the Birth in his Register, transmit a Copy of such Entry to the Registrar of the Parish of the Domicil, if known to him, and the Registrar of the Parish of the Domicil shall forthwith transcribe such Entry in the Register of such Parish, and mark on the Margin of such Entry the Name of the Parish of the Birth.

Parents, &c. to give Information of Births, and to sign the Register.

XXVII. The Parents or Parent, or, in case of the Death or Inability of the Parents, the Person in charge of any Child born, and the Occupier of every House or Tenement in which to his or her Knowledge any Birth shall take place, and the Nurse present at such Birth, and in the Case of an illegitimate Child the Mother of such Child, or in case of the Death, Illness, or Inability of the Mother, the Person in charge of such Child, or the Occupier of the House or Tenement in which to his or her Knowledge the Child was born, or the Nurse present at the Birth of such Child, shall, within Twenty-one Days next after the Day of such Birth, and under a Penalty not exceeding Twenty Shillings in case of Failure, attend personally and give Information to the Registrar of the Parish or District in which the Birth occurred, to the best of his or her Knowledge and Belief, of the several Particulars required by the Schedule (A.) hereunto annexed to be registered touching such Birth, and shall in Presence of the Registrar sign the Register; and in the event of Failure or Neglect so to give Information, such Parents and Persons above specified, and also any other Person having Knowledge of the Particulars, shall, upon being required personally or by written Requisition, within Three Months after the Date of such Birth, and under a Penalty not exceeding Forty Shillings in case of Failure, attend personally and give Information to the Registrar of the Parish in which such Birth occurred, according to the best of his or her Knowledge and Belief, of the several Particulars by the said Schedule (A.) required to be registered touching the Birth of such Child, and shall sign the Register in the Presence of the Registrar.

Registrar may require any Child to be produced.

XXVIII. In case of any Doubt existing as to the Sex or regarding the Birth of any Child, it shall be lawful for the Registrar to require the Production of the Child, and the Parents or any Person in charge of the Child shall be bound to produce it to the Registrar, unless prevented by the Illness of the Child, or other Reason satisfactory to the Registrar, under a Penalty of Forty Shillings in case of Noncompliance.

Intimation of finding new-born Child or dead Body of new-born Child.

XXIX. In case any Person shall find exposed any new-born Child, or the dead Body of any new-born Child, such Person shall forthwith give Notice of the finding of such exposed new-born Child, or the dead Body of such new-born Child, to the Registrar of the Parish or District, or to the Inspector of the Poor thereof, or to the District Constable, and such Registrar or Inspector or District Constable shall give the like Notice to the Procurator Fiscal; and any such Person, or Registrar, or Inspector, or District Constable, failing to give the Notice hereby required, shall be liable in a Penalty not exceeding Forty Shillings.

Register of Children born at Sea.

XXX. If any Child of a *Scottish* Parent shall be born at Sea on board of a British Vessel after the said Thirty-first Day of *December* One thousand eight hundred and fifty-four, the Captain or Commanding Officer of such Vessel shall forthwith make a Minute in the Log Book or otherwise of the several Particulars hereby required to be registered, touching the Birth of such Child, so far as the same may be

be known, and the Name of the Vessel in which the same took place, and shall on the Arrival of such Vessel in any Port of the United Kingdom, or by any other earlier Opportunity, send a certified Copy of such Minute through the Post Office to the Registrar General in *Edinburgh*, who shall file the same, and shall cause a true and correct Copy thereof, verified by his own Signature, to be entered in a Book to be kept for that Purpose in the General Registry Office, to be called "The Marine Register," and the Registrar General shall keep such Book with the Duplicate Registers according to the Provisions of this Act; and the Registrar General shall, within Three Days after the Receipt of such Minute, transmit a like Copy to the Registrar of the Parish in which the Child's Parents are or were last domiciled, if known to him, and such Registrar shall forthwith enter the Particulars specified in such Copy in his Register, noticing such Transmission therein, in such Manner as shall be prescribed by the Registrar General.

Registration after Three Months from the Birth of the Child.

XXXI. After the Expiration of Three Months following the Day of the Birth of any Child it shall not be lawful for any Registrar to register such Birth save as herein provided; and in case the Birth of any Child shall not have been registered according to the Provisions herein-before made, it shall be lawful for either of the Parents of any legitimate Child, and for the Mother of any illegitimate Child, or for the Guardians of any legitimate or illegitimate Child, to make a Declaration in Writing before the Sheriff of the Particulars required to be registered touching the Birth of such Child, according to the best of his or her Knowledge and Belief, and it shall thereupon, with the Authority of the Sheriff, be lawful for the Registrar to register the Birth of such Child according to the Information of the Person making such Declaration; and in every such Case the Sheriff before whom such Declaration is made shall sign the Entry of the Birth in the Register as soon as conveniently may be after such Declaration shall have been so made; and for every such Registration the Registrar shall be entitled, unless the Delay shall have been occasioned by his Default, to a Fee of Two Shillings from the Person requiring such Birth to be registered; and no Register of Births, except in the Case of Children born at Sea, shall be admissible in Evidence to prove the Birth of any Child wherein it shall appear that more than Three Months have intervened between the Day of the Birth and the Day of the Registration of the Birth of such Child, unless the Entry shall be signed by the Sheriff: and every Person who shall knowingly register or cause to be registered the Birth of any Child otherwise than herein provided, after the Expiration of Three Months following the Day of the Birth of such Child, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds.

Name given in Baptism after Registration may be registered within Six Months.

XXXII. If any Child whose Birth shall have been registered as aforesaid shall have any Name given to it in Baptism, or shall have the Name by which it may have been registered altered in Baptism, the Parent or Guardian of such Child, or other Person procuring such Name to be given, may, if such Name shall be given within Six Months after such Registration, or if beyond Six Months, then only with the written Authority of the Sheriff, granted on a Statement of the Circumstances submitted to him, procure and deliver to the Registrar in whose Custody the Register of the Birth of the Child shall be, a Certificate according to the Form of Schedule (D.) to this Act annexed, or to the like Effect, signed by the Minister who shall have administered the Sacrament of Baptism, which Certificate such Minister is hereby required to deliver as soon as may be after the Baptism, or, whenever the same shall be demanded, within Six Months, or if after Six Months, then with the Authority of the Sheriff, as aforesaid; and the Registrar, upon the Receipt of such Certificate, and on Payment of the Fee of One Shilling, to which he shall be entitled, shall, without any Erasure of the Entry of the Birth in the Register, forthwith insert the Name by which the Child was baptized in the Register, and shall, after Entry of the Name in the Register, certify upon the Certificate the Fact of the Name being so entered; and in case the Duplicate Register in which such Entry is recorded shall have been transmitted to the Registrar General as herein-after directed, the Registrar shall transmit the Certificate through the Post Office to the Registrar General, who shall cause the like Entry of the Name to be made in the certified Copy of the Register in the General Registry Office, and shall preserve the Certificate.

Provision for Name given without Baptism after Registration.

XXXIII. In the Case of any Child of Parents not recognizing the Sacrament of Baptism or Infant Baptism, it shall be lawful for such Parents or the Guardians of such Child, within Six Months after the Birth of any such Child shall have been registered, or if after Six Months, then only with the written Authority of the Sheriff, granted on a Statement of the Circumstances submitted to him, when any Name shall have been given to any such Child by the Parents or Guardians of such Child, other than that by which it may have been registered, to deliver to the Registrar in whose Custody the Register of the Birth of such Child shall be, a Certificate in the Form of the Schedule (E.) to this Act annexed, or to the like Effect, signed by such Parents or Guardians, whereupon, and upon Payment of a Fee of One Shilling, such Registrar shall, without Erasure as aforesaid, register therein the Name of such Child; and such Certificate shall be certified and transmitted by the Registrar to the Registrar General in the like Manner and to the like Effect as is herein-before prescribed regarding Certificates in relation to Names given in Baptism.

Minister, on Non-production of Certificate of Birth, to send

XXXIV. There shall be produced to the Minister or other Person officiating in the Administration of the Sacrament of Baptism of any Child a Certificate of the Registration of the Birth of such Child, and failing such Production such Minister or other Person shall forthwith intimate the Baptism of such Child,

Notice to Registrar.

Child, with all the Information which he may have regarding the Birth and Parentage of such Child, to the Registrar of the Parish in which the Parents of such Child reside.

Name of Father of illegitimate Child not to be entered, unless at Request of Father and Mother; but if Paternity or Legitimacy of Child fixed by Decree of Court, the Clerk to notify same to the Registrar.

XXXV. In the Case of an illegitimate Child it shall not be lawful for the Registrar to enter the Name of any Person as the Father of such Child, unless at the joint Request of the Mother and of the Person acknowledging himself to be the Father of such Child, and who shall in such Case sign the Register as Informant along with the Mother: Provided always, that when the Paternity of any illegitimate Child has been found by Decree of any competent Court, the Clerk of Court shall, within Ten Days after the Date of such Decree, send by Post to the Registrar of the Parish in which the Father is or was last domiciled, or in which the Birth shall have been registered, Notice of the Import of such Decree in the Form of the Schedule (F.) to this Act annexed, or to the like Effect, under a Penalty not exceeding Forty Shillings in case of Failure; and on Receipt of such Notice the Registrar shall add to the Entry of the Birth of such Child in the Register the Name of the Father and the Word "Illegitimate," and shall make upon the Margin of the Register opposite to such Entry a Note of such Decree and of the Import thereof; and in like Manner in the event of any Child registered as illegitimate being subsequently found by Decree of any competent Court to be legitimate, the Clerk of Court shall notify such Decree to the Registrar, in the Form as nearly as may be of the said Schedule (F.), who shall forthwith make upon the Margin of the Register in which the Birth is entered, and opposite to such Entry, a Note of such Decree and of the Import thereof, under a Penalty not exceeding Forty Shillings in case of Failure.

Correction of Registration of Children legitimated per subsequens matrimonium.

XXXVI. In the event of any Child, registered as illegitimate, being legitimated per subsequens matrimonium, the Registrar of the Parish in which the Birth of such illegitimate Child was registered shall, upon Production of an Extract of the Entry of such Marriage in the Register of Marriages, note on the Margin of the Register opposite to the Entry of the Birth the Legitimation of such Child per subsequens matrimonium, and the Date of the Registration of such Marriage: Provided always, that in all Cases in which the Paternity of such illegitimate Child shall not have been registered in manner herein-before provided as having been acknowledged, or as having been determined by Decree, the Registrar shall not note any such Legitimation or Marriage opposite to the Entry of the Birth of such Child unless authorized so to do by Warrant of the Sheriff granted upon the joint Application of both Parents, of which Intimation shall be made as such Sheriff may direct, and after due Inquiry, and hearing any Parties having Interest who may appear to oppose such Application.

Certificate of Entry of Birth to be given.

XXXVII. When any Entry of a Birth shall be made in a Register, upon the Information of any Person required to give Information under this Act, the Registrar on making such Entry shall give or transmit by Post to the Informant, within Two Days after the Date of the Entry, an Extract thereof, without Payment of any Fee, under a Penalty not exceeding Forty Shillings in case of Failure.

Persons present, &c. to give Information of Death, and to sign the Register.

XXXVIII. The nearest Relatives present at the Death of any Person, and the Occupier of the House or Tenement in which the Death took place, and if the Occupier be the Person who shall have died, his nearest Relatives and the Inmates of the House or Tenement in which such Death shall have taken place, shall, within Eight Days next after the Day of such Death, and under a Penalty not exceeding Twenty Shillings in case of Failure, attend personally and give Information to the Registrar of the Parish in which such Death occurred, to the best of his or her Knowledge and Belief, of the several Particulars required by the Schedule (B.) hereunto annexed to be registered touching such Death, and shall in Presence of the Registrar sign the Register; and in the event of Failure or Neglect so to give Information, such Persons, and any other Person having Knowledge of the Particulars, or if such Death shall not have taken place within a House, then every Person present at such Death or having a Knowledge of the Circumstances attending the same, shall, upon being required personally or by written Requisition, within Fourteen Days after the Date of such Death, and under a Penalty not exceeding Forty Shillings in case of Failure, attend personally and give Information to the Registrar of the Parish in which such Death occurred, according to the best of his or her Knowledge and Belief, of the several Particulars by the said Schedule (B.) required to be registered touching such Death, and shall sign the Register in Presence of the Registrar.

In case of Persons dying not in a House.

XXXIX. In the event of any Person dying not in a House or Tenement the Occupier of the House or Tenement in which such Person was at the Time lodging or residing, or if the Person dying shall have been the Occupier, then the Inmates of such House or Tenement, upon respectively receiving Information of such Death, shall, within Twenty-four Hours thereafter, give or cause to be given Notice thereof to the Registrar of the Parish within which the Deceased lodged or resided, under a Penalty not exceeding Forty Shillings in case of Failure; and if it shall not be known where the Deceased lodged or resided, any Person present at the Death or finding the Body, and any Parish or public Officer, or any Party to whom the Body shall be brought, and who shall receive the same, shall in like Manner, and under the like Penalty in case of Failure, be bound to give the like Notice thereof to the Registrar of the Parish in which the Body shall be so found, or in which it shall be so received, and the Registrar shall immediately thereupon communicate such Notice to the Procurator Fiscal, under a like Penalty in case of Failure; and in case the Procurator Fiscal shall receive such Notice from any other Person than the Registrar, the Procurator Fiscal shall, within Three Days, communicate such Particulars as are by this Act required to be registered, so far as within his Knowledge, to the Registrar.

Procurator Fiscal to give Result of Precognition.

XL. Provided always, That in every Case in which a Precognition touching the Death of any Person shall be held, the Procurator Fiscal, having regard to the Particulars herein required to be registered concerning the Death, shall, in such Form and Manner as shall be prescribed by the Sheriff, with the Approbation of the Lord Advocate, inform the Registrar of the Result of such Precognition, and the Registrar shall, without requiring the Procurator Fiscal to sign the same, make the Entry accordingly, stating the Procurator Fiscal as his Informant.

Medical Attendant to transmit Certificate of Death to the Registrar.

XLI. The Medical Person who shall have been in Attendance during the last Illness, and until the Death of any Person, shall within Fourteen Days after the Death of such Person, and under a Penalty not exceeding Forty Shillings in case of Failure, transmit to the Registrar a Certificate of such Death, in the Form of the Schedule (G.) hereunto annexed, the Particulars of which shall forthwith be entered by the Registrar in the Register, and the Registrar shall from Time to Time furnish gratis to every Medical Person within his Parish or District known to him, or who shall require the same, the necessary Copies of such Certificate.

Undertaker to transmit Certificate of Interment to the Registrar.

XLII. The Undertaker or other Person having charge of the Interment of any Person shall, within Three Days after such Interment, and under a Penalty not exceeding Forty Shillings in case of Failure, transmit to the Registrar a Certificate of such Interment, in the Form of the Schedule (H.) hereunto annexed, the Particulars of which shall forthwith be entered by the Registrar in the Register, and the Registrar shall from Time to Time furnish gratis to every Undertaker within his Parish or District known to him, or who shall require the same, the necessary Copies of such Certificate.

Register of Persons dying at Sea.

XLIII. If any of Her Majesty's *Scottish* Subjects shall die at Sea on board of a *British* Vessel after the said Thirty-first Day of *December* One thousand eight hundred and fifty-four, the Captain or Commanding Officer of the Vessel on board of which such Death shall have happened shall forthwith make a Minute in the Log Book or otherwise of the several Particulars herein required to be inserted in the Register touching such Death, so far as the same may be known, and the Name of the Vessel wherein the Death took place, and shall, on the arrival of such Vessel in any Port of the United Kingdom, or by any other earlier Opportunity, send a certified Copy of such Minute through the Post Office to the Registrar General in *Edinburgh*, who shall file the same, and shall cause a true and correct Copy thereof, verified by his own Signature, to be entered in "The Marine Register," and shall within Three Days after the Receipt of such Minute transmit a like Copy to the Registrar of the Parish in which the Deceased was domiciled, if known to him, so that the Registrar thereof may forthwith make the requisite Entry in the Register of Deaths; and in Cases of Shipwreck, the Captain or any Officer of the Vessel who may have escaped, or if the Officers have all perished, then any Person who may have escaped, and shall be required by the Registrar General to that Effect, shall to the best of his Knowledge comply with the Provisions and Requisitions in this Section, as far as the Case will admit.

Registrar to give Certificate of Registration of Death to be delivered at Interment.

XLIV. The Registrar, immediately upon registering any Death, or as soon thereafter as he shall be required so to do, shall without Fee or Reward deliver to the Informant, for the Use of the Undertaker or other Person having Charge of the Funeral, a Certificate under his Hand, according to the Form of Schedule (I.) to this Act annexed, that such Death had been duly registered; and such Certificate shall, under a Penalty not exceeding Ten Pounds in case of Failure, be delivered by such Undertaker or other Person to the Person having the Charge of the Churchyard, Cemetery, Church, Chapel, Aisle, Vault, or other Place of Interment, or having the Control, Management, or Superintendence of the Burial of the Dead in the Place of Interment in which the Body is to be buried, previous to the Interment taking place; and if any dead Body shall be buried for which no Certificate shall have been so delivered, the Person having Charge of such Churchyard or other Place of Interment shall within Three Days thereafter, under a Penalty not exceeding Twenty Shillings in case of Failure, give Notice thereof to the Registrar of the Parish in which such Death shall have happened, according to the Form of Schedule (H.) to this Act annexed.

Registrar may require Parties to attend him to give Information.

XLV. If the Parties bound to give Information to the Registrar for completing his Register shall not attend him for that Purpose, he shall make Intimation to them requiring them to attend him for such Purpose at his Place of Abode or known Place of Business where the Register is kept, at an Hour to be fixed in such Intimation, between the Hours of Eight of the Clock in the Morning and Six of the Clock in the Evening; and in case of their failing to attend, then the Registrar shall make a Second Intimation to the like Effect, and if the Parties shall again fail to attend, the Registrar shall apply to the Sheriff, who, upon Evidence to his Satisfaction of such Failure after Two successive Intimations as aforesaid, shall issue his Warrant for compelling the Attendance of the Parties so failing, which may be executed by any Sheriff Officer; and if the Expenses of such Warrant shall not be recovered from the Parties failing to attend as aforesaid, it shall be lawful for the Registrar to include the same in the Account to be furnished by him to the Parochial Board as herein-after directed.

Registration of regular Marriages.

XLVI. In all Cases of regular Marriages, when the Certificates of the Proclamation of the Banns are given out, such Certificates shall be accompanied by a Copy of the said Schedule (C.), and upon the Solemnization of the Marriage, such Schedule, having all the Information thereby required inserted therein, shall be produced to the Minister solemnizing the Marriage, or to the Person solemnizing any Marriage according to the Rites and Forms respectively observed by Jews and Quakers, or shall be filled up in the Presence of such Minister or Person, and shall be signed by the Parties contracting the Marriage,

Marriage, and by the Witnesses, Male or Female, present thereat, not being less than Two, and also by the Minister or Person officiating, and be delivered to the Parties contracting the Marriage, who shall within Three Days thereafter either deliver or send by Post such Schedule to the Registrar of the Parish wherein the Marriage was solemnized; and the Husband, and failing the Husband the Wife, shall in case of Failure so to deliver or send such Schedule be liable in a Penalty not exceeding Ten Pounds; and upon being received by the Registrar, the Particulars of such Schedule shall be forthwith entered by him in the Duplicate Registers; and all such Schedules shall be taken by the Registrar with the Duplicate Registers to the Sheriff, and shall be transmitted by the Sheriff with the Duplicate Registers to the Registrar General, for Preservation in the General Registry Office.

Registrar to attend Parties when required to register Marriages.

XLVII. It shall be competent to the Persons intending to contract Marriage to require the Registrar of the Parish to attend at the Solemnization thereof, at any Place within such Parish; and such Registrar is hereby required, upon a written Notice of Forty-eight Hours given to him to that Effect, to attend with the Register Book accordingly, and to make the proper Entry therein, and for such Attendance and Entry the Registrar shall be entitled to a Fee of Twenty Shillings, besides the Sum of Sixpence for each Mile which such Registrar shall be obliged to travel in going from his Place of Abode to the Place of such Marriage.

Marriages of Persons fined for irregular Marriages, and Marriages established by Decree of Declarator, to be registered.

XLVIII. In the event of any Persons being convicted before any Justice of the Peace or Magistrate of having irregularly contracted a Marriage, it shall be lawful for either of the Parties to such irregular Marriage, and they are severally hereby required, to register such Marriage in the Parish in which such Conviction shall have taken place; and in case of any Marriage being established by a Decree of Declarator of any competent Court, it shall be lawful for either of the Parties to the Action in which such Decree was pronounced to register such Marriage in the Parish of the Domicil of such Parties, or the Parish of their usual Residence; and the Production to the Registrar of an Extract of such Conviction or Decree of Declarator shall be sufficient Evidence and Warrant for the Registration of such Marriages, on Payment to the Registrar of a Fee of Twenty Shillings.

Convictions in irregular Marriages and Decrees of Declarator of Marriages to be intimated to Registrar.

XLIX. The Magistrate before whom or the Clerk of Court in which any such Conviction has taken place, and the Clerk of Court in which any such Decree of Declarator has been pronounced establishing any Marriage as aforesaid, shall, upon such Conviction so taking place or upon such Decree being so pronounced, give Information to the Registrar of the Parish in which such Conviction took place, and in case of a Decree of Declarator, to the Registrar of the Parish of the Domicil, or of the Parish of the usual Residence of the Parties to the Action of Declarator, by Notice of the Import of such Conviction or Decree, in the Form of Schedule (K.) to this Act annexed; and any such Clerk of Court failing so to do shall be liable in a Penalty not exceeding Forty Shillings, which may be prosecuted for and recovered at the Instance of the Registrar.

Registrars to make out Account of Number of Births, Deaths, and Marriages, half-yearly, and Assessment to be levied and Payment made in respect thereof.

L. Every Registrar shall make out an Account twice in every Year of the Number of Births, Deaths, and Marriages which he shall have registered in the Half Years terminating on the last Day of *June* and the last Day of *December* next preceding, and the Sheriff shall examine and verify or cause the same to be examined and verified; and it shall be lawful for the Parochial Board of the Parish, on Production of such Account so verified and signed by the Sheriff, to levy by Assessment the Sums required for Payment to the Registrar of the Amount of his Account so verified, and such further Sum as may be necessary for his Remuneration, and for the Expenses of taking the Duplicate Registers yearly to the Sheriff; and such Assessment shall be made and levied in the same Manner as and along with but separate from the Assessment for the Support of the Poor; and if there shall be no Assessment for the Support of the Poor in any Parish, then such Assessment shall be made and levied by the Heritors, either in the same Manner as and along with but separate from the Rate for the Support of Prisons, or in such other Manner as the Sheriff may direct; and the Parochial Board or the Heritors shall pay to the Registrar such Sums as he shall be entitled to receive in Terms of such verified Account, according to the following Scale; (that is to say,) for the First Twenty Entries of Births, Deaths, and Marriages in each Half Year which he shall have registered, whether the same be of Births or of Deaths or of Marriages indiscriminately, Two Shillings each, and One Shilling for each subsequent Entry of Births and of Deaths and of Marriages in each Half Year; and in the event of such Fees being deemed inadequate to his Remuneration, such further Sum as the Parochial Board shall think fit.

Registrars may be paid by Salary.

LI. Provided, That it shall be lawful for the Parochial Board, with the Approbation of the Registrar General or of the Sheriff, to place the Registrar and Assistant Registrar upon annual Salaries, the Amount of which shall be fixed by the Parochial Board, with the like Approbation; and such Salaries shall be paid by the Parochial Board out of the Assessment to be levied as herein-before directed, and the Fees received by the Registrar, which in such Case shall be accounted for by him to the Parochial Board.

Forms to be supplied gratis.

LII. The Registrar shall furnish gratis to all Persons hereby required to give Information, who shall apply therefor, printed Forms, setting forth the Heads of the Particulars required to be specified and inserted in such Forms; and the Registrar General shall cause a printed Copy of Section Forty-six of this Act, and Copies also of the Schedule (C.) hereunto annexed, to be supplied to the several Registrars, who shall, upon Application therefor, furnish such Copies to any Minister at any Time applying for the same, and to the Session Clerk of every Parish, and to the Registering Officers of the several Societies

Societies of Friends, and to the Secretaries of the Jewish Synagogues, for Use in the Registration of Marriages under this Act.

Registers to be kept in Duplicate, and annually examined by the Sheriff, and Duplicate to be transmitted to the Registrar General.

LIII. All the Registers hereby appointed to be kept shall be kept in Duplicate, and such Duplicates shall be paged continuously alike, and each Page shall be authenticated by the Sheriff affixing his Initials thereto before Delivery thereof to the Registrars, and the Contents of each Page of such Duplicate Register Books shall be the same, and each Page shall be signed by the Registrar; and in the First Week of *August* in each Year, on such Day as shall be fixed by the Sheriff, the Duplicate Register Books for the preceding Year ending on the Thirty-first Day of *December* shall be taken by the Registrar to the Sheriff, by whom, along with the Registrar, the same shall be carefully examined and compared, and a Docquet shall be added at the End of each Duplicate, stating the Examination and Accuracy thereof, the Number of Pages, and any marginal Additions or Erasures appearing on either Duplicate, so as to preclude the Possibility of Interpolation, and such Docquet shall be signed by the Parties examining the Duplicates; and One of such Duplicates shall be retained by the Registrar, and the other shall be transmitted by the Sheriff to the Registrar General on or before the Thirty-first Day of *August* in each Year; and the Sheriff when transmitting such Duplicate shall report any Circumstance relating to the Registers to which he may think the Attention of the Registrar General ought to be called.

Additions to or Alterations of the Registers.

LIV. If in the course of any Year any such Additions or Alterations as are directed or authorized by this Act to be made on the Registers shall be so made, the Registrar shall make a Minute in Duplicate of such Additions or Alterations, and on the Day in the Month of *August* when the Sheriff shall examine the Duplicate Registers, as herein-before provided, the Registrar shall deliver One of such Duplicate Minutes to the Sheriff, together with all the relative Documents, and the Sheriff shall, if necessary, inquire into the accuracy of the Facts therein set forth, and, if erroneous, correct the Minute; and thereupon the Sheriff and Registrar shall examine and authenticate the Duplicate Minutes, and One thereof shall be retained by the Registrar, and the other shall be transmitted by the Sheriff through the Post Office to the Registrar General, with the Duplicate Registers, and such Minute shall be deemed and taken to be a Part of the Registers, and the Alterations and Additions so authenticated shall forthwith be given effect to on or opposite to the Entries in the Duplicate Registers previously transmitted to the Registrar General for the Periods to which such Alterations and Additions apply.

Duplicate Register to supply the Place of any Register destroyed or become illegible.

LV. If any Duplicate Register in the Custody of the Registrar shall be lost, destroyed, or mutilated, or shall have become illegible, in whole or in part, such Fact shall be forthwith communicated by the Registrar to the Registrar General, who shall require the Registrar immediately to transmit to him the Duplicate Register which shall have been mutilated or become illegible; and the Registrar General shall thereupon present a Petition to one of the Divisions of the Court of Session, setting forth the Fact of the Loss, Destruction, Mutilation, or total or partial Illegibility, as the Case may be, of such Duplicate Register, and the Date of the Discovery of such Loss, Destruction, Mutilation, or total or partial Illegibility of such Duplicate; and the Court, on being satisfied regarding the same, and after such Intimation as they may think proper, shall order such Register to be corrected or completed, or a new Duplicate to be made, at the Sight of the Registrar General, and such corrected or completed Duplicate, or new Duplicate, authenticated by the Signature of the Registrar General, shall thereupon become in all respects of the same Force and Validity as the original Duplicate.

Indexes of Parish Registers to be made, which may be searched.

LVI. Every Registrar shall forthwith make tabular alphabetical Indexes of the Duplicate Registers in his Custody, to be kept in the Registrar's Office; and every Person shall be entitled at all reasonable Hours to search the said Indexes, subject to such Regulations as the Sheriff may prescribe, and to have an Extract of any Entry or Entries in such Registers under the Hands of the Registrar, on Payment of the Fees herein-after mentioned, (that is to say,) for every general Search the Sum of Two Shillings, and for every Search for a particular Register of Birth, Death, or Marriage, the Sum of One Shilling, and for every Extract of any Entry the Sum of Two Shillings; and any Registrar who shall refuse or neglect to make such Extract for One Month after being required so to do shall be liable in a Penalty not exceeding Ten Pounds.

Indexes to be kept at General Registry Office, where they may be searched.

LVII. Every Person shall be entitled, on Payment of the Fees herein-after mentioned, to search the tabular alphabetical Indexes of the Duplicate Registers in the Custody of the Registrar General, between the Hours of Ten in the Morning and Four in the Afternoon of every Day except *Sunday*, and to have an Extract of any Entry in the said Duplicate Registers; and for every general Search of such Indexes the Sum of Twenty Shillings, and for every particular Search the Sum of One Shilling, and for every Extract of any Entry the Sum of Two Shillings, and no more, shall be paid to the Registrar General, or such other Officer as shall be appointed to receive such Fees on his Account: Provided, that it shall be competent to the Registrar General to permit gratis Searches to be made by or on behalf of and Extracts to be given gratis to Persons of whose Inability to pay he shall be satisfied.

Extracts of Entries to be admissible as Evidence.

LVIII. Every Extract of any Entry in the Register Books to be kept under the Provisions of this Act, duly authenticated and signed by the Registrar General, if such Extract shall be from the Registers kept at the General Registry Office, and by the Registrar if from any Parochial or District Register, shall be admissible as Evidence in all Parts of Her Majesty's Dominions, without any other or further Proof of such Entry.

Money received by Registrar General to be accounted for. 4 & 5 W. 4. c. 15.

LIX. Every Sum received by the Registrar General under the Provisions of this Act shall be accounted for, and paid by the Registrar General, at such Times as the said Commissioners of Her Majesty's Treasury from Time to Time shall direct, into the Bank of *England*, to the Credit of Her Majesty's Exchequer, according to the Provisions of an Act passed in the Fourth and Fifth Years of His late Majesty, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, or be applied by Order of the said Commissioners towards the Payment of the Expenses of the said General Registry Office.

Penalty on giving false Information.

LX. Every Person who shall knowingly and wilfully make or cause to be made, for the Purpose of being inserted in any Register of Birth, Death, or Marriage, any false or fictitious Entry, or any false Statement regarding the Name of any Person mentioned in the Register, or touching all or any of the Particulars by this Act required to be registered, shall be deemed guilty of an Offence, and on Conviction shall be punishable by Transportation for a Period not exceeding Seven Years, or by Imprisonment for a Period not exceeding Two Years.

Penalty on Registrar for omitting to register.

LXI. Every Registrar who shall refuse, or, without reasonable Cause, omit to register any Birth or Death or Marriage, or to make any Addition to or Alteration upon the Register, in accordance with the Provisions of this Act, shall forfeit a Sum not exceeding Ten Pounds for every such Offence.

Penalty for destroying or falsifying Register, &c.

LXII. Every Person who shall wilfully destroy, obliterate, erase, or injure any Entry, or cause to be destroyed, obliterated, erased, or injured any such Register, or Duplicate thereof, or any Minute, Notice, or Certificate made or given pursuant to this Act, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any Part of any such Register or Duplicate, or any such Minute, Notice, or Certificate, or shall wilfully insert or make or cause to be inserted or made in any such Register or Duplicate any false or fictitious Entry of or any false Statement touching any Birth, Death, or Marriage, or shall wilfully give any false Certificate, or falsify any Certificate, or shall certify any Writing to be an Extract of any such Register, knowing the same to be false or fictitious in any Part thereof, shall be deemed guilty of an Offence, and on Conviction thereof be liable to be punished by Transportation for a Period not exceeding Seven Years, or by Imprisonment for a Period not exceeding Two Years.

For correcting erroneous Entries.

LXIII. If any Error shall be discovered to have been committed in the Entry of any Birth, Death, or Marriage in any such Register, the Person discovering the same shall forthwith give Information thereof to the Sheriff, and it shall be lawful for the Sheriff, and he is hereby authorized and required, thereupon, or upon otherwise coming to the Knowledge of such erroneous Entry, to summon before him the Person who made and any Person concerned in the making such erroneous Entry, or having Knowledge regarding the same, and also any Person interested in the Effect of such erroneous Entry, and to examine all such Persons upon Oath; and if the Sheriff shall be satisfied that any Error has been committed in any such Entry, he shall, by Authority in Writing under his own Hand, direct a corrected Entry of the Birth, Death, or Marriage in relation to which such Error has been committed, and bearing the Date of the Correction, to be made in a separate Register Book, to be called "The Register of corrected Entries," and in such corrected Entry Reference shall be made to the Depositions upon which the Correction of the Error has proceeded, and the Sheriff shall also make or cause to be made an Entry or Marking upon the Margin of the original Entry of such Birth, Death, or Marriage in the Duplicate Registers, but shall not alter the original Entry, distinctly referring by Volume and Page and Date to the Entry made in "The Register of corrected Entries;" and in case the Duplicate Register shall have been transmitted to the Registrar General, the Sheriff shall transmit a Copy of the corrected Entry and relative Marking, authenticated by his Signature, to the Registrar General, to be inserted in the Duplicate Register so transmitted; and the Sheriff shall every Year transmit such "Register of corrected Entries" to the Registrar General, at the same Time and in the same Manner as is provided for the Transmission of Duplicate Registers.

Errors in Entry may be corrected before signing.

LXIV. Provided always, That Errors committed in the Form or Substance of any Entry may be corrected according to the Truth of the Case before the Entry is signed; and if any Correction is intended to be made by Erasure or Obliteration, the same shall be effected by drawing a Line through the erroneous Words or Figures, but so as to leave the same legible; and any Addition or Alteration relative to such Correction shall be made as near as may be to the Correction, and the Registrar shall affix his Signature thereto.

Recovery and Application of Penalties.

LXV. All Penalties imposed by this Act may, unless otherwise directed, be recovered by summary Proceedings upon Complaint in Writing made by the Procurator Fiscal to the Sheriff of the County within which such Penalty shall be incurred, or to the Sheriff of any County in which the Person complained against may be found; and on such Complaint being made such Sheriff shall issue a Warrant for bringing such Person immediately before him, or shall issue an Order requiring such Person to appear at a Time and Place to be named in such Order; and every such Order shall be served on the Person complained against, either in Person or by leaving with some Inmate at his usual Place of Abode a Copy of such Order and of the Complaint whereon the same has proceeded; and either upon the Appearance or on the Default to appear of such Person it shall be lawful for the Sheriff to proceed to the hearing of the Complaint, and upon Proof of the Offence, either by the Confession of the Person complained against, or upon the Oath of One or more credible Witness or Witnesses, and without any written Pleadings or Record of Evidence, to convict the Offender, and upon such Conviction to decree, adjudge, and sentence

him

him to pay the Penalty incurred, and the Expenses attending the Conviction, and to grant Warrant for imprisoning him until such Penalty and Expenses shall be paid: Provided always, that such Warrant shall specify the Amount of such Penalty and Expenses, and shall also specify a Period at the Expiration of which the Offender shall be discharged, notwithstanding such Penalty and Expenses shall not have been paid, and which Period shall in no Case exceed Two Months, and such Penalty shall go to the Registrar General; and the Decision of the Sheriff in all such Cases shall be final and conclusive, and shall not be subject to Review in any Court or by any Process whatsoever.

Town Councils of Burghs to have Powers of Parochial Boards.

LXVI. Where any Parish shall be situated wholly or in part in a Burgh, the Town Council of such Burgh shall have and possess all the Powers hereby conferred on Parochial Boards, and shall be liable to the Discharge of all the Duties hereby imposed on such Boards in respect of such Parish or Part of a Parish; and such Powers and Duties shall be exercised and discharged by such Town Council as nearly as may be in Terms of the Provisions herein contained relative to such Parochial Boards; and such Town Council shall be entitled to levy such Assessment on the Real Rent of Lands and Heritages within such Burgh as may be required to defray the Expense of their Proceedings under this Act; and the Word "Burgh" shall have the Meaning annexed to it in the Seventy-sixth Section of this Act, excepting in the Case of Burghs which do not as Burghs send or contribute to send a Member to Parliament, the Boundaries of which shall continue to be as fixed by Royal Charter, or Act of Parliament, or other Constitution thereof.

Expense of Correspondence of Registrar General relating to this Act, how to be defrayed.

LXVII. The Expense attending the Postage or Carriage of all Letters and Packets relating exclusively to the Execution of this Act, sent by the General Post from Place to Place in *Great Britain* and *Ireland*, to or from the Registrar General, and also the Expense of registering any Letter containing any Register transmitted through the Post Office, shall be defrayed as a Part of the Expense of the General Registry Office herein-before provided for: Provided always, that such Letters and Packets as shall be sent to the Registrar General be directed to the Registrar General in *Edinburgh*, and all such Letters and Packets as shall be sent by the Registrar General shall be in Covers, with the Words "Registrar "General, *Edinburgh*," printed on the same, and be signed on the Outside thereof under such Words with the Name of such Person as the Registrar General, with the Consent of the said Commissioners of Her Majesty's Treasury, shall appoint, in his own Handwriting, such Name to be from Time to Time sent to the Secretaries of the General Post Office in *London*, *Edinburgh*, and *Dublin*, and under such other Regulations as the said Commissioners shall think fit; and if the Person so to be appointed shall subscribe or seal any Letter or Packet whatever, except such only concerning which he shall receive the special Direction of his superior Officer, or which he shall himself know to relate exclusively to the Execution of this Act, or if the Person so to be appointed, or any other Person, shall knowingly send or cause to be sent, under any such Cover, any Letter, Paper, or Writing, or any Enclosure other than shall relate exclusively to the Execution of this Act, every Person so offending shall forfeit and pay the Sum of One hundred Pounds, and be dismissed from his Office, one Moiety of such Penalty to be paid to the Use of Her Majesty, Her Heirs and Successors, and the other Moiety to the Use of the Person who shall inform or sue for the same, to be sued for or recovered in any competent Court.

Proclamation of Banns, &c.

LXVIII. Nothing herein contained shall affect the Proclamation of Banns, or the Registration thereof, as at present in use, or the Law of Marriage in *Scotland*.

Registrar General to furnish Notices of Acts required to be done to Sheriffs for Publication on Doors of Places of Worship, &c.

LXIX. The Registrar General shall, within Three Months after his Appointment to such Office, and from Time to Time as he shall think fit, furnish to the respective Sheriffs of the several Counties in *Scotland* such printed Notices respecting the Acts required to be done under this Act by the Persons who are herein required to give Notice or Information with regard to any Birth, Death, or Marriage as he shall think it requisite to be publicly known, which Notices the Sheriffs shall, as soon as conveniently may be after the Receipt thereof, cause to be affixed on the Outside of the Doors of all the known Places of Public Worship or other public and conspicuous Buildings or Places within their respective Counties.

Notices may be given by Post.

LXX. Wherever Notice is required to be given by this Act, the Person bound to give the Notice shall be held to have sufficiently discharged himself if he shall have put into the Post Office, before the Expiration of the Period within which the Notice is required to be given, a Letter addressed to the Person to whom and containing the Particulars of which the Notice is required to be given.

Penalties not exigible if Notice given.

LXXI. No Penalty imposed by this Act on Parties failing to give any Notice required by this Act shall be exigible, if any of the Parties so required shall have given such Notice.

Parties may sign by a Mark before Witnesses.

LXXII. In case of the Inability to write of any Person whose Signature is required or necessary under this Act, it shall be lawful for such Person to adhibit a Cross or other Mark, and being adhibited in Presence of the Registrar, or Sheriff, or Two Witnesses, who shall adhibit their Designations to their Signatures, such Mark shall be in all respects as binding and effectual as the Signature of such Person if capable of writing would have been.

No Penalty where Failure not wilful.

LXXIII. No Penalty shall be exacted in any Case where it shall appear to the Satisfaction of the Sheriff that the Party failing to comply with the Provisions of this Act, in relation to the giving Notices under the same, has not wilfully been guilty of such Failure, but that such Failure has been occasioned

by unavoidable Accident, or by Circumstances over which he had no Control, and where he has used every reasonable Endeavour towards Compliance with such Provisions.

Registrar General may alter Schedules.

LXXIV. It shall be lawful for the Registrar General, with the Consent of Her Majesty in Council, to diminish, from Time to Time, the Fees hereby authorized to be taken, and to alter the Schedules to this Act annexed, regard being always had to the Objects and Purposes of this Act, and to rendering the same more effectual; and such Alteration of Fees or Schedules shall be published in the *Edinburgh Gazette*, and shall within Fourteen Days after the same shall have been issued be laid before both Houses of Parliament, or if Parliament shall not be then sitting, within Fourteen Days after the meeting of the then next Session.

Compensation where Keepers of Registers deprived of Office by Operation of this Act.

LXXV. If any Person being by Law in the Office of Keeper of any Register of Births, Baptisms, or Burials, and not being a Session Clerk, shall, in the Execution of this Act, be deprived of such Office, and thereby suffer Loss of the Emoluments of such Office, it shall be competent to such Person to make Application to the said Commissioners of Her Majesty's Treasury, setting forth the Amount of such Loss, together with the Vouchers and Evidence thereof, and the said Commissioners may on Consideration of the same find the Applicant entitled to Compensation, and award the same to such Amount as they shall think fit, or find that he is not entitled to Compensation.

Interpretation of Act.

LXXVI. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "Registrar General" shall mean the Registrar General of Births, Deaths, and Marriages in *Scotland* for the Time being, appointed and acting under this Act:

The Word "Parish" shall include any Division of a Parish or Union of Parishes into a District or Districts made in pursuance of this Act:

And with regard to any Birth, Death, or Marriage herein mentioned, the Words "Registrar" and "Assistant Registrar" shall mean the Registrar and Assistant Registrar of the Parish or District in which such Birth, Death, or Marriage took place or such Marriage was solemnized, celebrated, or contracted; and the Word "Register" shall mean the Duplicate Registers of Births, Deaths, and Marriages to be kept and made pursuant to this Act:

The Word "Sheriff" shall mean the Sheriff of the County of which he is Sheriff, and shall include Sheriff Substitutes:

The Words "Procurator Fiscal" shall mean the Procurator Fiscal of the County or Division of a County of which he is Procurator Fiscal:

The Word "Minister" shall be taken to include Ministers or Pastors of Christian Congregations of all Denominations:

The Word "County" shall include any Division of a County established by Law:

The Word "Burgh" shall apply to a City, Burgh, or Town being a Royal Burgh, or which sends or contributes as a Burgh to send a Member to Parliament, and the Boundaries of all such Burghs shall for the Purposes of this Act be the same as are described in the Act Second and Third *William* the Fourth, Chapter Sixty-five:

The Word "Heritors" shall mean Heritors entitled to elect a Schoolmaster under an Act passed in the Forty-third Year of the Reign of His Majesty King *George* the Third, Chapter Fifty-four:

The Word "Occupier" shall include the Guardian, Master, Governor, Keeper, Steward, House Surgeon, or Superintendent of every Gaol, Prison, or House of Correction, Workhouse, Hospital, Lunatic Asylum, or public Charitable Institution.

Extent of Act.

LXXVII. This Act shall extend only to *Scotland*.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

1855. Births in the *Parish* of in the County (*or* Burgh) of *Edinburgh.* Registered by *John Smith*, Registrar.

No.	Child.				Parents.			Informant.	When and where registered, and Signature of Registrar.
					Father.		Mother.		
	Name (if given), and whether Informant present or not. Baptismal Name (if different), or Name given without Baptism after Registration; and Date of Insertion thereof.	Sex.	When born. Year, Day of Month, Hour.	Where born. If in Lodgings, so stated.	Name; Rank, Profession, or Occupation; Age; Birthplace.	When and where married; Issue, living and deceased.	Name; Maiden Name; Age; Birthplace.	Signature of Father or Mother or other Informant, and Residence, if out of the House in which the Birth occurred.	
98	*WALKER, JOHN. (Present.)*	*Male.*	*1855. February Eleventh. 5h. 30m. a.m.*	*1, North Street, Edinburgh.*	*James Walker, Wine Merchant. 30 Years. Glasgow.*	*1849, Edinburgh. 1 Boy and 1 Girl living. 1 Boy deceased.*	*Jane Walker, Maiden Name Hill, (her 4th Child). 29 Years. Stirling.*	*James Walker, Father.*	*1855. February 21st. At Edinburgh. John Smith Registrar.*

[The Words and Figures in *Italics* in this Schedule to be filled in as the Case may be.]

SCHE-

SCHEDULE (B.)

1855. Deaths in the *Parish* of in the County (*or* Burgh) of *Edinburgh*. Registered by *John Smith*, Registrar.

No.	Description of the Deceased.					Particulars of Death.					Signature of Informant.	When and where registered, and Signature of Registrar.
	Name, Rank, Profession, or Occupation.	Sex.	Age.	Where born, and How long in this District.	Parents' Names, and Rank, Profession, or Occupation.	If Deceased was married, To whom.	If Deceased was married, Issue, in Order of Birth, their Names and Ages.	When died. Year, Day of Month, Hour.	Where died.	Cause of Death, and how long Disease continued. Medical Attendant by whom certified, and when he last saw Deceased.	Burial Place. Undertaker by whom certified.		
301	*CANTY, WILLIAM, Labourer.*	*M*	*62*	*County of Cork, Ireland. 36 Years in Edinburgh.*	*Timothy Canty, Shoemaker, deceased. Mary Canty, Maiden Name Nicolas, deceased.*	*Honora M'Carty.*	*1. Timothy, 31. 2. William, 30. 3. Mary, 29. 4. John, dec. at. 27, in 1854. 5. Catherine, dec. at. 1, in 1828. 6. Stephen, 21.*	*1855. February Twenty-eighth. 6h. 30m. a.m.*	*At 16, Cottage Lane, Edinburgh.*	*Pneumonia— 2 Months. As certified by H. Bloomfield, M.D., who saw Deceased Feb. 27th.*	*Burial Ground of Greyfriars, Edinburgh. As certified by George Watkins, Undertaker.*	*Honora Canty, her ✠ Mark, Widow, Informant. James Johnston, Shoemaker, Edinburgh, Witness. George Henderson, Clerk in the Register Office, Edinburgh, Witness.*	*1855. March 3d. At Edinburgh. John Smith, Registrar.*

[The Words and Figures in *Italics* in this Schedule to be filled in as the Case may be.]

SCHE-

SCHEDULE (C.)

1855. Marriages in the *Parish* of in the County (*or* Burgh) of *Edinburgh.* Registered by *John Smith*, Registrar.

No.	When, where, and how married.	Signatures of the Parties.	Residence.		Age.	Rank or Profession, and Relationship of Parties (if related).	Condition.			Birthplace, and when and where registered.	Parents'		If a regular Marriage, Signatures of Officiating Minister and Witnesses.	If irregular, Date of Extract, Sentence of Conviction, or Decree of Declarator, and in what Court pronounced.	When and where registered, and Signature of Registrar.
			Present.	Usual.			If a Widower or Widow, whether Second or Third Marriage.	Children by each former Marriage.			Names.	Rank, Profession, or Occupation.			
								Living.	Dead.						
11	*On March Third, 1855. At Edinburgh: Marriage (after Banns) was solemnized between us according to the Rites and Ceremonies of the Established Church of Scotland.*	*William Hastings.*	*6, High Street, Edinburgh.*	*Chelmsford, Essex.*	*32*	*Carpenter*	*Widower, Second Marriage.*	*2*	*1*	*Born and registered on 1 May 1822, at Bristol.*	*Peter Hastings, deceased, and Ann Hastings, Maiden Name Payne.*	*Upholsterer.*	*James Brown, Minister of High Church, Edinburgh.*		*1855. March 4th. At Edinburgh.* *John Smith,* Registrar.
		Sophia Ann Mitchell.	*4, Hamilton Place, Edinburgh.*	*4, Hamilton Place, Edinburgh.*	*20*	*Dressmaker*	*Spinster.*			*Born and registered at Perth.*	*John Mitchell and Sarah Mitchell, Maiden Name Evans, deceased.*	*Butcher.*	*John Hastings, Witness. Jane Mitchell, Witness.*		

[The Words and Figures in *Italics* in this Schedule to be filled in as the Case may be.]

SCHE-

SCHEDULE (D.)

I Minister of do hereby certify, That I have this Day baptized by the Name of a (*state the Sex*) Child produced to me by as the Child of *A. B.* and *C. D.* of and declared by the said to have been born at in the County of on the Day of One thousand eight hundred and Witness my Hand, this Day of One thousand eight hundred and

Minister.

SCHEDULE (E.)

I do hereby certify, That the Child named was born at in the County of on the Day of One thousand eight hundred and ; that *A. B.* and *C. D.* of , are the Parents of the said Child; and that the Name was given to the said Child on the Day of One thousand eight hundred and according to the Rules or Usage of the Sect or Persuasion of to which the said Parents belong. Witness my Hand, this Day of One thousand eight hundred and .

[*Signed by Parent or Guardian of Child.*]

SCHEDULE (F.)

To the Registrar of the Parish [*or* District] of in the County [*or* Burgh] of . Take notice, That the Court of Session [*or other competent Court*], upon the Day of 18 , pronounced Decree in an Action before the said Court, at the Instance of [*Pursuer's Name and Description*], against [*Defender's Name and Description*], relating to the Paternity of [*describe the Child*], finding that the said Child was the illegitimate Child of the said [*Pursuer and Defender's Names*]. Witness my Hand, this Day of One thousand eight hundred and

[*Signed by the Clerk of Court.*]

SCHEDULE (G.)

To the Registrar of the Parish [*or* District] of in the County [*or* Burgh] of

I hereby certify, That I attended , who was apparently aged Years; that I last saw him [*or* her] on the Day of 185 ; that he [*or* she] died on the Day of 185 , at ; that the Cause of his [*or* her] Death was ; and that the Disease had continued . Witness my Hand, this Day of One thousand eight hundred and .

Signed

Profession

Residence

SCHEDULE (H.)

To the Registrar of the Parish [*or* District] of in the County [*or* Burgh] of

Take notice, That upon the Day of 18 , the Body of *A.B.* of was buried in the [*here insert the Name of the Churchyard or other Place of Interment.*] Witness my Hand, this Day of One thousand eight hundred and .

[*Signed by the Undertaker or Person having Charge of the Funeral, or the Person having Charge of the Place of Interment.*]

SCHEDULE (I.)

I Registrar of Births, Deaths, and Marriages in the Parish [*or* District] of in the County [*or* Burgh] of do hereby certify, That the Death of *A. B.* of was duly registered by me on the Day of One thousand eight hundred and . Witness my Hand, this Day of One thousand eight hundred and

Registrar.

SCHE-

SCHEDULE (K.)

To the Registrar of the Parish [*or* District] of in the County [*or* Burgh] of
Take notice, That *A. B.*, a Justice of Peace for the County of convicted *C. D.* of
of having irregularly contracted a Marriage with *E. F.* of ; *or* that the Court of Session
[*or other competent Court*], upon the Day of 18 , pronounced Decree in
an Action of Declarator of Marriage before the said Court, at the Instance of *G. H.* [*Pursuer's Name and Description*], against *I. K.* [*Defender's Name and Description*], finding that *G. H.* of
and *I. K.* of had intermarried. Witness my Hand, this Day of
One thousand eight hundred and

[*Signed by the Clerk of Court.*]

CAP. LXXXI.

An Act to make further Provision for the good Government and Extension of the University of *Oxford*, of the Colleges therein, and of the College of *Saint Mary Winchester*.

[7th *August* 1854.]

'WHEREAS it is expedient, for the Advancement of Religion and Learning, to enlarge the Powers of making and altering Statutes and Regulations now possessed by the University of *Oxford* and the Colleges thereof, and to make and enable to be made further Provision for the Government, and for the Extension of the said University, and for the Abrogation of Oaths now taken therein, and otherwise for maintaining and improving the Discipline and Studies and the good Government of the said University of *Oxford* and the Colleges thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of Commissioners.

I. The several Persons herein-after named, (that is to say,) the Right Honourable *Dudley* Earl of *Harrowby*, the Right Honourable *Francis* Earl of *Ellesmere*, the Right Reverend Father in God *Charles Thomas* Lord Bishop of *Ripon*, the Honourable Sir *John Taylor Coleridge*, One of the Justices of the Court of Queen's Bench, the Very Reverend *George Henry Sacheverel Johnson* the Dean of *Wells*, Sir *John Wither Audry*, late Chief Justice of the Supreme Court of *Bombay*, and *George Cornewall Lewis* Esquire, shall be Commissioners for the Purposes of this Act, and shall have a Common Seal, and Three of the said Commissioners shall be a Quorum.

Duration of Powers of Commissioners.

II. The Powers hereby conferred on the Commissioners shall be in force until the First Day of *January* One thousand eight hundred and fifty-seven, and it shall be lawful for Her Majesty, if She shall think fit, by and with the Advice of Her Privy Council, to continue the same until the First Day of *January* One thousand eight hundred and fifty-eight, and no longer.

Vacancy in Number of Commissioners.

III. If any Vacancy occurs in the Number of such Commissioners by means of Death, Resignation, or Incapacity to act, Her Majesty may fill up such Vacancy.

Commissioners empowered to require Production of Documents, &c.

IV. In the Exercise of the Authorities hereby vested in the Commissioners they shall have Power to require from any Officer of the University of *Oxford*, or of any College or Hall therein, the Production of any Documents or Accounts relating to such University, College, or Hall, and any Information relating to the Revenues, Statutes, Usages, or Practice thereof respectively; and no Oath which may have been taken by any such Officer shall be pleadable in bar of any Authorities of the said Commissioners.

Constitution of the University.

Establishment of Hebdomadal Council.

V. Upon the Fourteenth Day of *Michaelmas* Term One thousand eight hundred and fifty-four, all Powers, Privileges, and Functions now possessed or exercised by the Hebdomadal Board of the said University shall cease, and upon the Fifteenth Day of the said *Michaelmas* Term One thousand eight hundred and fifty-four there shall be elected in manner herein-after mentioned a Council, which shall be called the Hebdomadal Council, to which shall be transferred immediately after the Election thereof all Powers, Privileges, and Functions now possessed or exercised by the Hebdomadal Board of the said University.

Composition of Hebdomadal Council.

As to Heads of Colleges and Professors being returned or sitting as Professors, &c.

Persons elected in Two or more Classes to declare under which Class they will sit

VI. The Hebdomadal Council shall consist of the Chancellor, the Vice-Chancellor, the Proctors, Six Heads of Colleges or Halls, Six Professors of the University, and Six Members of Convocation of not less than Five Years standing, such Heads of Colleges or Halls, Professors, and Members of Convocation to be elected by the Congregation herein-after mentioned of the said University, and the Chancellor, or in his Absence the Vice-Chancellor or his Deputy, being a Member of the Hebdomadal Council, shall be the President of such Hebdomadal Council: Provided always, that nothing herein contained shall be held to prevent the Head of any College or Hall who is a Professor being returned or continuing to sit as One of the Six Professors, or the Head of any College or Hall, or a Professor, being returned or continuing to sit as One of the Six Members of Convocation; and if any Person shall be elected a Member of the Hebdomadal Council in Two or more Classes he shall, when he first takes his Seat in the Council, declare under which Class he desires to sit, and his Seat for the other shall be forthwith vacated.

Date of Meeting.

VII. The Hebdomadal Council shall meet for the Despatch of Business on the Fifteenth Day of *Michaelmas* Term One thousand eight hundred and fifty-four.

Periodical vacating of Seats.

VIII. Of the Six Persons to be then elected together out of each of the Classes of Heads of Colleges or Halls, Professors, and Members of Convocation, the Three Juniors of each Class in Academical Standing, reckoned from Matriculation, shall vacate their Seats at the Expiration of the Third Year from such Day within the then current Academical Year as shall be named by the Hebdomadal Council in that Behalf; and all the other Persons to be then elected shall vacate their Seats at the Expiration of the Sixth Year from the said Day; and all other Persons elected from Time to Time, except such as shall be so elected upon casual Vacancies, shall vacate their Seats at the Expiration of Six Years; and the Election to supply the Places of the Persons so vacating their Seats shall be made upon the Day on which Seats are vacated.

Members may be re-elected.

IX. All such Persons whatsoever shall be capable of Re-election.

Filling-up of casual Vacancies.

X. Any casual Vacancy occurring by Death, Resignation, or otherwise among such Persons shall be filled by the Election of a qualified Person, according to the Directions of this Act; but the Person so elected shall be subject to the same Rules and Conditions in all respects as the Person to whose Place he succeeds would have been subject to if no such Vacancy had taken place.

Vice-Chancellor to continue a Member.

XI. If the Vice-Chancellor for the Time being shall not be also an elected Member of the said Council, then, on the Expiration of his Term of Office, he shall in virtue of his late Office continue to be a Member thereof until the next triennial Election, or for the Space of One Year if such Election shall take place at an earlier Period.

Professors eligible.

XII. No Professor shall be incligible for the said Council by reason of anything contained in the Statutes of his Foundation.

Non-residence to create a Vacancy.

XIII. If any of the Members of the Hebdomadal Council other than the Chancellor of the University shall reside for less than Twenty-four Weeks during Term Time in any Year, his Seat shall at or before the Close of such Year be declared by the Vice-Chancellor and shall thereupon become vacant.

Vice-Chancellor to make Register of Congregation; also Regulations respecting Hebdomadal Council.

XIV. The Vice-Chancellor shall, before the Twenty-fifth Day of *September* One thousand eight hundred and fifty-four, and before the same Day in each succeeding Year, make and promulgate a Register of the Persons qualified to the best of his Knowledge to be Members of the Congregation of the University of *Oxford* according to this Act, and shall also make and promulgate all such Regulations as to the said Register, and as to all Matters relating to the voting for, Election, Resignation, and Return of Members of the Hebdomadal Council, as may be necessary for the assembling together of the Congregation and for the Election and assembling together of the said Hebdomadal Council according to this Act, and for keeping the Number of such Council complete, and shall appoint the Time of the Day and Place at which they shall so assemble together; and if the Vice-Chancellor fails to comply with the Provisions of this Section, the Commissioners shall thereupon carry the same into effect, and thereupon make such Regulations in respect of the Matters aforesaid as they may think fit; and no Persons shall be admitted to vote in the Election of Members of the Hebdomadal Council but those included in such Register, and mentioned or described in the Sixteenth Section and the Schedule therein referred to.

Power to Hebdomadal Council to make Rules.

XV. Subject to the Provisions of this Act, and without Prejudice to the Rights of Congregation and Convocation in the making of Statutes for the University of *Oxford*, the Hebdomadal Council shall have Power to make, from Time to Time, Rules for the Regulation of its own Proceedings, and to revise the Regulations and Register herein-before directed to be made by the Vice-Chancellor.

Composition of Congregation.

XVI. On and after the Fifteenth Day of *Michaelmas* Term One thousand eight hundred and fifty-four, the Congregation of the University of *Oxford* shall be composed of the following Persons only, the said Persons being Members of Convocation:

1. The Chancellor.
2. The High Steward.
3. The Heads of Colleges and Halls.
4. The Canons of *Christ Church*.
5. The Proctors.
6. The Members of the Hebdomadal Council.
7. The Officers named in Schedule (A.) to this Act annexed.
8. The Professors.
9. Assistant or Deputy Professors.
10. The Public Examiners.
11. All Residents.
12. All such Persons as shall be provided to be added by Election or otherwise to the said Congregation by any Statute of the University approved by the Commissioners, or (after the Expiry of the Commission) passed by Licence of the Crown.

Power to Congregation to frame Regulations for its own Proceedings.

The Chancellor, or in his Absence the Vice-Chancellor or his Deputy, shall preside in the said Congregation, and the Congregation so constituted as aforesaid shall have Power to frame Regulations for the Order of its own Proceedings, but subject to any Statute which the University may make in respect thereof.

XVII. Every

As to Promulgation of Statutes.

XVII. Every Statute framed by the Hebdomadal Council shall, after due Notice of the Contents thereof, be promulgated in Congregation, and shall also be proposed there for Acceptance or Rejection after an Interval of Seven Days, or such other Interval as the University by Statute may appoint, and if accepted by Congregation shall be, after an Interval of Fourteen Days, or such other Interval as the University by Statute may appoint, submitted to Convocation for final Adoption or Rejection as a Statute of the University.

Proposal of Amendments.

XVIII. Any Member of Congregation may, upon the Promulgation of any such Statute, propose, in Writing, Amendments thereof to the Hebdomadal Council, which the said Council shall consider, and thereupon may adopt, alter, or reject.

If Change made, Statute to be re-promulgated.

XIX. If after the Promulgation of a Statute the said Council shall make any Change in it, it shall thereupon be promulgated afresh in manner aforesaid.

Congregation may speak in English.

XX. The Members of Congregation shall upon the Occasion of the Promulgation of any Statute have the Right to speak thereon in the *English* Tongue, but without the Power of moving any Amendment, and subject to such Regulations as the University may make by Statute for the due Order of Debate.

As to Election of Hebdomadal Council.

XXI. Upon any Occasion of electing Members of the Hebdomadal Council, every Person entitled to vote in such Election shall have the Power of giving Votes in each Class as follows: for One Vacancy, One Vote; for Two or Three Vacancies, Two Votes; for Four Vacancies, Three Votes; for Five or Six Vacancies, Four Votes: Provided always, that no Elector shall give more than One Vote for any One Candidate.

Powers of Convocation retained.

XXII. The Convocation of the University of *Oxford* shall not, save as herein provided, be deprived of any of the Powers by it now lawfully possessed.

Votes may be given by Proxy at Election of Chancellor.

XXIII. It shall be lawful for the University to provide by Statute, if it shall think fit, that Votes may be given either personally or by Proxies, being Members of Convocation authorized by Writing under the Hand of the Member of Convocation nominating such Proxy, at any Election of a Chancellor of the University.

Certain Oaths illegal.

XXIV. Every Oath directly or indirectly binding the Juror—

Not to disclose any Matter or Thing relating to his College, although required so to do by lawful Authority;

To resist or not concur in any Change in the Statutes of the University or College;

To do or forbear from doing anything the doing or the not doing of which would tend to any such Concealment, Resistance, or Nonconcurrence,

shall from the Time of the passing of this Act be an illegal Oath in the said University and the Colleges thereof, and no such Oath shall hereafter be administered or taken.

Power to Vice-Chancellor to license Members to open their Residences for Reception of Students;

XXV. It shall be lawful for any Member of Convocation, of such Standing and Qualifications as may be provided by any Statute hereafter to be made, to obtain a Licence from the Vice-Chancellor to open his Residence, if situate within One Mile and a Half of *Carfax*, for the Reception of Students, who shall be matriculated and admitted to all the Privileges of the University without being of necessity entered as Members of any College or existing Hall; but no such Licence as aforesaid shall be granted by the Vice-Chancellor until such Regulations as are herein-after mentioned have come into operation.

who shall be called Licensed Masters.

XXVI. Every Person to whom such Licence is granted shall be called a Licensed Master, and his Residence so opened as aforesaid shall be called a Private Hall.

Power of University to make Statutes.

XXVII. For the Purpose of carrying into effect the Objects proposed by this Act in relation to Private Halls, the University is hereby specially empowered, at any Time before the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five, by Statute, to be approved as herein-after mentioned, to do the following Things:

To fix the Terms and Conditions of granting Licences to Licensed Masters, and the Qualifications of such Masters:

To make Regulations for the Government of Private Halls, the Instruction and Discipline of the Students therein, their Attendance on Divine Worship, and their Status in the event of the Withdrawal or Suspension of the Licence of any such Private Hall:

To make Provision for punishing Neglect or Breach of Regulation on the Part of a Licensed Master by the Withdrawal or Suspension of his Licence, and on the Part of any Students by such reasonable Penalties or other Punishments as they may think fit:

To make Provision for the Aggregation of all or any Private Halls, with the Consent of the Masters thereof, into One or more Great Halls of the University:

To make Provision for the Appointment of One or more Officers for the due Execution of any Regulation relating to the aforesaid Matters, and, if considered expedient, for the Appointment of any such Officer Head of any such Great Hall for the better Accomplishment of the said Purpose:

To fix the Conditions upon which a Private Hall of the University may become an ordinary or Public Hall thereof.

Colleges may amend Statutes with respect to Eligibility to Headships, &c.

XXVIII. 'And whereas it is expedient, for the Interests of Religion and Learning, to enable Colleges 'to alter and amend their Statutes with respect to Eligibility to Headships, Fellowships, and other 'College Emoluments, and the Tenure thereof, and to ensure the same being conferred according to 'personal Merits and Fitness, and for that Purpose to modify or abolish any Preference, and to make 'Ordinances for promoting the main Designs of the Founders and Donors, and in the Case of some of 'the Colleges for rendering Portions of their Property or Income available to Purposes for the Benefit 'of the University at large, for the Consolidation, Division, or Conversion of Emoluments, including 'therein the Conversion of Fellowships attached to Schools into Scholarships or Exhibitions so attached, 'and of Fellowships otherwise limited into Scholarships or Exhibitions, either subject or not to any 'similar or modified Limitation, and generally to make further Provision for maintaining and improving 'the Discipline, Studies, and good Government of the said Colleges, and for amending, with the Con-'sent of the Visitor, the Statutes thereof from Time to Time:' Be it enacted, That it shall be lawful for every College, at any Time before the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five, without Prejudice to any existing Interest of any Member of such College, and notwithstanding anything contained in the Statutes, Charters, Deeds of Composition, or other Instruments of Foundation or Endowment of any College, to make Regulations and Ordinances for the Purpose of effecting or advancing any of the aforesaid Objects and Purposes: Provided always, that all such Regulations and Ordinances shall be laid before the Commissioners, who shall have Power, by Writing under their Common Seal, to approve of or reject the same, and may from Time to Time remit the same for further Consideration or Revision, with Amendments or Alterations therein.

When Colleges omit to make Statute, Commissioners may frame Ordinances.

XXIX. Provided always, That if the Powers herein-before granted to Colleges shall in the Case of any College not be exercised, and no Ordinance or Regulation for effecting the Objects of such Powers shall be submitted by such College to the Commissioners, and approved of by them, before the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five, it shall be lawful for the Commissioners to frame such Ordinances and Regulations as shall appear to them to be necessary or expedient for the Purpose of effecting or promoting the Objects which the College is herein-before empowered to effect or promote; and such Ordinances and Regulations, if sanctioned and confirmed as herein-after required, shall take effect as Statutes of such College, notwithstanding anything contained in the Statutes, Charters, Deeds of Composition, or other Instruments of Foundation or Endowment thereof: Provided always, that such Ordinances and Regulations, when properly settled by the Commissioners, shall be laid before the College to which the same relate, and the Visitor thereof, Two Calendar Months before the same are submitted to Her Majesty in Council, as herein-after directed; and if within the said Period of Two Calendar Months Two Thirds of the Governing Body of the said College shall by Writing under their Hand and Seal declare that in their Opinion such Ordinances and Regulations will be prejudicial to the said College as a Place of Learning and Education, then the same shall not take effect, but it shall be lawful for the Commissioners to frame and submit other Rules and Regulations for the like Purpose to the said College, and so on as often as occasion shall require.

Power of University to alter Trusts.

XXX. And further, if in the Case of any Gift or Endowment held by the University which has taken effect for more than Fifty Years, it shall appear to the said University that the Interests of Religion and Learning, and the main Design of the Donor, may be better advanced by an Alteration of the Trusts or Directions affecting such Gift or Endowment, it shall be lawful for the University to alter or modify such Trusts or Directions, and to frame a new Statute for the Application of such Gift or Endowment in such Manner as may better advance the Purposes aforesaid; but no such Statute shall take effect until the same shall have been assented to by the Commissioners under their Seal, and shall also have received the Approbation of Her Majesty, to be signified by an Order in Council.

Right of Preference belonging to Schools not to be abolished if Governors of Schools or Charity Commissioners dissent therefrom.

XXXI. If in the Execution of the Powers of this Act it shall be proposed by any College, or by the Commissioners, to make any Regulation or Ordinance for the Abolition of any Right of Preference in Elections to any Emolument within any College now lawfully belonging to and enjoyed by any School or other Place of Education beyond the Precincts of the University, individually named or designated in any Statute, Deed of Composition, or other Instrument of Foundation or Endowment, Notice thereof shall be given in Writing to the Governing Body of every such School or Place of Education, and also to the Commissioners appointed under "The Charitable Trusts Act, 1853," at least Two Calendar Months before any final Resolution for that Purpose shall be adopted by such College or by the Commissioners; and in Cases where it is proposed by such Regulation or Ordinance to abolish any Right of Preference in Elections to any Emolument other than a Fellowship or Studentship, no such Regulation or Ordinance shall be made if within Two Calendar Months after receiving such Notice Two Thirds of the said Governing Body, or if there shall be several Schools interested in such Right of Preference then Two Thirds of the aggregate Body composed of the several Governing Bodies of such Schools, or the said Commissioners appointed under "The Charitable Trusts Act, 1853," shall by Writing under their Hands and Seals declare their Opinion that such Regulation or Ordinance would be prejudicial to such School or Place of Education as a Place of Learning and Education: Provided always, nevertheless, that every such Right of Preference, when retained, shall be subject to all such Regulations and Ordinances as may be made by any College, or by the Commissioners, under the Powers given by this Act, for the Purpose of making such Emolument more conducive to the mutual Benefit of such College

and

and such School or Place of Education as aforesaid, or of throwing the same open to general or extended Competition upon any Vacancy for which no Candidate or Claimant of sufficient Merit may offer himself from any School or Place of Education so entitled as aforesaid: Provided also, that where any such Governing Body as aforesaid shall be a Corporate Body the Governing Body of the Corporation shall be deemed the Governing Body of the School; and when any Right of Preference shall belong to any School contingently only upon the Failure of fit Objects from some other School or Schools entitled to and in the Enjoyment of a prior Right of Preference, then and in such Case the Power of Dissent hereby given shall only belong to the Governing Body or Governing Bodies of the School or Schools entitled to and in the Enjoyment of the First Right of Preference; and if in any College where Fellowships or Studentships are tenable by Undergraduates either the College or the Commissioners acting in respect thereof shall divide its Fellowships or Studentships into Elder and Younger, the Elder only shall be taken to be Fellowships or Studentships within the Meaning of this Section.

Notice served on Master, &c. sufficient Notice to the Governing Body.

XXXII. Provided always, That where any such Notice in Writing as aforesaid is required to be given to the Governing Body of any School or Place of Education, such Notice, if served on the Master or Principal of any such School or Place of Education, shall be deemed and taken to be a sufficient Notice to the Governing Body of the same School or Place of Education, for all the Purposes of this Act.

Ordinances, &c. objected to by Governing Body of College &c. to be laid before Parliament.

XXXIII. Provided always, That all Ordinances and Regulations framed by the Commissioners, and objected to by Two Thirds of the Governing Body or Bodies of the College, School or Schools, to which the same respectively relate, shall, in all Cases where new Ordinances and Regulations shall not have been substituted under the Provisions of this Act for such as shall have been so objected to, be embodied in a Report to be transmitted forthwith to One of Her Majesty's Principal Secretaries of State, and laid before the Two Houses of Parliament.

College of St. Mary of Winchester to be subject to this Act.

XXXIV. The College of *Saint Mary* of *Winchester* near *Winchester* shall for the Purposes of this Act be subject to the Provisions of this Act with respect to Colleges, and shall have the same or the like Powers as are hereby given to the Colleges of the University, and be subject to the Authorities hereby conferred on the Commissioners for the Alteration and Amendment of Statutes, in like Manner as is hereby provided with respect to the Colleges of the University, but without Prejudice to the Powers and Authorities, if any, of the Commissioners under "The Charitable Trusts Act, 1853."

Ordinances, Regulations, and Statutes to be laid before the Queen in Council.

XXXV. All Regulations and Ordinances which, under the Power herein-before contained, shall be made by any College, and be approved of by the Commissioners, and all Ordinances and Regulations which shall be framed by the Commissioners, and shall not be objected to as aforesaid by Two Thirds of the Governing Body of the College to which the same relate, and every Statute passed by the University under the Power lastly herein-before contained, shall, after the Expiration of Two Calendar Months from the Time when the same respectively shall have been approved of by the Commissioners, or submitted to the College, or passed by the University, be laid before Her Majesty in Council, and forthwith published in the *London Gazette;* and it shall be lawful for every College, and for the Visitor thereof, and for the Trustees, Governors, and Patron of any University or College Emolument, and for any other Person directly affected by such Regulations, Ordinances, or Statute, within One Month after the Publication as aforesaid in the *London Gazette,* to petition Her Majesty in Council against the Approbation thereof or of any Part thereof; and every such Petition shall be referred by Her Majesty by Order in Council for the Consideration and Advice of Five Members of Her Privy Council, of whom Two, not including the Lord President, shall be Members of the Judicial Committee, who shall be named in such Order, and such Five Members may, if they think fit, admit any Petitioner or Petitioners to be heard by Counsel in support of his or their Petition.

Power to Colleges, &c. to petition Her Majesty against Approbation thereof, &c.

Regulations, Ordinances, and Statutes to be laid before Parliament.

XXXVI. All Regulations, Ordinances, and Statutes which shall be so published in the *London Gazette* as aforesaid shall be at the same Time laid before both Houses of Parliament, if Parliament be sitting, or if not, then within Three Weeks after the Commencement of the next ensuing Session of Parliament; and, unless an Address is within Forty Days presented by One or other of the said Houses, praying Her Majesty to withhold her Consent from such Regulations, Ordinances, or Statute, or any Parts thereof, or unless the same shall be rejected on such Petition as aforesaid, it shall be lawful for Her Majesty, by Order in Council, to declare Her Approbation of such Regulations, Ordinances, and Statute respectively, or any Parts thereof to which such Address shall not relate, and the same shall thereupon become Statutes of the University of *Oxford*, or of the College therein to which the same respectively relate; and if any such Regulations or Ordinances or Statute, or any Part thereof, shall not be so approved by Her Majesty, then the Commissioners may thereupon proceed to frame other Regulations or Ordinances or Statute in the Matter, and so on from Time to Time as often as Occasion shall require.

Powers granted to Colleges granted to University as to Halls and Private Halls. If University omit to frame Statutes, &c.,

XXXVII. The Powers herein-before granted to Colleges with respect to themselves severally are hereby granted to the University in relation to Halls and Private Halls, so far as they may be applicable thereto, subject to the like Confirmation by the Commissioners, but such Powers shall cease on the First Day of *Michaelmas* Term One thousand eight hundred and fifty-five; and if the said University shall not by that Day have framed and submitted, for the Approval of the Commissioners, such Statutes or Ordinances as may, in the Opinion of the Commissioners, be sufficient for carrying into effect the Objects of this Act with respect to existing Halls, and the Establishment and Regulation of Private Halls, it shall be incumbent on the Commissioners, as soon as possible after such Day as aforesaid, to proceed themselves

It shall be incumbent on Commissioners to do so.

selves to frame Statutes in respect of any Matters or Things so left undone or imperfect by the said University, and such Statutes shall be laid before Her Majesty in Council, and shall be subject to all the Provisions herein-before contained touching such other Regulations, Ordinances, and Statutes as aforesaid.

Commissioners to have regard to reasonable Designs of College, &c.

XXXVIII. In giving effect to their Powers or any of them with respect to Colleges and Halls, the Commissioners shall have regard, among other things, to making due Provision, firstly, for the Wants and Improvement of the College or Hall, and the Advancement of Religion and Learning among its own Members, and secondly, for Aid towards the Establishment of the Professoriate of the said University on an enlarged Basis in the several main Branches of Science and Letters, and with adequate Duties and Emoluments, by appropriating Portions of the divisible Revenues of any College for that Purpose, in Cases where the Founder of the College hath directed Lectures to be delivered for the Benefit of the University, or where it shall appear to the Commissioners that the College is well able to make such Provision.

Power to repeal Statutes.

XXXIX. Every Statute made by the University of *Oxford*, or by any of the Colleges thereof, by virtue of the Powers of this Act, shall be subject to Repeal or Alteration in the same Manner and to the same Extent, but not otherwise, in and to which other Statutes of the said University or College, as the Case may be, are or may be subject to Repeal or Alteration by the Authorities thereof.

Statutes by Commissioners subject to Repeal, &c.

XL. Every Statute made by the Commissioners in pursuance of the Provisions of this Act, and likewise all Provisions herein-before contained, respecting the Election, Constitution, Powers, and Proceedings of the Hebdomadal Council, and respecting the Constitution, Powers, and Proceedings of the Congregation, shall be subject to Repeal and Alteration by the University or College, as the Case may be, with the Approval of Her Majesty in Council.

Christ Church deemed a College.

XLI. For the Purposes of this Act, the Cathedral or House of *Christ Church* in *Oxford* shall be considered to be to all Intents and Purposes a College of the University.

As to Persons becoming Members.

XLII. No Person who, after the passing of this Act, shall become a Member of any College, or shall be elected or become eligible to any University or Collegiate Emolument, shall be deemed or taken to have acquired or to possess an existing Interest within the Meaning of this Act.

Not necessary to make Declaration, &c. on matriculating;

XLIII. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-four, it shall not be necessary for any Person, upon matriculating in the University of *Oxford*, to make or subscribe any Declaration, or to take any Oath, any Law or Statute to the contrary notwithstanding.

nor on taking a Degree.

XLIV. From and after the First Day of *Michaelmas* Term One thousand eight hundred and fifty-four, it shall not be necessary for any Person, upon taking the Degree of Bachelor in Arts, Law, Medicine, or Music in the University of *Oxford*, to make or subscribe any Declaration, or take any Oath, any Law or Statute to the contrary notwithstanding; but such Degree shall not as such constitute any Qualification for the holding of any Office which has been heretofore always held by a Member of the United Church of *England* and *Ireland*, and for which such Degree in the said University has heretofore constituted One of the Qualifications, unless the Person obtaining such Degree shall have taken such Oaths and subscribed such Declarations as are now by Law required to be made and taken on obtaining such Degree, either at the Time of taking such Degree or subsequently.

University Court to be subject to the Rules of the Common Law.

XLV. From and after the passing of this Act, the Court of the Vice-Chancellor of *Oxford* shall in all Matters of Law be governed by the Common and Statute Law of the Realm, and not by the Rules of the Civil Law; and it shall be lawful for any Three of the Judges of the Superior Courts to make such Rules as they may deem fit for the Regulation of the Procedure of the said Court; and the said Court shall proceed in all Matters subject to the said Rules in conformity with the Mode of Procedure established in the County Courts.

Stamp Duties abolished.

XLVI. The Stamp Duties now payable on Matriculations and Degrees shall be abolished so soon as Provision shall have been made by the University, to the Satisfaction of the Lords Commissioners of Her Majesty's Treasury, in lieu of the Monies heretofore voted annually by Parliament.

Construction of Powers of University.

XLVII. Except in so far as they are expressly altered or taken away by the Provisions of this Act, the Powers and Privileges of the University and its Officers, and of the Colleges and their Officers, shall continue in full Force.

Interpretation of Terms.

XLVIII. In the Construction of this Act, the Expression "University or College Emolument" shall include all Fellowships, Studentships, Scholarships, Exhibitions, Demyships, Postmasterships, Taberdarships, Bible Clerkships, Servitorships, and every other such Place of Emolument payable out of the Revenues of the University, or of any College, or to be held and enjoyed by the Members of any College or Hall as such within the University; the Word "Scholarship" shall include the Bursaries appropriated to any College in *Scotland;* and the Word "School" shall include Colleges in *Scotland;* and the Words "Professor" and "Professorship" shall be taken to include respectively Public Readers, Prælectors, and their several Offices; and the Words "Public Examiner" shall be taken to include Moderators and Masters of the Schools; and the Word "Hall" shall be taken to mean all Halls other than affiliated Halls or such Private Halls as are authorized by this Act; and the Governing Body of any College shall mean and include the Head and all actual Fellows thereof, being Graduates, but in the

the Case of *Christ Church* shall mean the Dean and Canons thereof; and the Word "Residents" shall mean and include all Members of Convocation who shall have resided Twenty Weeks within One Mile and a Half of *Carfax* during the Year that shall expire on the First Day of *September* next preceding the making and Promulgation of the Register as directed by the Fourteenth Section of this Act.

SCHEDULE A.

Deputy Steward.
Public Orator.
Keeper of the Archives.
Assessor of the Vice-Chancellor's Court.
Registrar of the University.
Counsel to the University.
Bodley's Librarian.
Radcliffe Librarian.
Radcliffe Observer.
Librarians and Sub-Librarians of University Libraries. } If authorized for the Purposes of this Schedule by Statute of the University.
Keepers of University Museums and Repositories of Art or Science. }

C A P. LXXXII.

An Act further to improve the Administration of Justice in the Court of Chancery of the County Palatine of *Lancaster*. [7th *August* 1854.]

'WHEREAS an Act was passed in the Session of Parliament held in the Thirteenth and Fourteenth 'Years of the Reign of Her present Majesty, intituled *An Act to amend the Practice and Proceed-* 13 & 14 Vict. c. 43.
'*ings of the Court of Chancery of the County Palatine of* Lancaster: And whereas according to the 'present Practice the Jurisdiction in Matters of Appeal from the said Court of Chancery is exercised 'by the Chancellor of the Duchy and County Palatine of *Lancaster* in the Court of the Duchy Chamber 'at *Westminster*, and sitting with Two Judges of Assize for the said County for the Time being; and 'such Exercise of the said Jurisdiction has been attended with much Expense and Inconvenience, and 'it is expedient to provide for the Exercise thereof in a more convenient Manner, and also to make 'further Provision for the Administration of Justice in the said Court of the County Palatine:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Formation of Court of Appeal in Chancery, &c.

I. The Chancellor of the Duchy and County Palatine of *Lancaster* and the Two Lords Justices of the Court of Appeal in Chancery shall form the Court of Appeal in Chancery of the said County Palatine.

Powers, &c. of Court of Appeal may be exercised by Lords Justices, &c.

II. All the Jurisdiction, Powers, and Authorities of the Court of Appeal may be exercised either by One only of the said Lords Justices and the Chancellor of the said Duchy and County Palatine, sitting together as such Court of Appeal, or by both of the said Lords Justices sitting as such Court apart from the Chancellor of the said Duchy and County Palatine: Provided always, that the Chancellor of the said Duchy and County Palatine may, while sitting alone or apart from the said Lords Justices, have and exercise the like Jurisdictions, Powers, and Authorities as might have been exercised by the Chancellor of the said Duchy and County Palatine sitting alone, if this Act had not been passed.

Decrees, &c. of the Court of Appeal may be appealed from.

III. All Decisions, Decrees, or Orders of the Court of Appeal shall be subject to Appeal to the House of Lords in the Cases and under the Conditions in and under which the like Decisions and Decrees or Orders of the Chancellor of the said Duchy and County Palatine, sitting alone, or together with any other Person or Persons, would have been subject to such Appeal if this Act had not been passed.

Decision of the Majority to be binding, &c.

IV. The Decision of the Majority of the Court of Appeal shall be taken and deemed to be the Decision of the said Court; and if the Judges of the Court be equally divided in Opinion on any Cause or Matter brought before the Court by way of Appeal, the Decree or Order appealed from shall be taken and deemed to be affirmed.

Court of Appeal to make Regulations for Sittings and Business of the Court, &c.

V. The Court of Appeal shall make such Regulations as may from Time to Time be necessary for fixing and regulating the Sittings and Business of the Court; and the Registrar and other Officers who, according to the existing Practice, are attendant upon the Chancellor of the said Duchy and County Palatine in Matters of Appeal in his Chancery shall be the Registrar and Officers of the Court of Appeal, and shall be in like Manner attendant upon the said Court of Appeal: Provided always, that any Order of the said Court of Appeal may and shall be drawn up by any Registrar of the High Court of Chancery, if so directed by the said Lords Justices or either of them.

Powers given by the recited Act to the Chancellor, with the Advice and Consent of

VI. 'Whereas it was enacted by the First Section of the said recited Act that it should be lawful, 'from and after the passing of the said Act, for the Chancellor of the Duchy and County Palatine of '*Lancaster* for the Time being, with the Advice and Consent of the Vice-Chancellor of the said County 'Palatine for the Time being, and One of the Vice-Chancellors of the High Court of Chancery, to be 'named for that Purpose by Writing under the Hand of the Lord High Chancellor or other Officer

'having

the Vice-Chancellor of the County Palatine and One of the Vice-Chancellors of the High Court of Chancery, to be exercised with the Advice and Consent of the Lords Justices of Appeal in Chancery and the Vice-Chancellor of the County Palatine.

'having the Custody of the Great Seal, or (if more than One) of the Chief Commissioner or Officer 'having such Custody, by any Rules or Orders to be by him from Time to Time made, with such Advice 'and Consent as aforesaid, to make such Alterations as to him might seem expedient in the Form of 'Writs and Commissions, and the mode of sealing, issuing, executing, and returning the same; and also 'in the Form of and Mode of filing Bills, Answers, Depositions, Affidavits, or other Proceedings; and in 'the Form or Mode of obtaining Discovery by Answer in Writing or otherwise; and in the Form or 'Mode of Pleading and of taking Evidence; and generally of proceeding to obtain Relief in the Court 'of Chancery of the said County Palatine, and in the general Practice of the said Court; and also in the 'Form and Mode of proceeding before the Registrar of the said Court; and of drawing up, entering, and 'enrolling Orders and Decrees, and of making and delivering Copies of Pleadings and other Proceedings; 'and also to regulate the Taxation, Allowance, and Payment of Costs, and all other the Business of the 'said Court:' Be it enacted, That all the Powers thereby given to the Chancellor of the said Duchy and County Palatine of *Lancaster* shall not, from and after the passing of this Act, be exercised with such Advice and Assistance as aforesaid, but shall be exercised with the Advice and Consent of One of the Lords Justices of Appeal in Chancery for the Time being and the Vice-Chancellor of the said County Palatine for the Time being.

Court of Appeal may make Orders for the Protection of Wards, &c.

VII. In all Cases in which, by reason of any Person being out of the Jurisdiction of the Court of Chancery of the said County Palatine, or otherwise, effectual Protection cannot be given to any Ward of the said Court, or to any Executor, Administrator, Officer of the Court, or other Person entitled to the Protection of the said Court, against any Action, Suit, or other Proceeding, or in which, for the same Reason or otherwise, any Contempt of the said Court cannot be effectually punished, it shall be lawful for the Court of Appeal, upon the Application of any Person concerned, to make such Order or Orders for the Protection of such Ward, or of such Executor, Administrator, Officer of the Court, or other Person as aforesaid, or for the Punishment of any such Contempt, as to the said Court of Appeal shall seem just, and according to the Practice of the High Court of Chancery in like Matters; and every such Order shall have the same Operation and Effect as an Order of the High Court of Chancery, and shall and may be enforced, and all Proceedings shall and may be had thereupon, as if the same had been made by that Court.

In Cases where Parties are out of the Jurisdiction, Court of Appeal may either direct the Cause or Matter to be transferred to the High Court of Chancery or Service to be effected out of the Jurisdiction.

VIII. In all Cases in which any Person who may be a necessary or proper Party to any Suit or other Matter in the Court of Chancery of the said County Palatine shall not be subject to the Jurisdiction of the said Court, it shall be lawful for the Court of Appeal, on the Application of the Plaintiff in such Suit, or of any Person to whom the Conduct of such Suit may have been committed, or of the Party proceeding in such other Matter, if that Court shall think fit, and according as it shall appear to that Court best calculated to answer the Ends of Justice, either to order and direct that the said Suit or other Matter be transferred to the High Court of Chancery, or otherwise to order and direct that such Service as may be proper be effected upon such Person out of the Jurisdiction of the said Court of the said County Palatine, and such Application shall be made either *ex parte* or upon such Notice as the said Court of Appeal shall think fit: Provided nevertheless, that if such Order for Service shall have been made without Notice to any Person affected thereby, it shall be lawful for the Court of Appeal, upon the subsequent Application of any such Person, to make such Order for transferring the said Suit or other Matter to the High Court of Chancery, or otherwise, as to the said Court of Appeal shall seem just.

Suits transferred to be proceeded with according to the Practice of the Court of Chancery, &c.

IX. In case such Suit or Matter shall be directed to be transferred as aforesaid, all Proceedings therein shall be transmitted by the Officer of the Court of the said County Palatine to the proper Officer of the High Court of Chancery, to be filed, and the same shall thereafter be proceeded with according to the Practice of that Court; and in case Service shall be directed as aforesaid, the same shall be of such and the same Force and Effect, and such and the same Proceedings may be had thereupon, as if Service had been duly effected within the Jurisdiction of the said Court of the said County Palatine.

Provisions as to enforcing Decrees, &c. to apply to Court of Appeal.

X. The Provisions in the said recited Act contained for enforcing Decrees and Orders made by the Court of Chancery of the said County Palatine, by making them Decrees or Orders of the High Court of Chancery, shall extend and apply to Decrees or Orders made by the Court of Appeal.

All the Powers and Authorities of the Trustee Act, 1850, and 15 & 16 Vict. c. 55., shall extend to Lands and Personal Property in the County Palatine.

XI. 'And whereas by the Twenty-first Section of the Trustee Act, 1850, it was enacted, that as to any 'Lands situated within the County Palatine of *Lancaster* it shall be lawful for the Court of Chancery in 'the County Palatine of *Lancaster* to make a like Order in the same Cases as to any Lands within the 'Jurisdiction of the same Court as the Court of Chancery has under the Provisions therein-before con- 'tained been enabled to make concerning any Lands, and that every such Order of the Court of Chancery 'in the County Palatine of *Lancaster* should, as to such Lands, have the same Effect as an Order of the 'Court of Chancery: Provided always, that no Person who is anywhere within the Limits of the Juris- 'diction of the High Court of Chancery should be deemed by such local Court to be an absent Trustee or 'Mortgagee within the Meaning of that Act: And whereas by an Act of the Fifteenth and Sixteenth 'Years of the Queen, Chapter Fifty-five, the Provisions of the Trustee Act, 1850, were in some respects 'amended, and further and other Provisions made: And whereas several Provisions of the said Trustee 'Act, 1850, subsequent to the Twenty-first Section, and the Provisions of the said Act of the Fifteenth 'and Sixteenth Years of the Queen, Chapter Fifty-five, are applicable and ought to be applied to Persons 'and Property within the Jurisdiction of the said Court of Chancery of the County Palatine of *Lancaster:*

'And

'And whereas by the Eleventh Section of the said Act of the Thirteenth and Fourteenth Years of the 'Queen, Chapter Forty-three, it was enacted, that when, under and by virtue of any Act of Parliament 'made and passed or which might thereafter be made and passed, or by any Orders or Regulations made 'in pursuance thereof, Application is authorized or allowed to be made by Petition or Motion, or other-'wise, to the High Court of Chancery, or any Judge of the said Court, and summary Jurisdiction to be 'exercised thereon, (unless in any Act of Parliament to be thereafter passed the contrary should be ex-'pressly enacted,) it should be lawful for the Court of Chancery of the said County Palatine, so far only 'as regards all Persons and Property within its Jurisdiction, to exercise the like summary Jurisdiction, 'and in the same Manner and subject to the same Restrictions in all respects as the said High Court of 'Chancery or any Judge thereof might exercise in the like Matters: But whereas Doubts are entertained 'as to the Extent of the Jurisdiction of the said Court of Chancery of the said County Palatine with 'respect to Trust Estates within the said County Palatine, so far as relates to the Provisions of the said 'Trustee Act of 1850 subsequent to the Twenty-first Section, and to the Provisions of the said Act of 'the Fifteenth and Sixteenth Years of the Queen, Chapter Fifty-five:' Be it enacted, That all the Powers and Authorities given by the said Trustee Act of 1850, and by the said Act of the Fifteenth and Sixteenth Years of the Queen, Chapter Fifty-five, to the Court of Chancery in *England*, and all the Provisions therein contained, shall and may be exercised in like Manner and are hereby given and extended to the said Court of Chancery of the said County Palatine, with respect to all Lands and Personal Estate within the said County Palatine: Provided always, that no Person who is anywhere within the Limits of the Jurisdiction of the High Court of Chancery shall be deemed by the Court of Chancery of the said County Palatine to be an absent Trustee or Mortgagee within the Meaning of the said Acts.

Powers of Court of Chancery to deal with Property of Infants, &c. and in the Administration of Assets to be exercised by Palatine Court.

XII. When under or by virtue of any Act of Parliament already made and passed or which may hereafter be made and passed Power and Jurisdiction are or shall be given to the High Court of Chancery to manage, dispose of, or deal with the Property of Infants or other Persons under Disability, or to manage, dispose of, or deal with Property in the Administration of Assets, then and in every such Case (unless in any Act the contrary be expressly enacted) it shall be lawful for the Court of Chancery of the said County Palatine, so far only as regards all Persons and Property within its Jurisdiction, to exercise the like Power and Jurisdiction in the same Manner and subject to the same Restrictions in all respects as the said High Court of Chancery might exercise in the like Matters.

Monies payable under 13 & 14 Vict. c. 43. s. 12. into the Bank of England may be paid into Branch Bank within the County Palatine.

XIII. 'And whereas by the Twelfth Section of the said Act of the Thirteenth and Fourteenth Years 'of the Queen, Chapter Forty-three, it was enacted, that all Monies payable in respect of Lands situate 'within the said County Palatine, and which are authorized to be paid into or deposited in the Bank of '*England* to the Account of the Accountant General of the High Court of Chancery, under and by 'virtue of the Lands Clauses Consolidation Act, 1845, or any Local or Special Act passed or to be passed 'incorporating the Provisions of the said last-mentioned Act, or otherwise authorizing the taking or using 'of Lands situate in the said County Palatine, and also that all Monies and Securities held by any Party 'who might be sued in the Court of Chancery of the said County Palatine in respect thereof, and which, 'under and by virtue of an Act made and passed in the Parliament held in the Tenth and Eleventh Years 'of the Reign of Her present Majesty, intituled *An Act for better securing Trust Funds, and for the 'Relief of Trustees*, might be in like Manner paid or transferred into or deposited in the Bank of *England* 'to the Account of the said Accountant General, might, from and after the passing of the said Act now 'in recital, be in like Manner paid or transferred into or deposited in the Bank of *England*, to the joint 'Account of the Clerk of the Council of the Duchy of *Lancaster* and of the Registrar and Comptroller 'of the said County Palatine Court, in the Matter in respect whereof such Payment, Transfer, or Deposit 'should be made, and that the Receipt of One of the Cashiers of the said Bank should be a full Discharge 'to the Person paying or transferring or depositing the same, and that such Monies and Securities, and 'all Costs of Application in respect thereof, should be dealt with by the said Court of Chancery of the 'County Palatine in the same Manner as the same might be dealt with by the High Court of Chancery, 'or by the Lord High Chancellor or any of the Judges of the said High Court, if such Monies or Secu-'rities had been paid or transferred into or deposited in the Bank of *England* to the Credit of the 'Accountant General of that Court, and the Lands in respect of which such Payment, Transfer, or 'Deposit should be made might be dealt with in the same Manner as if it had been made in manner 'prescribed by the Lands Clauses Consolidation Act: And whereas since the passing of the said recited 'Act the said County Palatine has been divided into Districts, and Registrars and Comptrollers have 'been appointed for such Districts respectively:' Be it enacted, That any Monies and Securities to be paid or transferred or deposited under the said recited Provision may be so paid or transferred into or deposited with some one or other of the Branches of the Bank of *England* within the said County Palatine, to the joint Account of the Clerk of the Council of the Duchy of *Lancaster* and the Registrar and Comptroller of the District within which such Branch Bank is so situate, and the Receipt of the Manager, or Agent, or Cashier of such Branch Bank shall be a full Discharge to the Person paying or transferring or depositing the same, and such Payment, Transfer, or Deposit shall have the same Force and Effect as any Payment, Transfer, or Deposit made under the said recited Provision would have had: Provided always, that no Monies shall be so paid or deposited under or by virtue of the Lands Clauses Consolidation Act, 1845, or any Local or Special Act as aforesaid, in case the Party who would have been

been entitled to the Rents and Profits of the Lands in respect of which such Monies shall be payable, or his or her Guardian or Committee in case of Infancy or Lunacy, shall at any Time before such Payment or Deposit serve or cause to be served a Notice in Writing at the Office of the Company taking the Lands, requesting them not to make the Payment or Deposit.

Provision as to Costs and Appeal.

XIV. In all Proceedings under and by virtue of this Act the said Court of Chancery of the County Palatine and the Court of Appeal hereby constituted respectively shall have full Jurisdiction to deal with the Costs thereof and occasioned thereby, and all Orders made by the said Courts respectively, in pursuance of this Act, shall be subject to Appeal in the same Manner in all respects as any other Orders of the said Court of Chancery of the said County Palatine.

Short Titles.

XV. Whenever it shall be necessary to cite or refer to the said first-recited Act or this Act, it shall be sufficient to cite or refer to the same respectively as the "Court of Chancery of *Lancaster* Act, 1850," and as the "Court of Chancery of *Lancaster* Act, 1854."

CAP. LXXXIII.

An Act to amend the Laws relating to the Stamp Duties. [10th *August* 1854.]

'WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of the several 'Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, 'and to impose other Stamp Duties in lieu thereof, and otherwise to amend the Laws relating to Stamp 'Duties:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Instruments mentioned in Schedule to this Act, payable under other Acts repealed, and the Duties named in said Schedule granted in lieu thereof.

I. From and after the Tenth Day of *October* One thousand eight hundred and fifty-four the Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed; and in lieu thereof there shall be granted, charged, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, unto and for the Use of Her Majesty, Her Heirs and Successors, upon and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or upon or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Duties or Sums of Money specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, and Directions therein contained, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Bill of Exchange, Promissory Note, or other Instrument which shall have been drawn, made, or signed, or which shall bear Date before or upon the said Tenth Day of *October* One thousand eight hundred and fifty-four.

The new Duties by this Act granted to be denominated Stamp Duties, and to be under the Care of Commissioners of Inland Revenue.

Powers and Provisions of former Acts to be in force.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by any Act or Acts or any Schedule thereto, relating to any Duties of the same Kind or Description heretofore payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, and Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

Bills drawn out of United Kingdom to be stamped with adhesive Stamps.

III. The Duties by this Act granted in respect of Bills of Exchange drawn out of the United Kingdom shall attach and be payable upon all such Bills as shall be paid, indorsed, transferred, or otherwise negotiated within the United Kingdom wheresoever the same may be payable, and the said Duties shall be denoted by adhesive Stamps, to be provided by the Commissioners of Inland Revenue for that Purpose, and to be affixed to such Bills as herein-after directed.

Bills purporting to be drawn abroad deemed to be so drawn.

IV. Every Bill of Exchange which shall purport to be drawn at any Place out of the United Kingdom shall for all the Purposes of this Act be deemed to be a Foreign Bill of Exchange drawn out of the United Kingdom, and shall be chargeable with Stamp Duty accordingly, notwithstanding that in fact the same may have been drawn within the United Kingdom.

The Holder of a Bill drawn out

V. The Holder of any Bill of Exchange drawn out of the United Kingdom, and not having a proper adhesive Stamp affixed thereon as herein directed, shall, before he shall present the same for Payment,

or

or indorse, transfer, or in any Manner negotiate such Bill, affix thereon a proper adhesive Stamp for denoting the Duty by this Act charged on such Bill; and the Person who shall indorse, transfer, or negotiate such Bill shall, before he shall deliver the same out of his Hands, Custody, or Power, cancel the Stamp so affixed by writing thereon his Name or the Name of his Firm and the Date of the Day and Year on which he shall so write the same, to the end that such Stamp may not be again used for any other Purpose; and if any Person shall present for Payment, or shall pay or indorse, transfer or negotiate any such Bill as aforesaid whereon there shall not be such adhesive Stamp as aforesaid duly affixed, or if any Person who ought as directed by this Act to cancel such Stamp in manner aforesaid shall refuse or neglect so to do, such Person so offending in any such Case shall forfeit the Sum of Fifty Pounds; and no Person who shall take or receive from any other Person any such Bill as aforesaid, either in payment or as a Security, or by Purchase or otherwise, shall be entitled to recover thereon, or to make the same available for any Purpose whatever, unless at the Time when he shall so take or receive such Bill there shall be such Stamp as aforesaid affixed thereon and cancelled in the Manner hereby directed.

of the United Kingdom to affix an adhesive Stamp thereon before negotiating it.

Penalty for negotiating such Bill without a Stamp affixed or neglecting to cancel such Stamp.

VI. If any Person shall within the United Kingdom draw and issue any Bill of Exchange payable out of the United Kingdom purporting to be drawn in a Set, and shall not draw and issue on Paper duly stamped as required by Law the whole Number of Bills which such Bill purports the Set to consist of, or if any Person shall within the United Kingdom transfer or negotiate any such Bill of Exchange as aforesaid purporting to be drawn in a Set, and shall not at the same Time transfer or deliver on Paper duly stamped as aforesaid the whole Number of Bills which such Bill purports the Set to consist of, every such Person so offending in any of such Cases shall forfeit the Sum of One hundred Pounds; and if any Person shall take or receive in the United Kingdom any such Bill as aforesaid, either in Payment or as a Security or by Purchase or otherwise, without having transferred or delivered to him duly stamped as aforesaid the whole Number of Bills which such Bill purports the Set to consist of, he shall not be entitled to recover on any such Bill, or to make the same available for any Purpose whatever.

Penalty for drawing and issuing, &c. Bills purporting to be drawn in a Set, and not drawing the whole Set.

Penalty on taking or receiving such Bills.

VII. 'And whereas, under and by virtue of certain Acts relating to Stamp Duties, certain Drafts or 'Orders for the Payment of any Sum of Money to the Bearer on Demand, drawn upon any Banker or 'Person acting as a Banker residing or transacting the Business of a Banker within Fifteen Miles of 'the Place where such Drafts or Orders are issued, are exempted from all Stamp Duty, and it is expe- 'dient to prevent the negotiating or circulating of such Drafts or Orders unstamped at any Place beyond 'the Distance of Fifteen Miles from the Place where the same are made payable:' Be it enacted, That no such Draft or Order as aforesaid shall, unless the same be duly stamped as a Draft or Order, be remitted or sent to any Place beyond the Distance of Fifteen Miles in a direct Line from the Bank or Place at which the same is made payable or be received in Payment, or as a Security, or be otherwise negotiated or circulated at any Place beyond the said Distance; and if any Person shall remit or send any Draft or Order not duly stamped as aforesaid to any Place beyond the Distance aforesaid, or shall receive the same in Payment or as a Security, or in any Manner negotiate or circulate the same at any such last-mentioned Place, he shall forfeit the Sum of Fifty Pounds.

Unstamped Drafts on Bankers not to be circulated beyond 15 Miles of the Place where made payable.

Penalty on Persons offending.

VIII. Provided always, That it shall be lawful for any Person who shall receive any such Draft or Order as aforesaid at any Place within the said Distance of Fifteen Miles from the Bank or Place at which the same is made payable, which Draft or Order shall have been lawfully issued unstamped, to affix thereto a proper adhesive Stamp, and to cancel such Stamp by Writing thereon his Name or the Initial Letters of his Name, and thereupon such Draft or Order may lawfully be received and negotiated at any Place beyond the Distance aforesaid, anything herein contained notwithstanding.

Drafts lawfully issued unstamped may by affixing a Stamp be negotiated beyond 15 Miles.

IX. 'And whereas an Act was passed in the Seventeenth Year of the Reign of King *George* the 'Third, Chapter Thirty, for restraining the Negotiation of Promissory Notes and Inland Bills of Exchange 'under a limited Sum:' Be it enacted, That the said Act, and any Act or Acts continuing or perpetuating the same, shall so far as they respectively extend or may be deemed or construed to extend to any Draft on a Banker for Payment of Money held for the Use of the Drawer, be and the same are hereby repealed.

Provisions of 17 G. 3. c. 30. as extends to Drafts on Bankers repealed.

X. The adhesive Stamps provided by the Commissioners of Inland Revenue for denoting the Duty of One Penny payable on Receipts and on Drafts or Orders for the Payment of Money to the Bearer or to order on Demand respectively may lawfully be used for the Purpose of denoting the like Amount of Duty either on a Receipt or on such Draft or Order as aforesaid, without regard to the special Appropriation thereof for the other of such Instruments by having its Name on the Face thereof, anything in any Act or Acts contained to the contrary notwithstanding.

Stamps denoting the Duty of 1*d.* may be used for Receipts, &c. without regard to their special Appropriation.

XI. 'And whereas an Act was passed in the Seventh and Eighth Years of Her Majesty's Reign, Chapter Thirty-two, to regulate the Issue of Bank Notes; and an Act was passed in the Eighth and Ninth 'Years of Her Majesty's Reign, Chapter Thirty-eight, to regulate the Issue of Bank Notes in *Scotland;* 'and another Act was passed in the last-mentioned Years, Chapter Thirty-seven, to regulate the Issue of 'Bank Notes in *Ireland;* and in order to prevent Evasions of the Regulations and Provisions of the said 'respective Acts it is expedient to define what shall be deemed to be Bank Notes within the Meaning 'thereof respectively:' Be it enacted, That all Bills, Drafts, or Notes (other than Notes of the Bank of *England*) which shall be issued by any Banker or the Agent of any Banker for the Payment of Money

What shall be deemed Bank Notes within the Meanings of 7 & 8 Vict. c. 32. and 8 & 9 Vict. cc. 38. & 37.

to the Bearer on Demand, and all Bills, Drafts, or Notes so issued which shall entitle or be intended to entitle the Bearer or Holder thereof, without Endorsement, or without any further or other Endorsement than may be thereon at the Time of the issuing thereof, to the Payment of any Sum of Money on Demand, whether the same shall be so expressed or not, in whatever Form and by whomsoever such Bills, Drafts, or Notes shall be drawn or made, shall be deemed to be Bank Notes of the Banker by whom or by whose Agent the same shall be issued within the Meaning of the said Three several Acts last mentioned, and within all the Clauses, Provisions, and Regulations thereof respectively.

All Bills, Drafts, and Notes deemed Bank Notes under the above recited Acts liable to Stamp Duties, &c.

XII. All Bills, Drafts, and Notes which by or under this Act, or the said Three several Acts last mentioned, or any of them respectively, are declared or deemed to be Bank Notes, shall be subject and liable to the Stamp Duties, and Composition for Stamp Duties, imposed by or payable under any Act or Acts in force upon or in respect of Promissory Notes for the Payment of Money to the Bearer on Demand; and all Clauses, Provisions, Regulations, Penalties, and Forfeitures contained in any Act or Acts relating to the issuing of such Promissory Notes, or for securing the said Stamp Duties and Composition respectively, or for preventing or punishing Frauds or Evasions in relation thereto, shall respectively be deemed to apply to all such Bills, Drafts, and Notes as aforesaid, and to the Stamp Duties and Composition payable upon or in respect thereof, anything in this Act, or any other Act or Acts, to the contrary notwithstanding.

Exemption from Stamp Duty of Letters acknowledging Receipt of Bills, &c. repealed.

XIII. 'And whereas under and by virtue of certain Acts relating to Stamp Duties, Letters by the 'General Post acknowledging the safe Arrival of any Bills of Exchange, Promissory Notes, or other 'Securities for Money are exempted from the Stamp Duty granted and imposed on Receipts or Discharges 'given for or upon the Payment of Money:' Be it enacted, That the said Exemption shall be and the same is hereby repealed.

Receipts for Money paid to the Crown exempted from Stamp Duty.

XIV. 'And whereas under and by virtue of the Laws in force the Stamp Duty on Receipts given for 'or upon the Payment of Money to or for the Use of Her Majesty, Her Heirs or Successors, is made 'payable by the Person requiring any such Receipt:' Be it enacted, That all such Receipts as last mentioned shall be and the same are hereby exempted from Stamp Duty.

13 & 14 Vict. c. 97.

16 & 17 Vict. c. 63.

XV. 'And whereas by an Act passed in the Thirteenth and Fourteenth Years of Her Majesty's 'Reign, Chapter Ninety-seven, certain reduced Rates of Stamp Duty were granted and made payable 'under the Head or Title of "Duplicate or Counterpart" in the Schedule thereto annexed: And 'whereas by an Act passed in the last Session of Parliament, Chapter Sixty-three, certain Stamp Duties 'were granted and made payable upon Conveyances, Charters, Dispositions, and Contracts described 'under the Head or Title of "Conveyance" in the Schedule to the said last-mentioned Act, but no 'Provision is made for charging the Duplicates or Counterparts of the said Conveyances, Charters, 'Dispositions, and Contracts with the said reduced Duties, and it is expedient to give such Relief in 'that respect as hereinafter mentioned:' Be it enacted, That it shall be lawful for the Commissioners of Inland Revenue, and they are hereby required, upon Production to them of any such Conveyance, Charter, Disposition, or Contract duly stamped, and of the Duplicate or Counterpart thereof stamped for denoting the Amount of Duty chargeable upon a Duplicate or Counterpart under the said Act of the Thirteenth and Fourteenth Years of Her Majesty, to stamp the said Duplicate or Counterpart with the particular Stamp directed by the said last-mentioned Act to be impressed upon a Duplicate or Counterpart for denoting or testifying the Payment of the full and proper Stamp Duty on the original Deed or Instrument; and if the said Duplicate or Counterpart shall be stamped with any ad valorem Stamp Duty of greater Amount than the Amount of Stamp Duty so chargeable as aforesaid on a Duplicate or Counterpart, the said Commissioners shall allow and repay such Excess of Stamp Duty, and rectify the Stamps accordingly, and thereupon such Duplicate or Counterpart shall be deemed to be duly stamped.

Relief to Persons who have made Duplicates of Conveyances described in 16 & 17 Vict. c. 63.

Deeds made for several valuable Considerations to be chargeable in respect of each.

XVI. And where any Conveyance, Charter, Disposition, or Contract described in the Schedule to this Act shall be made partly in consideration of such annual Sum as in the said Schedule is mentioned, and partly in consideration of a Sum of Money or Stock as mentioned under the Head or Title of "Conveyance" in the Schedule to the said Act of the Thirteenth and Fourteenth Years of Her Majesty, such Conveyance, Charter, Disposition, or Contract shall be chargeable with the ad valorem Stamp Duties granted by the said Acts respectively in respect of each of the said Considerations; and in any Case where any Deed or Instrument which shall be chargeable with any ad valorem Stamp Duty in respect of any Sum of Money yearly or in gross or any Stock or Security therein mentioned shall be made also for any further or other valuable Consideration, such Deed or Instrument shall be chargeable (except where express Provision to the contrary is or shall be made in any Act of Parliament) with such further Stamp Duty as any separate Deed or Instrument made for such last-mentioned Consideration alone would be chargeable with, except progressive Duty.

Commissioners of Inland Revenue, before assessing the Duty upon any Deed, may require Proof that the Facts

XVII. And to prevent Fraud and Evasion of Stamp Duty in any Case where Application is made to the Commissioners of Inland Revenue to assess and charge the Stamp Duty to which any Deed or Instrument is liable, or to impress on any Deed or Instrument the particular Stamp provided to denote the Payment of the full and proper Duty on the same or on any other Deed or Instrument, or that any Deed or Instrument is not liable to any Stamp Duty, it shall be lawful for the said Commissioners to require such Evidence by Affidavit as they may deem necessary in order to show to their Satisfaction the Quantity of Words contained in any such Deed or Instrument, and whether or not the Consideration,

or

or any definite or certain Sum or Sums of Money, Stock, or other valuable Matter or Thing capable of being ascertained and set forth, or any other Facts, upon the full or proper Statement of any of which Matters and Things in such Deed or Instrument the Stamp Duty which shall be or which ought to be payable thereon shall in any Measure depend, is or are truly and fully set forth therein; and it shall be lawful for the said Commissioners and their Officers in any Case to refuse to impress on any such Deed or Instrument, or any Duplicate or Counterpart respectively, the particular Stamp to denote the Payment of the full and proper Duty as aforesaid, except on Payment of the full Stamp Duty which would be chargeable on such Deed or Instrument if all or any of such Matters and Things aforesaid had been truly set forth therein.

upon which the Duty depends are truly stated.

XVIII. Provided, That no such Affidavit shall be used against any Person making the same in any Proceeding whatever, except only in any Inquiry as to the Stamp Duty with which such Deed or Instrument is chargeable, and every such Person shall, upon Payment of such full Stamp Duty as aforesaid, be relieved from any Penalty, Forfeiture, or Disability he may have incurred by reason of the Omission to state truly in such Deed or Instrument any of the Facts, Matters, and Things aforesaid.

The Affidavit not to be used for any other Purpose.

XIX. 'Whereas by an Act passed in the Forty-eighth Year of the Reign of King *George* the Third, 'Chapter One hundred and forty-nine, certain Penalties and Disabilities were imposed upon the Parties 'to any Deed or Instrument of Conveyance of Property upon Sale, wherein the full Purchase or Con- 'sideration Money directly or indirectly paid or secured or agreed to be paid should not be truly 'expressed and set forth, and also upon the Attorney, Solicitor, Writer to the Signet, or other Person 'employed in or about the preparing of any such Deed or Instrument: And whereas the Sale of a 'Trade or Business, or the Goodwill thereof, has been erroneously considered by some Persons not to 'be a Sale of Property within the Meaning of the Acts imposing ad valorem Stamp Duties on the 'Conveyance thereof, and the Instruments whereby Property of that Description, or whereby certain 'Messuages, Lands, or other Property wherein or whereupon such Trade or Business has been carried 'on, has or have been in such Cases assigned, transferred, or otherwise conveyed to or become vested in 'a Purchaser may not have been stamped with the full and proper Duties with which the same were by 'Law chargeable, and in some Instances the Purchase or Consideration Money has been omitted to be 'fully and truly expressed and set forth as required by Law in such Instruments, by reason whereof 'the Parties to such Instruments, and the Attorney, Solicitor, Writer to the Signet, or other Person 'employed in or about the preparing of the same, may have incurred the Penalties, Forfeitures, and 'Disabilities in that Behalf mentioned in and imposed by the said Act of the Forty-eighth Year of King 'George the Third, and it is expedient that they should be relieved therefrom, and that such Instru- 'ment should be rendered available in Evidence:' Be it enacted, That in any such Case as aforesaid the Parties to any such Instrument made and bearing Date on or before the Fifteenth Day of *June* One thousand eight hundred and fifty-four, and every Person employed in or about the preparing of the same, shall be and they are hereby declared to be respectively freed, discharged, and indemnified from and against any Penalties, Forfeitures, and Disabilities contained in or imposed by the said last-mentioned Act which may have been incurred by reason of any Omission to express or set forth in any such Instrument the full and true Purchase or Consideration Money upon the Sale of the Property thereby conveyed, transferred, assigned, or assured, or vested in the Purchaser; and all such Instruments shall be available in Evidence notwithstanding the full and proper ad valorem Duties which ought to have been paid in respect of the Purchase or Consideration Money therein expressed for the Conveyance, Transfer, or Assignment of any such Trade, Business, or Goodwill shall not have been paid and denoted thereon.

48 G. 3. c. 149.

Indemnity from Penalties for omitting to state the full Purchase Money in Assignments on the Sale of Goodwill.

XX. 'And whereas it is expedient to reduce the Stamp Duty now payable on Licences to Pawnbrokers 'in *Dublin*:' Be it enacted, That the Stamp Duty of Fifteen Pounds now payable on a Licence to be taken out yearly for exercising the Trade or Business of a Pawnbroker within the City of *Dublin*, or the *Circular Road* surrounding the same, shall be reduced to the Sum of Seven Pounds Ten Shillings.

Stamp Duty on Licences to Pawnbrokers in Dublin reduced.

XXI. All Indentures of Apprenticeship, Bonds, Contracts, and Agreements entered into in the United Kingdom for or relating to the Service in any of Her Majesty's Colonies or Possessions abroad of any Person as an Artificer, Clerk, domestic Servant, Handicraftsman, Mechanic, Gardener, Servant in Husbandry, or Labourer shall be and the same are hereby exempted from all Stamp Duty.

Contracts for certain Purposes exempted from Stamp Duty.

XXII. 'And whereas by an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, 'Chapter One hundred and eighty-four, and by the said Act of the Thirteenth and Fourteenth Years of 'Her Majesty respectively, certain Stamp Duties were imposed upon any Schedule, Inventory, or Cata- 'logue containing the Matters and Things in the said Acts respectively mentioned, which should be 'referred to in or by and be intended to be used or given in Evidence as Part of or as material to any 'Instrument charged with Stamp Duty, but which should be separate and distinct therefrom, and not 'endorsed on or annexed thereto, and Doubts are entertained whether the said Duties extend to certain 'Documents and Writings of a public Character herein-after mentioned:' For the Removal of such Doubts, be it declared and enacted, That the said last-mentioned Stamp Duties shall not extend or be deemed to have extended to any public Map, Plan, Survey, Apportionment, Allotment, Award, or other parochial or public Document or Writing whatsoever made under or in pursuance of any Act of Parliament, and deposited or kept for Reference in any Registry, or in any public Office, or with the public Books,

Public Maps and Documents not to be liable to Stamp Duty by reason of their being referred to in Deeds or Writings.

Books, Papers, or Writings of any Parish, by reason of any such Document or Writing as aforesaid being referred to in or by any Deed or Instrument whatever, provided that such Document or Writing be not endorsed on or annexed to such Deed or Instrument.

Leases for a Period less than a Year to be chargeable with Stamp Duty on the Rent reserved.

XXIII. 'And whereas by the said Act of the Thirteenth and Fourteenth Years of Her Majesty and 'this Act respectively certain ad valorem Stamp Duties are granted and imposed upon Leases or Tacks 'of any Lands, Tenements, Hereditaments, or Heritable Subjects at a yearly Rent, and Doubts are 'entertained whether the said Duties extend to any Lease or Tack for any Term or Period less than a 'Year:' For the Removal of such Doubts, be it enacted, That where any Lease or Tack of any Lands, Tenements, Hereditaments, or Heritable Subjects shall be made for any Term or Period less than a Year at a Rent reserved or payable for the same, such Lease or Tack shall be chargeable with the same ad valorem Duty as a Lease or Tack at a yearly Rent of the same Amount as the Sum so reserved or payable.

Allowance on the Purchase of Stamps not exceeding the Rate of 1*s.* Duty for Drafts, Bills, and Notes.

XXIV. And in order to encourage the Purchase of Stamps for Drafts, Bills, and Notes of the several Rates and Denominations herein-after mentioned, and to facilitate the Distribution and Supply thereof there shall be granted and allowed to every Person who at One and the same Time shall produce at the Office of the Commissioners of Inland Revenue in *London* or *Dublin*, Paper, to be stamped with such Stamps or any of them to the Amount of Five Pounds in the whole or shall purchase such Stamps or any of them to the like Amount at the Office of the said Commissioners in *London*, *Edinburgh*, or *Dublin*, or of any Distributor or Sub-distributor of Stamps at any Place not within the Distance of Ten Miles from the said Offices respectively the Allowance following; (that is to say,) on Stamps for denoting any Rate of Duty not exceeding One Shilling on Bills of Exchange, Drafts, or Orders, or Promissory Notes, an Allowance after the Rate of Seven and a Half *per Centum* on the Amount of such Stamp Duties respectively; provided that no Allowance shall be made on any Fraction of a Pound; which said Allowances are in lieu of any Allowance payable on Stamps of the like Rates and Denominations under any other Act or Acts in force.

No Charge to be made for Paper on Sale of Bill or Note Stamps where the Rate of Duty does not exceed 1*s.*

XXV. And in consideration that such Allowance as aforesaid is by this Act granted on the Purchase of Stamps of the several Rates and Denominations aforesaid, it shall not be lawful for any Person on the Sale of any such Stamp to make any Charge for the Paper whereon the same is impressed; and if any Person upon the Sale of any Stamp denoting any Rate of Duty not exceeding One Shilling for any Bill of Exchange, Draft or Order, or Promissory Note, shall make any Charge for the Paper whereon the same is impressed, or under any Colour or Pretence whatever demand or receive a greater Price or Sum than the Amount of the Stamp Duty, he shall forfeit the Sum of Ten Pounds.

Allowance for Stamps rendered useless by this Act.

XXVI. Where any Person shall be possessed of any Stamps rendered useless by this Act, it shall be lawful for the Commissioners of Inland Revenue, on Application to them or to their proper Officer in that Behalf, at any Time on or before the Fifth Day of *April* One thousand eight hundred and fifty-five to cancel and make Allowance for the same as in the Case of spoiled Stamps, after deducting the Discount granted and allowed by Law on the Purchase of Stamps of the like Description.

Instruments admissible in Evidence, though not properly stamped.

XXVII. Every Instrument liable to Stamp Duty shall be admitted in Evidence in any Criminal Proceeding, although it may not have the Stamp required by Law impressed thereon or affixed thereto.

The SCHEDULE to which this Act refers.

INLAND BILL OF EXCHANGE, Draft, or Order for the Payment to the Bearer, or to Order, at any Time otherwise than on Demand, of any Sum of Money				Duty.		
				£	*s.*	*d.*
Not exceeding			£5	0	0	1
Exceeding	£5	and not exceeding	10	0	0	2
"	10	"	25	0	0	3
"	25	"	50	0	0	6
"	50	"	75	0	0	9
"	75	"	100	0	1	0
"	100	"	200	0	2	0
"	200	"	300	0	3	0
"	300	"	400	0	4	0
"	400	"	500	0	5	0
"	500	"	750	0	7	6
"	750	"	1,000	0	10	0
"	1,000	"	1,500	0	15	0
"	1,500	"	2,000	1	0	0
"	2,000	"	3,000	1	10	0
"	3,000	"	4,000	2	0	0
"	4,000	and upwards		2	5	0

FOREIGN

Stamp Duties.

	Duty. £	s.	d.
FOREIGN BILL OF EXCHANGE drawn in, but payable out of, the United Kingdom, If drawn singly or otherwise than in a Set of Three or more, the same Duty as on an Inland Bill of the same Amount and Tenor.			
If drawn in Sets of Three or more, for every Bill of each Set,			
Where the Sum payable thereby shall not exceed - - £25	0	0	1
And where it shall exceed £25 and not exceed - - 50	0	0	2
„ 50 „ - - - 75	0	0	3
„ 75 „ - - - 100	0	0	4
„ 100 „ - - - 200	0	0	8
„ 200 „ - - - 300	0	1	0
„ 300 „ - - 400	0	1	4
„ 400 „ - - - 500	0	1	8
„ 500 „ - - - 750	0	2	6
„ 750 „ - - - 1,000	0	3	4
„ 1,000 „ - - - 1,500	0	5	0
„ 1,500 „ - - - 2,000	0	6	8
„ 2,000 „ - - - 3,000	0	10	0
„ 3,000 „ - - - 4,000	0	13	4
„ 4,000 and upwards - - -	0	15	0

FOREIGN BILL OF EXCHANGE drawn out of the United Kingdom, and payable within the United Kingdom, the same Duty as on an Inland Bill of the same Amount and Tenor.

FOREIGN BILL OF EXCHANGE drawn out of the United Kingdom, and payable out of the United Kingdom, but indorsed or negotiated within the United Kingdom, the same Duty as on a Foreign Bill drawn within the United Kingdom, and payable out of the United Kingdom.

	Duty. £	s.	d.
PROMISSORY NOTE for the Payment in any other Manner than to the Bearer on Demand of any Sum of Money,			
Not exceeding - - - - - - £5	0	0	1
Exceeding £5 - - - - and not exceeding 10	0	0	2
„ 10 - - - - „ 25	0	0	3
„ 25 - - - - „ 50	0	0	6
„ 50 - - - - „ 75	0	0	9
„ 75 - - - - „ 100	0	1	0
PROMISSORY NOTE for the Payment, either to the Bearer on Demand or in any other Manner than to the Bearer on Demand, of any Sum of Money,			
Exceeding £100 - - - and not exceeding 200	0	2	0
„ 200 - - - „ 300	0	3	0
„ 300 - - - „ 400	0	4	0
„ 400 - - - - „ 500	0	5	0
„ 500 - - - „ 750	0	7	6
„ 750 - - - - „ 1,000	0	10	0
„ 1,000 - - - - „ 1,500	0	15	0
„ 1,500 - - - „ 2,000	1	0	0
„ 2,000 - - - - „ 3,000	1	10	0
„ 3,000 - - - „ 4,000	2	0	0
„ 4,000 and upwards - - - -	2	5	0

LEASE OR TACK of any Lands, Tenements, Hereditaments, or Heritable Subjects, for any Term of Years exceeding Thirty-five, at a yearly Rent, with or without any Sum of Money by way of Fine, Premium, or Grassum paid for the same, the following Duties in respect to such yearly Rent,

	DUTIES. If the Term shall not exceed 100 Years. £	s.	d.	If the Term shall exceed 100 Years. £	s.	d.
Where the yearly Rent shall not exceed £5 - -	0	3	0	0	6	0
And where the same shall exceed £5 and not exceed £10	0	6	0	0	12	0
„ „ 10 „ 15	0	9	0	0	18	0
„ „ 15 „ 20	0	12	0	1	4	0
„ „ 20 „ 25	0	15	0	1	10	0
„ „ 25 „ 50	1	10	0	3	0	0
„ „ 50 „ 75	2	5	0	4	10	0
„ „ 75 „ 100	3	0	0	6	0	0
And where the same shall exceed £100 then for every £50, and also for any fractional Part of £50 - - -	1	10	0	3	0	0

And

And where any such Lease or Tack as aforesaid shall be granted in consideration of a Fine, Premium, or Grassum, and also of a yearly Rent, such Lease or Tack shall be chargeable also, in respect of such Fine, Premium, or Grassum, with the ad valorem Stamp Duties granted under the Head or Title of "Conveyance" in the Schedule annexed to the Act passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven.

EXEMPTION.

Any Lease made in pursuance of the Trinity College, Dublin, Leasing and Perpetuity Act, 1851.

CONVEYANCE of any Kind or Description whatsoever in England or Ireland, and Charter, Disposition, or Contract containing the first original Constitution of Feu and Ground Annual Rights in Scotland (not being a Lease or Tack for Years), in consideration of an annual Sum payable in perpetuity or for any indefinite Period, whether Fee Farm or other Rent, Feu Duty, Ground Annual, or otherwise - } The same Duties as on a Lease or Tack for a Term exceeding 100 Years at a yearly Rent equal to such annual Sum.

EXEMPTIONS.

Any Lease or Tack for a Life or Lives not exceeding Three, or for a Term of Years determinable with a Life or Lives not exceeding Three, by whomsoever granted.

Any Grant in Fee Simple or in Perpetuity, made in Ireland, in pursuance of the Renewable Leasehold Conversion Act, or in pursuance of the Trinity College (Dublin) Leasing and Perpetuity Act, 1851.

All which said Leases or Tacks and Grants respectively shall be chargeable with the Stamp Duties to which the same were subject and liable before the passing of the Act 16 & 17 Vict. c. 63.

DUPLICATE or COUNTERPART and PROGRESSIVE DUTY.

EVERY SUCH LEASE or Tack, and every such Conveyance, Charter, Disposition, or Contract as aforesaid hereby charged with Duty, and the Duplicate or Counterpart thereof respectively, shall be chargeable with the respective Stamp Duties granted and made payable under the several Heads or Titles of "Duplicate or Counterpart," and "Progressive Duty," in the Schedule annexed to the Act of the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chapter Ninety-seven.

LICENCE TO DEMISE Copyhold Lands, Tenements, or Hereditaments, or the Memorandum thereof if granted out of Court, and the Copy of Court Roll of any such Licence if granted in Court:

Where the clear yearly Value of the Estate to be demised shall be expressed in such Licence and shall not exceed £75 - - - - - - } The same Duty as on a Lease at a yearly Rent equal to such yearly Value, under the Act of the 13 & 14 Vict. c. 97.

	£	s.	d.
And in all other Cases - - - - - - - -	0	10	0

CAP. LXXXIV.

An Act to extend the Provisions of the Acts for the Augmentation of Benefices.

[10th *August* 1854.]

29 C. 2. c. 8.

'WHEREAS an Act was passed in the Twenth-ninth Year of the Reign of His late Majesty King 'Charles the Second, intituled *An Act for confirming and perpetuating Augmentations made by 'Ecclesiastical Persons to small Vicarages and Curacies*, the Provisions of which were extended by an 'Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late 'Majesty King *William* the Fourth, Chapter Forty-five: And whereas the Powers of the said last-'mentioned Act were enlarged by the Fourteenth Section of an Act passed in the Session of Parliament 'held in the First and Second Years of the Reign of Her present Majesty, Chapter One hundred and 'seven: And whereas it is expedient that the Provisions and Powers of the said Acts should be amended 'and enlarged:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers given by Sect. 21. of 1 & 2 W. 4. c. 45. and Sect. 14. of

I. The Powers which by the Twenty-first Section of the said Act of the First and Second of *William* the Fourth, and the Fourteenth Section of the said Act of the First and Second of *Victoria* are given to Rectors or Vicars of making Annexations or Grants in aid of Churches and Chapels may be exercised by the Incumbent of any Benefice whatsoever within the Meaning of the said Act of the First and Second

of

of *William* the Fourth, and may be so exercised although Part only of the District Chapelry or Place to which the Church or Chapel belongs may be within the Limits of such Benefice, and whether such Church or Chapel may be within the Limits of such Benefice or not. 1 & 2 Vict. c. 107. may be exercised by Incumbents, &c.

II. Where the Incumbent of any Benefice shall, in right of the same, be entitled to any Glebe Land or other Land, it shall be lawful for the Incumbent for the Time being of such Benefice, with such Consents as herein-after mentioned, by a Deed duly executed by him, to annex such Glebe Land or other Land as aforesaid, or any Part thereof, with the Appurtenances, to any Church or Chapel within the Parish, District, or Place in which such Glebe Land or other Land as aforesaid shall be situate, to the Intent that the same may be held and enjoyed by the Incumbent for the Time being of such Church or Chapel; and every such Deed shall be effectual to all Intents and Purposes whatsoever, any Law or Statute to the contrary notwithstanding. Incumbent entitled to Glebe Land, &c. may annex the same to Church of District wherein situate.

III. Every Annexation and Grant which shall be made by the Incumbent of any Benefice in pursuance of any Power herein-before contained shall be made with the Consent of the Archbishop or Bishop of the Diocese within which such Benefice shall be situate, and also with the Consent of the Patron or Patrons of such Benefice, such Consent to be signified by the said Archbishop or Bishop and the said Patron or Patrons respectively executing the Instrument by which the Annexation or Grant shall be made. Consents of Archbishop or Bishop and Patron to Annexation and Grant.

IV. In every Case in which any Land subject to any Lease shall be annexed to any Church or Chapel, in pursuance of the Power herein-before in that Behalf contained, the Provisions of the Thirteenth Section of the said Act of the First and Second Years of King *William* the Fourth, Chapter Forty-five, shall apply to such Land in the same Manner as if such Provisions were herein expressly set forth; and in every Case in which any Rectory Impropriate, Tithes or Portion of Tithes, Lands, Tenements, or other Hereditaments, have been or shall be annexed to any Church or Chapel, in pursuance of any Power contained in the said Act of the First and Second Years of King *William* the Fourth, Chapter Forty-five, or in this Act, and the Premises so annexed shall be comprised together with other Hereditaments in any Lease, the Incumbent for the Time being of the said Church or Chapel shall as to the Premises so annexed, and the Person, Corporation, or Body Politic by whom such Annexation shall have been made, and his or their Successors and Assigns, shall as to the said other Hereditaments, have the same Rights and Remedies for enforcing Payment of the Proportion of Rent payable to them respectively, and otherwise have the same Rights and Remedies under and by virtue of the Covenants, Provisoes, and Agreements contained in the said Lease as if the said Premises so annexed or the said other Hereditaments, as the Case may be, were the only Hereditaments comprised in the said Lease. Section 13. of 1 & 2 W. 4. c. 45. to extend to Annexations under this Act.

V. Where any Rent or annual Sum of Money granted, reserved, or made payable, or to be granted, reserved, or made payable, under any of the Powers of the said herein-before mentioned Acts or of this Act, to the Incumbent of any Church or Chapel, is or shall be granted, reserved, or made payable out of or charged upon any Rectory Impropriate, Tithes, annual Revenues, Lands, Tenements, or other Hereditaments, it shall be lawful for the Incumbent for the Time being of the said Church or Chapel, by a Deed duly executed by him, to release any such Rectory Impropriate, or any of the said Tithes or annual Revenues, Lands, Tenements, or other Hereditaments respectively, or any Part thereof respectively, from the said Rent or annual Sum, and the Premises so released shall be thenceforth wholly discharged from the said Rent or annual Sum, and from all Remedies for recovering and compelling Payment thereof, but without in anywise discharging therefrom respectively any Rectory Impropriate, Tithes, and Revenues, Lands, Tenements, or Hereditaments, theretofore charged with the said Rent or annual Sum, and not by the said Deed expressed to be released, or the Person or Persons, Corporation or Body Politic, for the Time being liable for the Payment of the said Rent or annual Sum: Provided always, that every such Release shall be made with the Consent of the Archbishop or Bishop of the Diocese within which the said Church or Chapel shall be situate, and also with the Consent of the Patron or Patrons of the said Church or Chapel, such Consents to be signified by the Archbishop or Bishop and the said Patron or Patrons respectively executing the Instrument by which the Release shall be made: Provided also, that no Consent of any Archbishop or Bishop shall be given to any such Release as aforesaid unless some Rectory Impropriate, Tithes, or other Revenues, Lands, Tenements, or other Hereditaments, theretofore charged with the said Rent or annual Sum, shall remain unreleased, and be proved to the Satisfaction of the said Archbishop or Bishop to be a competent Security for the same, and be expressed to be so proved in the Instrument by which such Consent shall be signified. Rectories Impropriate, Tithes, &c., may be released from Rentcharges, with the Consent of Archbishop, &c.

VI. In every Case in which the Consent of the Patron or Patrons of the Benefice or of any Church or Chapel is required by any of the herein-before mentioned Acts or by this Act to the Exercise of any of the said Powers given by the herein-before mentioned Acts or any of them, or by this Act, and the Person or Persons or Body to consent as such Patron or Patrons is not by the said Act of the First and Second Years of King *William* the Fourth, Chapter Forty-five, defined, the Person or Persons or Body who, if the said Benefice or Church or Chapel were then vacant, would be entitled to present or nominate or to collate thereto, shall be deemed the Patron or Patrons whose Consent is so required. Who shall be deemed the Patron to consent.

VII. The Provisions of this Act shall be read as Part of the said Act of the First and Second of *William* the Fourth, and be construed in the same Manner as if they had been contained in that Act, and Act to be construed as though con-

tained in 1 & 2 W. 4. c. 45.

and as if the Provisions of that Act were here repeated, with such Alterations as to adapt the same to the Cases provided for by this Act.

As to Apportionment of Income where Two Benefices belong to the same Patron.

VIII. 'Whereas by the Seventy-fourth Section of the Statute of the Third and Fourth Years of the 'Reign of Her Majesty, Chapter One hundred and thirteen, it was provided that Arrangements might 'be made in the Manner therein mentioned for the Apportionment of the Income of Two Benefices 'belonging to the same Patron between the Incumbents or Ministers of such Benefices, or the Churches 'or Chapels connected therewith:' Be it enacted, That the Provisions of the last-mentioned Act in that Behalf shall apply to any Lands, Tithes, Tithe Rentcharges, or other Hereditaments or Sources of Income, of what Nature or Kind soever, belonging to such Benefices, and shall apply to any Number of Benefices belonging to the same Patron, including any united Benefice, and that every Church or Chapel possessed of any Endowment, or capable of receiving the same, and also any Sinecure Rectory, so far as regards the Transfer of its Endowments or any Portion thereof to any Benefice, shall be deemed a Benefice for the Purpose of such Arrangements or any of them.

CAP. LXXXV.

An Act for better securing the collecting and accounting for the Land Tax, Assessed Taxes, and Income Tax by the Collectors thereof. [10th *August* 1854.]

'WHEREAS, under and by virtue of the several Acts relating to the Land Tax, the Assessed Taxes, 'and the Duties on Profits arising from Property, Professions, Trades, and Offices, the respective 'Commissioners acting in the Execution of the said Acts respectively are authorized and empowered 'to require the Persons to be appointed Collectors of the said Taxes and Duties respectively to give 'good and sufficient Security for the duly paying such Monies assessed under the said Acts respectively 'as shall come to their Hands, and for the due Performance in other respects of their Duty as such 'Collectors, in the Manner in the said Acts respectively mentioned: And whereas, owing to the Omission 'of the said Commissioners to require such good and sufficient Security to be given by the Persons 'appointed by them to be such Collectors, or owing to the Inability of such Persons to give the requisite 'Security, the Inhabitants of many Parishes and Places have frequently suffered by being subjected to 'Re-assessment for Monies collected and misappropriated by such Collectors; and it is expedient to 'amend the Laws in that Behalf, and to make better Provision for securing the duly collecting, account-'ing for, and paying over of the said Taxes and Duties by the respective Collectors thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners of Inland Revenue may require Security to be given by Collectors of Taxes.

I. It shall be lawful for the Commissioners of Inland Revenue, in any Case, and whenever they shall think fit, to give Notice to the respective Commissioners acting in the Execution of the said Acts relating to the said Taxes and Duties respectively, or any of them, in or for any District or Division, that the said Commissioners of Inland Revenue require that the Persons appointed or to be appointed Collectors of the said Taxes or Duties, or any of them, in or for any Parish or Place, or all or any of the several Parishes or Places specified in such Notice, and within such District or Division, shall give Security to the Satisfaction of the said last-mentioned Commissioners for the due collecting, accounting for, and paying over of the Monies collected or to be collected by such Persons respectively, and for the due Performance of their Duties as such Collectors as aforesaid; and it shall also be lawful for the said Commissioners of Inland Revenue, in any Case in which they shall think fit, to cause the like Notice to be given to any Person or Persons who may have been appointed such Collector or Collectors as aforesaid; and after such Notice to the said Commissioners acting as aforesaid it shall not be lawful for them to appoint any Person to be such Collector in or for any such Parish or Place as aforesaid unless he shall previously give such Security: and in case any Person who may have been appointed such Collector, and to whom such Notice as aforesaid shall be given, shall neglect or omit to give such Security within the Time thereby limited for that Purpose, his Appointment and Authority as such Collector shall cease and determine from the Time of such Neglect or Default.

In default of Security being given, Commissioners of Inland Revenue may appoint Collectors.

II. If, after any such Notice as aforesaid given by the Commissioners of Inland Revenue, there shall be any Neglect or Delay in the Appointment of Collectors who shall previously have given such Security as by this Act is required, or any Neglect or Omission on the Part of any Person or Persons who may have been appointed such Collector or Collectors to give such Security, it shall be lawful for the Commissioners of Inland Revenue, by Warrant signed by any Two or more of them, and in such Form as they shall think proper, to appoint such Person or Persons as they shall think fit to be Collector or Collectors of all or any of the said Taxes and Duties in or for any Parish or Place, or in or for several Parishes or Places, in or with respect to which any such Neglect, Delay, or Omission as aforesaid shall have occurred; and such Person or Persons so appointed by the said Commissioners of Inland Revenue to be such Collector or Collectors as aforesaid shall have, use, and exercise and they are hereby invested with all such Powers and Authorities for the collecting, levying, and enforcing the Payment of the said

Taxes

Taxes and Duties respectively assessed or charged in the Assessment thereof for any such Parish or Place as by the Laws in force any Collector or Collectors duly appointed by the Commissioners acting in the Execution of the Acts relating to the said Taxes and Duties respectively could or might use or exercise or are invested with; and any Warrant of the Commissioners of Inland Revenue directed to any Person or Persons appointed by them to be such Collector or Collectors as aforesaid shall have the like Force and Effect, and confer the like Power and Authority, as any Warrant of the said Commissioners acting as aforesaid directed to any Person or Persons duly appointed by them to be Collector or Collectors of the said Taxes and Duties or any of them.

Security to be by Bond to Her Majesty, with Sureties approved by Commissioners of Inland Revenue.

III. The Security by this Act required to be given in pursuance of any such Notice as aforesaid shall be by Bond to Her Majesty, Her Heirs and Successors, to be entered into by such Collectors respectively, with Two or more sufficient Sureties, to be approved by the Commissioners of Inland Revenue, or with any Guarantee Society so approved, and in such Sum or Sums as the said last-mentioned Commissioners shall think proper in that Behalf; and the Condition of every such Bond shall be, that the said Collectors shall duly demand the said Taxes and Duties respectively of the several Persons on whom the same are assessed or charged, or from whom the same are payable, and in case of Nonpayment thereof that such Collectors shall duly enforce the Powers of the several Acts in that Behalf against those who make default, and that such Collectors shall duly account for and pay over all such Monies as shall come to their Hands as or for any such Taxes or Duties as aforesaid to the Receiver General of Inland Revenue, or other proper Officer appointed for the Receipt of such Taxes and Duties; and the said Condition shall also contain such further and other Terms and Provisions as the Commissioners of Inland Revenue may deem to be fit and proper for securing the duly collecting, accounting for, and paying over by the said Collectors of all such Taxes and Duties, and the true and faithful Execution of their Office of Collectors, without Fraud or Delay; and every such Bond and the Condition thereof shall be in such Form as the Commissioners of Inland Revenue shall provide or cause to be prepared for the Purposes aforesaid.

Duplicates of Assessments to be delivered to Collectors appointed by Commissioners of Inland Revenue.

IV. Upon the Appointment by the Commissioners of Inland Revenue of any Person or Persons to be the Collector or Collectors of the said Taxes and Duties or any of them in or for any Parish or Place, the Commissioners acting in the Execution of the Acts relating to such Taxes and Duties respectively shall cause Duplicates, signed by them, of the Assessments of the said Taxes and Duties respectively in or for such Parish or Place, to be delivered to such Collector or Collectors; and any Person who shall have in his Custody or Possession any such Duplicate, and shall refuse to deliver over the same to any such Collector, on Demand made by him for the same, shall forfeit the Sum of One hundred Pounds.

Parishes not to be answerable for the Default of Collectors appointed by Commissioners.

V. No Parish or Place shall be answerable for the Acts, Neglects, or Defaults of any Collector of the said Taxes or Duties, or any of them, who shall be appointed by the Commissioners of Inland Revenue, or who shall give Security to the Satisfaction of the said Commissioners, in pursuance of this Act, nor shall any Parish or Place be liable to be re-assessed for any Arrear or Deficiency of the said Taxes or Duties arising from any Default or Failure of such Collector.

Commissioners may provide printed Forms of Receipts and Counterfoils to be used by Collectors.

VI. It shall be lawful for the Commissioners of Inland Revenue to provide Books of printed Forms of Receipts, with Counterfoils, applicable to the Receipt of the said Taxes and Duties respectively, by the several Collectors thereof, and also to make such Orders and Regulations for the filling up and using of such Receipts and Counterfoils by the said Collectors, and for the Inspection of such Books of Forms and Counterfoils by the Inspectors or Surveyors of Taxes or other Officers, as the said Commissioners may deem to be necessary or proper for checking the Collection or Receipt of the said Taxes and Duties respectively by the several Collectors thereof; and it shall be incumbent upon and deemed to be the Duty of the said Collectors respectively to conform to and comply with such Orders and Regulations accordingly.

Collectors to give Receipts on the proper printed Forms, and to fill up Counterfoils.

Penalty for Refusal or Neglect.

VII. Every Collector of any of the said Taxes or Duties who shall have been supplied with any such Book of printed Forms of Receipts and Counterfoils as aforesaid, upon receiving any Sum of Money for any of such Taxes or Duties to which the said Forms are applicable shall give a Receipt for the same upon One of such printed Forms, properly filled up and signed by him, and shall also properly fill up the Counterfoil of such Receipt, and keep the same remaining in the said Book; and if any such Collector shall refuse, neglect, or omit to give such Receipt as aforesaid, or to fill up and keep such Counterfoil in the Manner herein directed, or if any such Collector who shall have been supplied with any such Book of printed Forms as aforesaid shall give any Receipt for any of such Taxes or Duties otherwise than upon such proper printed Form as aforesaid, he shall forfeit for every such Offence the Sum of Ten Pounds, to be recovered in like Manner as any other Penalty may be recovered under the Acts relating to the said Taxes or Duties for which such Receipt shall have been given.

CAP. LXXXVI.

An Act for the better Care and Reformation of Youthful Offenders in *Great Britain*.

[10th *August* 1854.]

'WHEREAS Reformatory Schools for the better training of Juvenile Offenders have been and may be 'established by voluntary Contributions in various Parts of *Great Britain*, and it is expedient that 'more extensive Use should be made of such Institutions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On Application from voluntary Institution to Secretary of State, Inspector to report.

I. It shall and may be lawful for Her Majesty's Secretary of State for the Home Department, upon Application made to him by the Directors or Managers of any such Institution, to direct One of Her Majesty's Inspectors of Prisons to examine and report to him upon its Condition and Regulations, and any such Institution as shall appear to the Satisfaction of the said Secretary of State, and shall be certified under his Hand and Seal, to be useful and efficient for its Purpose, shall be held to be a Reformatory School under the Provisions of this Act: Provided always, that it shall be lawful for any of Her Majesty's Inspectors of Prisons to visit from Time to Time any Reformatory School which shall have been so certified as aforesaid; and if upon the Report of any such Inspector the said Secretary of State shall think proper to withdraw his said Certificate, and shall notify such Withdrawal under his Hand to the Directors or Managers of the said Institution, the same shall forthwith cease to be a Reformatory School within the Meaning of this Act.

Juvenile Offenders, how to be dealt with.

II. Whenever after the passing of this Act any Person under the Age of Sixteen Years shall be convicted of any Offence punishable by Law, either upon an Indictment or on Summary Conviction before a Police Magistrate of the Metropolis or other Stipendiary Magistrate, or before Two or more Justices of the Peace, or before a Sheriff or Magistrate in *Scotland*, then and in every such Case it shall be lawful for any Court, Judge, Police Magistrate of the Metropolis, Stipendiary Magistrate, or any Two or more Justices of the Peace, or in *Scotland* for any Sheriff or Magistrate of a Burgh or Police Magistrate, before or by whom such Offender shall be so convicted, in addition to the Sentence then and there passed as a Punishment for his Offence, to direct such Offender to be sent, at the Expiration of his Sentence, to some One of the aforesaid Reformatory Schools to be named in such Direction, the Directors or Managers of which shall be willing to receive him, and to be there detained for a Period not less than Two Years and not exceeding Five Years, and such Offender shall be liable to be detained pursuant to such Direction: Provided always, that no Offender shall be directed to be so sent and detained as aforesaid unless the Sentence passed as a Punishment for his Offence, at the Expiration of which he is directed to be so sent and detained, shall be one of Imprisonment for Fourteen Days at the least; provided also, that the Secretary of State for the Home Department may at any Time order any such Offender to be discharged from any such School.

Power to Treasury to defray Cost of Maintenance at Reformatory School.

III. It shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Representation of One of Her Majesty's Principal Secretaries of State, to defray, out of any Funds which shall be provided by Parliament for that Purpose, either the whole Cost of the Care and Maintenance of any Juvenile Offender so detained in any Reformatory School as aforesaid, at such Rate per Head as shall be determined by them, or such Portion of such Cost as shall not have been recovered from the Parents or Step-parents of such Child, as herein-after provided, or such other Portion as shall be recommended by the said Secretary of State.

Absconding, or refractory Conduct at Reformatory School, how to be punished.

IV. 'And whereas it is expedient that some Provision should be made for the Punishment of any 'Juvenile Offender, so directed to be detained as aforesaid in any such Reformatory School, who shall 'abscond therefrom, or wilfully neglect or refuse to abide by and conform to the Rules thereof:' Be it enacted, That it shall and may be lawful to and for any Justice of the Peace, or in *Scotland*, for any Sheriff or Magistrate of a Burgh, or Police Magistrate, acting in and for the County, City, Borough, Riding, or Division wherein the said Offender shall actually be at the Time he shall so abscond, or neglect or refuse as aforesaid, upon the Proof thereof made before him upon the Oath of One credible Witness, by Warrant under his Hand and Seal, or in *Scotland* under his Hand, to commit the Party so offending for every such Offence to any Gaol or House of Correction for the said County, City, Borough, Riding, or Division, with or without Hard Labour, for any Period not exceeding Three Calendar Months.

Cost of Maintenance to be partly recovered from Parents, &c.

V. The Court by which any Juvenile Offender is ordered to be detained as aforesaid under this Act shall charge the Parent or Step-parent of such Offender, if of sufficient Ability to bear the same, with a Sum not exceeding Five Shillings *per* Week towards the Maintenance and Support of such Juvenile Offender while remaining in such Reformatory School, such Payment to be in relief of the Charges on Her Majesty's Treasury in all Cases where the Treasury shall have defrayed or undertaken to defray the whole or any Portion of the Maintenance of such Offender, and in all other Cases such Payment to be made to the Directors or Managers of such Reformatory School.

For compelling Parent or Step-parent to support Juvenile

VI. For the better compelling the Parent or Step-parent, as the Case may be, to support and maintain wholly or partly every such Juvenile Offender while in such Reformatory School, the Provisions contained in the Act passed in the Forty-third Year of the Reign of Queen *Elizabeth*, intituled *An Act for the*

the Relief of the Poor, for compelling the Parent of every poor Person, being of sufficient Ability, at their own Charges to relieve and maintain such poor Person, and also the Provisions in the like Behalf contained in an Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, and in an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales, shall be respectively held and deemed and the same respectively are hereby directed to be applicable, within *England* and *Wales*, to the compelling the Parent or Step-parent respectively of every such Juvenile Offender to maintain or support him, either wholly or partly, while remaining in such Reformatory School, and for the Recovery of the weekly Payment so charged upon such Parent or Step-parent; and in *Scotland* such Payment may be sued for and recovered at the Instance of the Procurator Fiscal or of the Treasurer of such Reformatory School in the Sheriffs Small Debt Court, and the Provisions of an Act passed in the Eighth and Ninth Years of Her Majesty, intituled *An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in* Scotland, for the Punishment of Parents deserting their Children, or refusing or neglecting to maintain them, shall be held and deemed and are hereby directed to be applicable to the Case of Parents or Step-parents refusing or neglecting to pay the Amount so charged upon such Parent or Step-parent as aforesaid.

Offenders while remaining in Reformatory School. 59 G. 3. c. 12. 4 & 5 W. 4. c. 76.

8 & 9 Vict. c. 83.

VII. It shall and may be lawful for Her Majesty's Secretary of State for the Home Department, if he shall think fit to do so, to remove any such Youthful Offender from one Reformatory School to another: Provided always, that such Removal shall not increase the Period for which such Offender was sentenced to remain in a Reformatory School.

As to Removal of Juvenile Offenders.

VIII. This Act shall not apply to *Ireland*.

Act not to apply to Ireland.

CAP. LXXXVII.

An Act to make further Provision for the Burial of the Dead in *England* beyond the Limits of the Metropolis. [10th *August* 1854.]

'WHEREAS an Act was passed in the last Session of Parliament, Chapter One hundred and thirty-four, intituled *An Act to amend the Laws concerning the Burial of the Dead in* England *beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis*: And whereas under the said Act Provision is made for providing Burial Grounds for Parishes by Burial Boards to be appointed by Vestries: And whereas in some Cases of Parishes wholly or partly within Boroughs there is Difficulty or Inconvenience in providing requisite Places of Burial for the Inhabitants under the Powers of the said Act, and it is expedient that in such Cases such Places of Burial should be provided by the Councils of such Boroughs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 134.

I. In case it appear to Her Majesty in Council, upon the Petition of the Town Council of any Borough, stating that an Order in Council has been made for closing all or any of the Burial Grounds of One or more Parishes being wholly or partly within such Borough, that there is Difficulty or Inconvenience in providing, under the Powers of the said Act of the last Session of Parliament, requisite Places of Burial for the Inhabitants of such Parish or Parishes, it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that Powers shall be vested in the Council of such Borough for providing such Places of Burial under the Provisions of this Act: Provided always, that Notice of such Petition and of the Time when it shall please Her Majesty to order that the same be taken into consideration by the Privy Council shall be published in the *London Gazette*, and in One of the Newspapers usually circulating in such Borough, One Month at least before such Petition is so considered.

Her Majesty may, by Order in Council, invest Town Councils with the Power of providing Burial Grounds.

II. Upon the making of any such Order of Her Majesty in Council as aforesaid in relation to any Borough, if the Town Council of the same shall decide upon providing One or more Burial Grounds, the said Town Council shall be a Burial Board for that Purpose, and the Provisions of the said Act of the last Session, and the Provisions of the Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, in the said Act of the last Session mentioned or referred to, and thereby extended and made applicable as therein mentioned, except the Provisions relating to the Constitution, Incorporation, Meetings, Entries of Proceedings, and Accounts of Burial Boards, shall, subject to the Provisions herein contained, extend and be applicable to such Borough and the Council thereof, and to any Burial Ground and any Places for the Reception of the Bodies of the Dead previously to Interment which may be provided by such Council under this Act, in like Manner as the same are applicable to any Parish and the Burial Board thereof, and to any Burial Ground and any such Places as aforesaid provided by such Burial Board, save that no Approval, Sanction, or Authorization of the Vestry of any Parish shall be requisite.

Upon the making of such Order Borough Council to have all the Powers vested in Burial Boards under 16 & 17 Vict. c. 134.

III. Provided always, That all Expenses of carrying this Act into execution in any Borough shall, subject to the Provisions herein-after contained, be chargeable upon and paid out of the Borough Fund and Borough Rates of such Borough, or partly out of such Fund and partly out of such Rates, in like Manner

Expenses to be paid out of Borough Fund or Borough Rates.

Manner as if the same were Expenses incurred in carrying into effect the Provisions of an Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six; and any Money to be borrowed under the Authority of this Act by the Council of such Borough, and the Interest thereon, shall be charged by such Council on the Monies out of which such Expenses are by this Act directed to be paid, and the said Provisions hereby extended and made applicable to the said Council shall be construed accordingly; and any Surplus of Money raised for defraying such Expenses as aforesaid, and of the Income of any Burial Ground provided by the Council of any Borough, which if the same were provided by a Burial Board for any Parish would be applicable in aid of the Rate for the Relief of the Poor of such Parish shall be applicable in aid of the Borough Fund or Borough Rates of such Borough, or in case a separate Rate has been levied in Parts only of such Borough, for the Purposes of this Act, as herein-after provided, then such Surplus shall be applied rateably towards Payment or Satisfaction of so much of any Borough Rate as may be leviable in such Parts of such Borough: Provided always, that such Surplus shall be ascertained upon the auditing of the Accounts of the Treasurer of such Borough in the Month of *September* in any Year.

Money may be borrowed at lower Rates of Interest to pay off Securities bearing a higher Rate.

IV. If any Burial Board under the said Act of the last Session of Parliament, or the Council of any Borough acting under this Act, can at any Time borrow at a lower Rate of Interest than that secured by any Mortgage previously made by them, and then outstanding and in force, they may, if they think fit, so borrow accordingly in order to pay off and discharge any Security or Securities bearing a higher Rate of Interest, and to secure the Repayment of the Money so borrowed, and the Interest to be paid thereon, in like Manner as other Monies authorized to be borrowed by such Burial Board or Council under the said Act of the last Session or this Act.

Power to borrow Money to pay off former Mortgages.

V. If at the Time appointed by any Mortgage for Payment of the Principal Money secured thereby any such Burial Board or Council as aforesaid are unable to pay off the same, they may, if they think fit, borrow such Sum of Money as may be necessary for the Purpose of paying off all or any Part of such Principal Money, and secure the Repayment of the Money so borrowed, and the Interest to be paid thereon, in like Manner as other Monies authorized to be borrowed by such Burial Board or Council under the said Act of the last Session or this Act.

Council how to act under this Act, and Conveyances and Sales of Lands how to be made.

VI. The Council of any Borough shall act in execution and exercise of their Duties, Powers, and Authorities under this Act in like Manner as in execution and exercise of their Duties, Powers, and Authorities under the said Act of the Fifth and Sixth Years of King *William* the Fourth; and every Conveyance of Lands to be purchased for the Purposes of this Act shall be taken in the Name of the Body Corporate of such Borough, and such Body Corporate shall have Power to hold such Lands for the Purposes of this Act; and no Lands purchased under this Act by the Council of any Borough shall be sold, except with the like Approbation and subject to the like Restrictions as if sold under the said Act of the Fifth and Sixth Years of King *William* the Fourth; and the Signature of any Member or Members of such Council shall not be necessary to any Conveyance of any Lands so sold; and a Receipt under the Hand of the Treasurer of such Borough shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

Burial Ground to be deemed to be for the Parishes in the Borough.

VII. The Burial Ground or Burial Grounds provided for any Borough under this Act shall be deemed to be provided for such Parish or Parishes wholly or in part situate in such Borough as the Town Council shall determine.

Council may fix a higher Rate of Payment for Interment, &c. in respect of outlying Part of any Parish partly situate in the Borough.

VIII. It shall be lawful for the Council of any Borough, if they see fit, in fixing and settling, revising and altering, the Fees, Payments, and Sums mentioned in Section Thirty-four of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, from Time to Time to fix all or any of such Fees, Payments, and Sums in respect of Interments of the Remains of Persons, being Inhabitants of that Part of any Parish partly within and partly without the Limits of such Borough which is without such Limits, and in respect of other Rights to be exercised with reference to the Interment of the Remains of such Persons, at a higher Amount than the ordinary Charge for the Time being fixed by such Council in respect of the like Matters; provided always, that such higher Amount shall be fixed with the Approval of One of Her Majesty's Principal Secretaries of State.

Order in Council may except Parishes already having Burial Grounds; and in such Case, if a Rate be necessary, a separate Rate to be made on the rest of the Borough.

IX. Where, previously to the making of any Order in Council under this Act in relation to any Borough, it appears to Her Majesty in Council, upon the Petition of the Town Council so made as aforesaid, or otherwise, that any Parish wholly or in part within such Borough is provided with a sufficient Burial Ground, it shall be lawful for Her Majesty in and by such Order to direct that no Part of such Parish shall be assessed towards defraying the Expenses of executing this Act in such Borough, and in such Case no Burial Ground provided for such Borough under this Act shall be deemed to be provided for such Parish; and any Money required to be raised in such Borough for defraying such Expenses, or paying any Money borrowed under this Act by the Council of such Borough, or any Interest thereon, by means of a Rate to be levied in such Borough, shall be raised by a separate Rate, to be levied within such Parts of such Borough as are not exempted under such Order from being assessed as aforesaid; and (so far as may be consistent with this Provision) the Council of such Borough shall have all such Powers for making and levying such Rate, and all Provisions shall be applicable in respect thereof, as in the Case of a Borough Rate made under the said Act of the Fifth and Sixth Years of King *William* the Fourth.

X. The

Powers of Vestry, with Consent of Bishop, of fixing and revising the Fees payable to Incumbent, &c. transferred to the Borough Council.

X. The Powers of settling and fixing the Fees or Sums to be payable to the Incumbent or Minister, and of revising and varying the Fees payable to the Incumbent, Clerk, and Sexton, and other Persons and Bodies, and of substituting for such Fees fixed annual Sums, by Sections Thirty-three and Thirty-seven of the said Act of the Fifteenth and Sixteenth Years of Her Majesty given to the Vestry, and exercisable with the Approval or Consent of the Bishop of the Diocese, as therein mentioned, shall, with respect to Fees and Sums arising in or from any Burial Ground provided under this Act by the Council of any Borough, be transferred to such Council, and be exercisable with the like Approval or Consent.

Council may appropriate Land belonging to the Borough.

XI. It shall be lawful for the Council of any Borough to appropriate for the Purposes of this Act any Land belonging to the Body Corporate of such Borough, or vested in any Feoffees, Trustees, or others, for the general Benefit of the Borough, or for any specific Charity; provided always, that where any Land so appropriated shall be subject to any charitable Use, such Land shall be taken on such Conditions only as the Court of Chancery, in the Exercise of its Jurisdiction over Charitable Trusts, shall appoint and direct.

Burial Ground not to be within 100 Yards of a Dwelling House.

XII. So much of the said Act of the Fifteenth and Sixteenth Years of Her Majesty as enacts, that "no Ground (not already used as or appropriated for a Cemetery) shall be appropriated as a Burial "Ground or as an Addition to a Burial Ground under that Act nearer than Two hundred Yards to any "Dwelling House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling "House," shall not extend or be applicable to or in respect of any Burial Grounds which have been or may be provided under the said Act of the last Session and this Act, or either of them, or to or in respect of any Addition which has been or may be so provided to any Burial Ground; but no Ground not already used as or appropriated for a Cemetery shall be appropriated under the said Act of the last Session and this Act, or either of them, as a Burial Ground, or as an Addition to a Burial Ground, nearer than One hundred Yards to any Dwelling House, without such Consent as aforesaid.

CAP. LXXXVIII.

An Act to render valid certain Marriages of *British* Subjects in *Mexico*. [10th *August* 1854.]

'WHEREAS certain Marriages of *British* Subjects have been solemnized at *Mexico* by Mr. *Percy* '*W. Doyle*, formerly Her Majesty's Chargé d'Affaires and afterwards Her Majesty's Minister 'Plenipotentiary to the Republic of *Mexico:* And whereas Doubts may be entertained whether such 'Marriages are strictly legal: And whereas it is expedient to remove all Doubts touching the Validity 'of such Marriages:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:

Certain Marriages of British Subjects solemnized in Mexico to be valid.

I. All Marriages solemnized before the First Day of *January* One thousand eight hundred and fifty-four in any Place of the Republic of *Mexico* by or in the Presence of the said *Percy W. Doyle* (both or One of the Parties thereto being Subjects or a Subject of this Realm) shall be deemed and held to be as valid in the Law as if the same had been solemnized within Her Majesty's Dominions with a due Observance of all Forms required by Law.

Certificates received by the Secretary of State to be sent to Registrar General, and certified Copies to be Evidence, as under 6 & 7 W. 4. c. 86.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State to transmit to the Registrar General of Births, Deaths, and Marriages in *England* all such Certificates of the Marriages solemnized as aforesaid as have been or shall be transmitted to the Office of such Secretary of State by Her Majesty's Minister Plenipotentiary or Chargé d'Affaires in *Mexico;* and all Certificates which shall be transmitted to such Registrar General by such Secretary of State as Certificates of the Marriages confirmed by this Act shall be received by such Registrar General, and shall be kept in the General Register Office in manner directed by the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-six, "for registering Births, Deaths, and Marriages in *England*," concerning the certified Copies of Registers sent to the said Registrar General as therein mentioned; and a certified Copy of any such Certificate, such Copy purporting to be sealed or stamped with the Seal of the General Register Office, shall be received as Evidence of the Marriage to which the same relates having been solemnized as aforesaid, without further or other Proof.

Right to search and have Copies.

III. All Persons shall have the like Right to search such Certificates, and to have certified Copies thereof, and upon the like Payment as provided under the said Act with respect to Searches in the Indexes to be made and kept in the said Register Office under that Act, and certified Copies of Entries in the certified Copies of Registers therein mentioned; and Section Forty-three of such Act, concerning the destroying, injuring, or falsifying of Register Books, or giving false Certificates of Entries, or certifying any false Copy or Extract, shall be applicable with respect to the Certificates to be received by the said Registrar General under this Act, in like Manner as such Enactment applies with respect to such Register Books.

CAP. LXXXIX.

An Act to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation, in *Ireland*. [10th *August* 1854.]

2 & 3 Vict. c. 79.

'WHEREAS an Act was passed in the Session holden in the Second and Third Years of Her 'Majesty, intituled *An Act for the better Prevention of the Sale of Spirits by unlicensed Persons* 'in Ireland, and certain of the Provisions therein were temporary, and have been continued to the 'Twenty-fourth Day of *August* One thousand eight hundred and fifty-four: And whereas it is expedient 'to make further Provision for the better Prevention of the Sale of Spirits by unlicensed Persons in '*Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act to commence 24th August 1854, and 2 & 3 Vict. c. 79. repealed.

I. This Act shall commence from the Twenty-fourth Day of *August* One thousand eight hundred and fifty-four; and from that Day so much of the said Act of the Second and Third Years of Her Majesty as shall not have expired shall be repealed.

Justices to grant Warrant for the Seizure of Spirits found in Places not being licensed.

II. It shall and may be lawful for any One or more Justice or Justices of the Peace, whether in or out of Petty Sessions, upon being satisfied by the personal Examination on Oath of a credible Witness that there is reasonable Ground for suspecting that Spirits are sold, kept for Sale, or exposed for Sale in any House or Place within the County, not licensed for the Sale thereof, or by some Person not having a Licence to sell Spirits in or at such House or Place, or that illicit Spirits are kept for Sale in or at any House or Place, to grant a Warrant under his or their Hand or Hands, authorizing within the Police District of *Dublin* Metropolis any Superintendent or Inspector of Police, or in any other Part of *Ireland* any Sub-Inspector, Head or other Constable of Constabulary, with his Assistants respectively, to enter such House or Place at all Times, to search for Spirits, and if any Spirits shall be found in such House or Place exceeding One Gallon, without a Permit or other legal Authority justifying the keeping thereof, or any Spirits in any Quantity whatsoever, the full Duties whereon shall not have been duly paid, shall be found in such House or Place, to seize such Spirits together with the Vessel in which the same are contained; and such Warrant shall continue in force for One Month from the Date thereof, and shall be a sufficient Authority to the Superintendent, Inspector, Sub-Inspector, Head or other Constable therein named, and his Assistants respectively, such Assistants being Members of the Constabulary Force, in his Presence to enter into such House or Place, and seize all such Spirits as aforesaid and the Vessel containing the same, and to carry away and deliver the same to some Revenue Officer; and the Person on whose Premises such Spirits shall be found as aforesaid shall on Conviction be liable—

For the First Offence, to a Fine not exceeding Five Pounds nor less than Two Pounds, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months nor less than One Month:

And for the Second and every subsequent Offence, to a Fine not exceeding Ten Pounds nor less than Five Pounds, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Six Months nor less than Three Months:

And all such Spirits and the Vessels containing the same so seized as aforesaid shall be forfeited.

Penalty on Persons selling Spirits, &c. without Licence.

III. Every Person, not being duly licensed to sell Wine, Spirits, Beer, Ale, Cider, or Perry, who shall sell, or keep for Sale, or expose for Sale, any Wine, Spirits, Beer, Ale, Cider, or Perry, shall for every such Offence be liable—

For the First Offence, to a Fine not exceeding Two Pounds nor less than Five Shillings, or to be imprisoned, with or without Hard Labour, for any Term not exceeding One Month nor less than One Week:

And for the Second and every subsequent Offence, to a Fine not exceeding Five Pounds nor less than Twenty Shillings, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Months nor less than One Month:

And for the Purpose of any such Conviction it shall be sufficient to prove that Wine, Spirits, Beer, Ale, Cider, or Perry was kept for Sale or exposed for Sale by such Person or on his Premises, or had been illegally consumed on such Premises, at any Time within Two Months preceding such alleged Offence; and if any Person be found drunk in such House, or having the Appearance of having been recently drinking it shall be deemed Evidence of his having been drinking in such House, and of the unlawful Consumption of Wine, Spirits, Beer, Ale, Cider, or Perry, unless the contrary be proved.

Justices empowered to grant Warrant for entering unlicensed Premises.

IV.—If any Superintendent, Inspector, or Serjeant of the *Dublin* Metropolitan Police, or any Sub-Inspector, Head or other Constable of Constabulary, or other credible Witness, shall make Oath in Writing before a Justice of the Peace that the said Superintendent, Inspector, Serjeant, Sub-Inspector, Head or other Constable, or credible Witness, has good Reason to believe that Wine, Spirits, Beer, Ale, Cider, or Perry are retailed or sold without a Licence, or kept for Sale without Licence, in any Room, House, or other Place, it shall be lawful for such Justice to grant a Warrant authorizing, within the Police District of *Dublin* Metropolis, any Superintendent, Inspector, or Serjeant of Police, and in any other Part of *Ireland* any Sub-Inspector, Head or other Constable of Constabulary, with his Assistants respectively,

respectively, to enter into any such Room, House, or other Places as aforesaid at all Times, and such Warrant shall continue in force for One Month from the Date thereof; and if any Person shall be found to be drinking or tippling, or having the Appearance of having been recently drinking or tippling, on such unlicensed Premises, such Person may be summoned before the Justices of the Peace in Petty Sessions, or Divisional Justices of the Metropolitan Police District of *Dublin*, as the Case may be, or may be lawfully apprehended and brought, so soon as conveniently may be, before a Justice of the Peace, to be dealt with according to Law, and upon Conviction of his having been so drinking or tippling on such unlicensed Premises shall be liable—

Penalty on Persons found therein.

For the First Offence, to a Fine not exceeding Five Shillings nor less than Two Shillings and Sixpence, or to be imprisoned, with or without Hard Labour, for any Time not exceeding Twenty-four Hours nor less than Twelve Hours from the Time of his Conviction:

And for the Second and every subsequent Offence, to a Fine not exceeding Ten Shillings nor less than Five Shillings, or to be imprisoned as aforesaid for any Time not exceeding One Week nor less than Three Days:

And in all Cases where such Person shall be found drinking or tippling, or having the Appearance of having been recently drinking or tippling, on such unlicensed Premises, it shall be lawful for any such Superintendent, Inspector, Serjeant, Sub-Inspector, Head or other Constable, and his Assistants respectively, to seize any Quantity of Wine, Spirits, Beer, Ale, Cider or Perry found on such Premises, together with the Vessel containing the same, and all Vessels, Jugs, or Glasses used in the Sale or Consumption thereof, and on Conviction of any such Person so found as aforesaid such Spirits, Wine, Beer, Ale, Cider, or Perry, Vessels, Jugs, and Glasses so seized, shall be forfeited, and shall be delivered to some Revenue Officer.

Penalty on Persons delaying or refusing Admittance to Justice, &c.

V. If any Person occupying any House or Place, or any Person aiding or assisting such Occupier, on Demand made of Entrance by any Justice of the Peace, or Superintendent, Inspector, or Serjeant of Police, Sub-Inspector, Head or other Constable respectively, and on his stating that he seeks to enter by virtue of his Office as a Justice of the Peace, or by the Authority of a Warrant from a Justice of the Peace (which Warrant he shall produce when required so to do), shall delay or refuse to admit such Justice, Superintendent, Inspector, Serjeant, Sub-Inspector, Head or other Constable, or his Assistants respectively, into such House or Place for the Purpose of executing such Warrant as aforesaid, such Person shall forfeit and pay a Sum not exceeding the Sum of Two Pounds nor less than Ten Shillings, or be imprisoned for any Term not exceeding One Fortnight nor less than One Week, unless Proof shall be made to the Satisfaction of the Justice or Justices who may hear the Complaint that there was reasonable Cause for giving such Delay or Refusal: Provided always, that for the Purpose of such Conviction as last aforesaid, Proof to the Satisfaction of the Justice who may hear the Complaint that Spirits were sold or kept or exposed for Sale in such Room, House, or Place where such Person was so found therein shall be sufficient Evidence that no Licence then existed for selling Spirits, unless the contrary be proved.

Constabulary to stop Spirits in transitu, and demand and date Permits.

VI. As to Spirits *in transitu* or Process of Removal from one Place to another, it shall and may be lawful for any County Inspector, Sub-Inspector, Head or other Constable of Constabulary, to demand from any Person having in his Custody or Possession any Spirits in any Quantity whatsoever exceeding One Gallon a proper Permit or Certificate authorizing the Removal of such Spirits, and on the Production of any such Permit or Certificate to endorse the same with his own Name, together with the Place, Date, and Time of such Endorsement; and in case no Permit or Certificate shall be produced, or any Permit the Limitation of which shall have expired, it shall be lawful for such County Inspector, Sub-Inspector, Head or other Constable, to seize such Spirits, together with the Vessel containing the same, and the Horse or other Cattle, and Cart or other Carriage, used in the Removal thereof, and to arrest the Person in whose Possession or Custody the same shall have been found, and to convey him, as soon as conveniently may be, before a Justice of the Peace, to be dealt with as herein directed; and the Person in whose Possession or Custody such Spirits shall have been found without such Permit or Certificate, or with any Permit the Limitation of which shall have expired, shall be liable—

Power to seize Spirits, &c. in case no Permit produced.

For the First Offence, to a Penalty not exceeding Five Pounds nor less than Twenty Shillings, or to be imprisoned, with or without Hard Labour, for a Term not exceeding Three Months nor less than One Month:

And for the Second and every subsequent Offence, to a Penalty not exceeding Ten Pounds nor less than Forty Shillings, or to be imprisoned as aforesaid for a Term not exceeding Six Months nor less than Two Months.

Persons duly licensed may sell Spirits, &c. at public Races, &c.

VII. Nothing herein contained shall extend to prohibit any Person or Persons duly licensed under any Act or Acts relating to the Excise Laws in *Ireland* to carry on his Trade or Business, for which he shall be so licensed as aforesaid, in Booths, Tents, or other Places, at the Time and Place and within the Limits of holding any lawful and accustomed Fair, or at any public Races, or shall authorize the Seizure of Wine, Spirits, Beer, Ale, Cider, or Perry in any such Booth, Tent, or other Place, within the Limits aforesaid, in which such Person so licensed shall so carry on his Trade, or the taking or apprehending of any Person therein at any Time or Hour during which the Sale of Spirits is not prohibited by Law

Proceedings to be had under the Petty Sessions Act, 1851.

VIII. All Proceedings under this Act shall be conducted, and all Penalties imposed and Costs awarded under this Act shall be sued for, levied, and recovered, and any Conviction under this Act shall be appealed from, as by the "Petty Sessions (*Ireland*) Act, 1851," is directed, provided, and enacted, except where otherwise specially exempted or provided for in the said Act and this Act, anything in any former Act or Acts to the contrary notwithstanding.

Persons applying for Excise Licence to give Notice to Constabulary Officer and Superintendent of Police.

IX. From and after the Commencement of this Act, every Person who shall apply for a Certificate to obtain an Excise Licence, under or by the Authority of any Act or Acts for the Sale of Wine, Spirits, Beer, Ale, Cider, or Perry by Retail in *Ireland*, to be drank or consumed on the Premises or elsewhere, shall, Twenty-one Days at least before the Quarter Sessions at which such Application is intended to be made, give Notice in Writing to the Sub-Inspector of the District in which he resides, or in his Absence to the Head Constable, or if in the Metropolitan *Dublin* Police District to the Superintendent of Police of the Division in which such Person resides, stating the Intention of such Person to make such Application, and setting forth his Place of Residence, the Situation and Place of the House where such Wines, Spirits, Beer, Ale, Cider, or Perry are to be sold, and the Names and Places of Abode of the Persons whom such Person requiring such Certificate proposes as Sureties.

Constabulary Officer or Superintendent of Police may object to the Issue of Certificate.

X. The Sub-Inspector of the District, or in his Absence the Head Constable, or if in the Metropolitan *Dublin* Police District the Superintendent of Police of the Division, shall be and is hereby authorized to object to such Certificate before the Justices at the Quarter Sessions or Recorder, as the Case may be, and the Justices or Recorder shall proceed to consider, examine on Oath into, and adjudicate upon the Truth, Sufficiency, and Validity of such Objection; and it shall be lawful to require the Applicant to answer whether he belongs to any unlawful Society or not, but any Admission by such Applicant is not to be used in Evidence in any Prosecution against the Party making it; and if such Justices or Recorder shall be satisfied of the Truth and Sufficiency of such Objection, they may prohibit such Certificate to be issued, in like Manner as they are authorized to do according to Law.

Excise Officer not to grant a Renewal Licence without Certificate of Justices.

XI. From and after the Commencement of this Act, it shall not be lawful for any Officer of Excise in *Ireland* to grant a Renewal of any such Licence as aforesaid to any Person applying for such Renewal at and for the same House as shall have been licensed in the Year last immediately preceding, and whose Licence shall not have been withdrawn or annulled, without such Person producing a Certificate, signed by Two or more Justices of the Peace presiding at the Petty Sessions of the District in which such Person resides, or if in the *Dublin* Metropolitan Police District by a Divisional Justice of the District in which such Person resides, to the good Character of such Person, and to the peaceable and orderly Manner in which such House had been conducted in the past Year.

For removing Doubts as to Right of Entry under the Act 8 & 9 Vict. c. 64.

XII. 'And whereas by the Act of the Session holden in the Eighth and Ninth Years of Her Majesty, 'Chapter Sixty-four, intituled *An Act to amend certain Regulations respecting the Retail of Spirits in* 'Ireland, Power is given to any Justice of the Peace, or any Chief or other Constable or Overseer, 'within the Limits of his Jurisdiction, to enter into any House or Place kept open for the Sale of Spirits 'to be consumed elsewhere than in such House or Place: And whereas Doubts have arisen as to 'whether the Right of Entry extends to every Part of such House or Place, or only to the particular 'Part entered as licensed for such Sale of Spirits in the Books of the Inland Revenue Department:'

Definition of Terms "House or Place."

From and after the Commencement of this Act, the Words "Chief or other Constable" shall be construed to mean and include any County Inspector, Sub-Inspector, Head or other Constable of Constabulary, or any Superintendent, Inspector, or Constable of the *Dublin* Metropolitan Police; and the Words "House or Place" in this and the aforesaid Act, or any other Act or Acts relating to the Sale of Spirits, Wine, Beer, Ale, Cider, or Perry in *Ireland*, shall be construed to mean and to extend to every Room, Closet, Cellar, Yard, Stable, Outhouse, Shed, or any other Place whatsoever of, belonging, or in any Manner appertaining to such House or Place; and whatever particular Part of such House or Place shall be entered in the said Books of the said Inland Revenue Department as licensed under the said Act of the Eighth and Ninth Years of Her Majesty, or any other Acts relating to the Sale of Spirits, Wine, Beer, Ale, Cider, or Perry, as aforesaid, it shall be lawful for any such Justice of the Peace, Chief or other Constable, or Overseer, or any Officer of Excise, with their Assistants respectively, to enter every Room, Closet, Cellar, Yard, Stable, Outhouse, Shed, or any other Place whatsoever belonging to such House or Place.

Definition of Entry in Books of Inland Revenue Department.

Lord Lieutenant may order the Constabulary to exercise Powers, &c. granted by 1 & 2 W. 4. c. 55. in the Suppression of illicit Distillation.

XIII. And for the better Prevention and Suppression of Offences against the Laws relating to illicit Distillation in *Ireland*, from and after the passing of this Act, whenever and from Time to Time as often as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall see fit so to order and direct, it shall and may be lawful for the County Inspector, Sub-Inspector, Head or other Constable within any County, County of a City, or County of a Town, or in any One or more Barony or Baronies or Half Barony or Half Baronies in such County at large, or any Part or Parts or District or Districts of any such County or County of a City or County of a Town named in any Order issued in that Behalf, to exercise all the Powers and Authorities and to have and possess all the Privileges granted to Officers of Excise by an Act passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws for suppressing the illicit making of Malt and Distillation of Spirits in* Ireland, in searching for private Stills, Wort, Wash, Potale, Low Wines or Singlings, or Spirits, and Corn and Grain making into Malt, and in arresting and detecting Persons

Persons discovered in the Place where private making of Wort, Wash, or Potale, or Distillation of Spirits or making of Malt, is carrying on, as fully and effectually as if the Clauses in the said Act had been repeated and re-enacted in the Body of this Act, and made to apply to such County Inspector, Sub-Inspector, Head or other Constable as aforesaid.

Duration of last foregoing Enactment.

XIV. Provided always, That no such Order as aforesaid shall be issued after the Expiration of Three Years from the passing of this Act, nor shall any such Order continue in force after the Expiration of the said Term of Three Years; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time within the said Term of Three Years, to revoke any such Order as aforesaid for the Time being in force; and from and after such Revocation such County Inspector, Sub-Inspector, Head or other Constable as aforesaid, shall cease to exercise and possess such Powers, Authorities, and Privileges as aforesaid.

Regulations to be made for the Guidance of the Constabulary employed in the Prevention, &c. of illicit Distillation.

XV. And it shall and may be lawful for the Inspector General of the Constabulary Force of *Ireland*, with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time to frame Rules and Regulations for the Guidance of the said Constabulary Force in the Prevention or Suppression of illicit Distillation in such Districts as aforesaid, and for the making of Returns to the Lord Lieutenant or other Governors of *Ireland* of all Seizures whatsoever made, and of the Apprehension of Offenders by any County Inspector, Sub-Inspector, Head or other Constable of the said Constabulary Force, and also of all other Measures taken for or towards the Prevention or Suppression of illicit Distillation, under the Authority of such Orders as aforesaid.

Such Regulations to be laid before Parliament.

XVI. A Copy of all Rules, Regulations, or Orders which may be made by the Inspector General of Constabulary for the Guidance of the said Constabulary Force to carry into effect the Provisions of this Act shall be laid before Parliament within Six Weeks from the Date of the Issue thereof, if Parliament be then sitting, or if not then sitting, within Six Weeks from the Day of the next ensuing Meeting of Parliament.

As to Disposal of Seizures made by Constabulary.

XVII. All Seizures made under the Provisions of this Act by the said Inspector or Superintendent or Serjeant of Police, or by any County Inspectors, Sub-Inspectors, Head or other Constables, shall be, as soon as conveniently may be, delivered over to the Officer or Supervisor of Excise most convenient to the Place where such Seizure shall have been made, to be dealt with as is directed by the said Act of the First and Second Years of the Reign of His late Majesty King *William* the Fourth for the Suppression of illicit Distillation in *Ireland*.

CAP. XC.

An Act to repeal the Laws relating to Usury and to the Enrolment of Annuities.

[10th *August* 1854.]

'WHEREAS it is expedient to repeal the Laws at present in force relating to Usury:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts, &c. named in Schedule repealed.

I. The several Acts and Parts of Acts made in the Parliaments of *England* and *Scotland*, *Great Britain* and *Ireland*, mentioned in the Schedule hereto, and all existing Laws against Usury, shall be repealed.

Transactions previous to this Act not to be affected.

II. Provided always, That nothing herein contained shall prejudice or affect the Rights or Remedies of any Person, or diminish or alter the Liabilities of any Person, in respect of any Act done previously to the passing of this Act.

Legal or current Rate of Interest.

III. Where Interest is now payable upon any Contract, express or implied, for Payment of the legal or current Rate of Interest, or where upon any Debt or Sum of Money Interest is now payable by any Rule of Law, the same Rate of Interest shall be recoverable as if this Act had not been passed.

Not to affect the Law as to Pawnbrokers.

IV. Provided always, That nothing herein contained shall extend or be construed to extend to repeal or affect any Statute relating to Pawnbrokers, but that all Laws touching and concerning Pawnbrokers shall remain in full Force and Effect, to all Intents and Purposes whatsoever, as if this Act had not been passed.

SCHEDULE referred to by the foregoing Act.

ACTS and PARTS of ACTS of the Parliaments of England, Great Britain, and the United Kingdom of Great Britain and Ireland.

37 Hen. 8. c. 9.	The whole of an Act passed in the Thirty-seventh Year of the Reign of King Henry the Eighth, intituled "A Bill against Usury."
13 Eliz. c. 8.	The whole of an Act passed in the Thirteenth Year of the Reign of Queen Elizabeth, intituled "An Act against Usury."
21 Jac. 1. c. 17. made perpetual by 3 Car. 1. c. 4. s. 5.	So much of an Act passed in the Third Year of the Reign of King Charles the First as enacts, that an Act passed in the Twenty-first Year of King James the First, intituled "An Act against Usury," be made perpetual.

12 Car. 2. c. 13.	- The whole of an Act passed in the Twelfth Year of the Reign of King Charles the Second, intituled "An Act for the restraining the taking of excessive "Usury."
Confirmed by 13 Car. 2. Stat. 1. c. 14.	So much of an Act passed in the Thirteenth Year of the Reign of King Charles the Second, intituled "An Act for confirming an Act, intituled 'An Act for "'encouraging and increasing of Shipping and Navigation,' and several other "Acts, both public and private, mentioned therein," as confirms the herein-before mentioned Act of the Twelfth Year of the same Reign.
12 Anne, Stat. 2. c. 16.	- The whole of an Act passed in the Twelfth Year of the Reign of Queen Anne, intituled "An Act to reduce the Rate of Interest, without any Prejudice to "Parliamentary Securities."
53 Geo. 3. c. 141.	- The whole of an Act passed in the Fifty-third Year of the Reign of King George the Third, intituled "An Act to repeal an Act of the Seventeenth "Year of the Reign of His present Majesty, intituled 'An Act for registering "'the Grants of Life Annuities, and for the better Protection of Infants "'against such Grants, and to substitute other Provisions in lieu thereof,'" except so much thereof as repeals the said Act of the Seventeenth Year of King George the Third.
3 Geo. 4. c. 92.	- The whole of an Act passed in the Third Year of the Reign of King George the Fourth, intituled "An Act to explain an Act of the Fifty-third Year of "the Reign of His late Majesty, respecting the Enrolment of Memorials "of Grants of Annuities."
7 Geo. 4. c. 75.	- The whole of an Act passed in the Seventh Year of King George the Fourth, intituled "An Act to explain an Act of the Fifty-third Year of the Reign "of His late Majesty, respecting the Enrolment of Memorials of Grants of "Annuities."
5 & 6 W. 4. c. 41.	- So much of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of King William the Fourth, intituled "An Act "to amend the Law relating to Securities given for Considerations arising "out of gaming, usurious, and other illegal Transactions," as relates to Securities given for Considerations arising out of usurious Transactions.
13 & 14 Vict. c. 56.	- The whole of an Act passed in the Session of Parliament holden in the Thir-teenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act to continue the Act for exempting certain Bills of Exchange and "Promissory Notes from the Operation of the Usury Laws."

Acts of the Parliament of Scotland.

An Act of the Eleventh Parliament of King James the Sixth, Chapter Fifty-two, "It is not lesum to "take ane greater annual Rent for the 100 Poundes nor Ten Poundes, or Five Bolls Victual."

An Act of the Fourteenth Parliament of King James the Sixth, Chapter Two hundred and twenty-two, "For Punishment of Committers of Usury."

An Act of the Fifteenth Parliament of King James the Sixth, Chapter Two hundred and fifty-one, "It is not leasum to take mair annuall Rent or Profet nor Ten for the Hundreth."

An Act of the Sixteenth Parliament of King James the Sixth, Chapter Seven, "Explanation of the "Acts of Parliament anent Ocker and Usury."

An Act of the Twenty-third Parliament of King James the Sixth, Chapter Twenty-eight, "Anent "taking of annual Rent beforehand to be Usurie."

Acts of the Parliament of Ireland.

An Act of the Tenth Year of King Charles the First, Session Two, Chapter Twenty-two, intituled "An Act against Usury."

An Act of the Second Year of Queen Anne, Chapter Sixteen, intituled "An Act for reducing of "Interest of Money to Eight per Cent. for the future."

An Act of the Eighth Year of King George the First, Chapter Thirteen, intituled "An Act for "reducing the Interest of Money to Seven per Cent."

An Act of the Fifth Year of King George the Second, Chapter Seven, intituled "An Act for reducing "the Interest of Money to Six per Cent."

CAP. XCI.

An Act for the Valuation of Lands and Heritages in *Scotland.* [10th *August* 1854.]

'WHEREAS it is expedient that One uniform Valuation be established of Lands and Heritages in 'Scotland, according to which all public Assessments leviable or that may be levied according to 'the Real Rent of such Lands and Heritages may be assessed and collected, and that Provision be made 'for such Valuation being annually revised:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners of Supply and Magistrates of Burghs to make up Valuation Roll annually.

I. The Commissioners of Supply of every County and the Magistrates of every Burgh in *Scotland* respectively shall annually cause to be made up a Valuation Roll, showing the yearly Rent or Value for the Time of the whole Lands and Heritages within such County or Burgh respectively and separately, within each Parish or Part of a Parish situated within such County or Burgh respectively, and specifying in each Case the Nature of such Lands and Heritages, and the Names and Designations of the Proprietors or reputed Proprietors, and where there are Tenants or Occupiers, of the Tenants and of the Occupiers thereof respectively; and within Two Months after the passing of this Act, the Commissioners of Supply of each County, and the Magistrates of each Burgh, shall hold a Meeting and adopt such Measures as will enable the First Valuation Roll under this Act to be made up by the Fifteenth Day of *August*, One thousand eight hundred and fifty-five.

Officer of Inland Revenue to assist the Commissioners of Supply and Magistrates in making up the Valuation Roll.

II. In making up the Valuation Roll, the Commissioners of Supply and Magistrates respectively may take the Assistance of the Officer of Inland Revenue charged with the Duty of assessing to the Income Tax in such County or Burgh respectively; and such Commissioners and Magistrates respectively may, from Time to Time, as often as they may deem it necessary, by their Order in Writing, to be signed by their Clerk, require any Officer of Inland Revenue, charged with the Duty of assessing the Income Tax in such County or Burgh respectively, to appear before them when and where, and as often as such Commissioners and Magistrates respectively may deem expedient, and to produce all Assessments and other Documents in the Custody or Power of such Officer relating to the Value of, or Assessment on, all or any of the Property within the several Parishes or Places within his District or Division, and to be examined on Oath, and answer such Questions as the said Commissioners and Magistrates respectively may put to him touching the said Assessments, or the Value of the Property contained therein: Provided always, that it shall be in the Power of such Commissioners or Magistrates, if they think fit, not to insert in any Valuation Roll under this Act, the Names or Designations of the Tenants or Occupiers of any Lands and Heritages separately let for a shorter Period than One Year, or at a Rent not amounting to Four Pounds *per Annum.*

Appointment and Duties of Assessors.

III. In order to the making up of such Valuation, the Commissioners of Supply of each County, and the Magistrates of each Burgh respectively shall, as Occasion requires, appoint One or more fit and proper Persons to be Assessors or Assessor for the Purposes of this Act; and it shall be the Duty of such Assessors annually to ascertain and assess the yearly Rent or Value of the several Lands and Heritages within the County or Burgh respectively, other than the Lands and Heritages of Railway and Canal Companies, which are herein-after specially provided for, and to make up such Valuation Roll thereof in the Manner by this Act prescribed; and every such Assessor shall be appointed either for the whole County or Burgh, or for some particular Portion or District thereof, to be prescribed by the Commissioners of Supply or Magistrates respectively; and every such Assessor shall, on being appointed by the said Commissioners of Supply or Magistrates respectively, and before entering upon the Duties of his Office, declare that he will faithfully and honestly perform the Duties thereof; and every such Assessor shall be removeable at the Pleasure of the said Commissioners or Magistrates respectively.

Assessors to make up Valuation Roll by 15th August in each Year.

IV. In every County and Burgh the First Valuation Roll to be made up as aforesaid under this Act shall be made up by the Assessors acting under this Act on or before the Fifteenth Day of *August* One thousand eight hundred and fifty-five; and a new Valuation Roll shall be annually made up by the Assessors on or before the Fifteenth Day of *August* in every subsequent Year.

Notice to be given to Persons whose Property is valued.

V. On or before the Twenty-fifth Day of *August*, and not earlier than the Fifteenth Day of *July* in each Year, the Assessor shall transmit or cause to be transmitted to each Person included in his Valuation, whether as Proprietor or Tenant or Occupier, a Copy of every Entry in such Valuation Roll wherein such Person shall be set forth either as Proprietor or Tenant or Occupier, along with a Notice to such Person that if he considers himself aggrieved by such Valuation he may appeal against the same to the Commissioners of Supply of the County or to the Magistrates of the Burgh, as the Case may be, in Terms of this Act, or may obtain Redress without the Necessity of such Appeal, by satisfying the Assessor, on or before the Eighth Day of *September* in each Year, that he has well-founded Ground of Complaint; and such Copy and Notice may be served by handing the same to such Person personally, or leaving the same, or sending it through the Post Office, at his Residence or usual Place of Abode; and where the Residence or Place of Abode of such Person is unknown, it shall be sufficient if Service be made as aforesaid upon his Factor or Agent, or be addressed to him at the Office of the Clerk of Supply of the County or Town Clerk of the Burgh, as the Case may be: Provided always, that where, in making up his Valuation as aforesaid, the Assessor is merely to repeat an Entry which occurred in

in the Valuation of the immediately preceding Year, it shall not be necessary for the Assessor to transmit such Copy and Notice as aforesaid to the Person or Persons specified in such merely repeated Entry.

Yearly Rent or Value, how to be estimated.

VI. In estimating the yearly Value of Lands and Heritages under this Act, the same shall be taken to be the Rent at which, one Year with another, such Lands and Heritages might in their actual State be reasonably expected to let from Year to Year; and where such Lands and Heritages consist of Woods, Copse, or Underwood, the yearly Value of the same shall be taken to be the Rent at which such Lands and Heritages might in their natural State be reasonably expected to let from Year to Year, as Pasture or Grazing Lands; and where such Lands and Heritages are *bonâ fide* let for a yearly Rent conditioned as the fair annual Value thereof, without Grassum or Consideration other than the Rent, such Rent shall be deemed and taken to be the yearly Rent or Value of such Lands and Heritages in Terms of this Act: Provided always, that if such Lands and Heritages be let upon a Lease the stipulated Duration of which is more than Twenty-one Years from the Date of Entry under the same, or in the Case of Minerals more than Thirty-one Years from such Date of Entry, the Rent payable under such Lease shall not necessarily be assessed as the yearly Rent or Value of such Lands and Heritages, but such yearly Rent or Value shall be ascertained in Terms of this Act irrespective of the Amount of Rent payable under such Lease, and the Lessee under such Lease shall be deemed and taken to be also the Proprietor of such Lands and Heritages in the Sense of this Act, but shall be entitled to Relief from the actual Proprietor thereof, and to Deduction from the Rent payable by him to such actual Proprietor, of such Proportion of all Assessments laid on upon the Valuations of such Lands and Heritages made under this Act, and payable by such Lessee as Proprietor in the Sense of this Act, as shall correspond to the Rent payable by such Lessee to such actual Proprietor as compared with the Amount of such Valuation.

Assessor may call for written Statement of Rent.

VII. It shall be lawful for any Assessor acting under this Act to call upon any Person, being a Proprietor or reputed Proprietor or Tenant or Occupier within the County or Burgh or District for which such Assessor is appointed, for a written Statement of the yearly Rent or Value and of all other Particulars required by this Act of all Lands and Heritages within such County or Burgh or District of which such Person is Proprietor or reputed Proprietor, or Tenant or Occupier; and if any such Person shall, without reasonable Excuse, fail to furnish such written Statement to such Assessor within Fourteen Days after he shall be called upon in Writing so to do, he shall be liable to pay a Penalty not exceeding Twenty Pounds; and if any such Person shall present or cause to be presented to such Assessor any false Statement of such yearly Rent or Value or other Particulars as aforesaid, he knowing the same to be false, he shall be liable to pay a Penalty of Fifty Pounds.

Courts of Appeal.

VIII. The Commissioners of Supply of every County and the Magistrates of every Burgh shall annually on or before the Fifteenth but not earlier than the Tenth Day of *September* in each Year hold a Court for hearing Appeals against Valuations made by such Assessors as aforesaid under this Act, of which Ten Days Notice shall be given, which Court may be adjourned from Time to Time; and at such Court, and at latest on or before the Thirtieth Day of *September* in each Year, all such Appeals and Complaints under this Act shall be disposed of; and such Courts or adjourned Courts of Appeal shall be held in such and as many Places within such County and Burgh respectively as such Commissioners and Magistrates respectively shall appoint; and the Deliverances of such Commissioners and Magistrates respectively upon such Appeals and Complaints shall be final and conclusive, and not subject to Review.

Persons entitled to Appeal.

IX. All Persons whose Names shall have been entered by the Assessors in the Valuation Roll of the County or Burgh respectively, whether as Proprietors or Tenants or Occupiers, shall be entitled to appeal to the said Commissioners or Magistrates, as the Case may be, with reference to such Entry: Provided always, that the Appellant shall, Six Days at least before such Appeal is heard, intimate in Writing to the Assessor that he is to maintain such Appeal, and specify the Amount of Valuation which he alleges should be substituted for the Amount stated by the Assessor.

Procedure at Appeal Courts.

X. It shall be competent to the Commissioners of Supply and Magistrates of Burghs respectively in the hearing of Appeals under this Act to cite and examine the Parties and their Witnesses on Oath, and to call for all Papers and Documents which they may deem necessary; and every Court of Appeal shall be attended by the Assessors by whom the several Valuations under Appeal were made, and such Assessors shall answer upon Oath all competent Interrogatories which may be put to them with reference to the Matters involved in such Appeals; and it shall not be necessary for the Court of Appeal to keep any formal Record of their Proceedings, except only a Note of the Assessment, Appeal, and Judgment; but they may, if they think proper, cause any Deposition which may be made before them to be taken down in Writing, and signed by the Deponent, and may authenticate it by the Signature of One of their Number as having been made in their Presence; and every such Deposition so taken down, signed, and authenticated shall be deemed and taken to be good Evidence in any Prosecution for Perjury.

Valuation Roll to be retained by Assessor till 8th of September yearly, and to be open to Inspection.

XI. The Valuation Roll, when made up by the Assessor, shall be retained by him until the Eighth Day of *September* in each Year, when he shall transmit it to the Clerk of Supply of the County or to the Town Clerk of the Burgh, as the Case may be, or, if there be no Town Clerk, to such other Person as the Chief Magistrate of the Burgh, or if there be no such Magistrate the Sheriff of the County, may specially appoint for the Purpose, which he is hereby required in such Case to do, as Occasion requires; and

and the said Valuation Roll shall thereafter remain in the Office of such Clerk of Supply or Town Clerk, or other Person specially appointed as aforesaid, patent to every Person having Interest therein, either as Proprietor, Tenant, or Occupier.

Valuation Roll, when completed, to be authenticated, and to be in force for One Year.

XII. As soon as all Appeals taken under this Act shall have been disposed of, and the Valuation of the County or Burgh shall have been thereby completed, the said Valuation Roll shall be authenticated in Counties by the Signature of the Convener of the Commissioners of Supply, or of the Clerk of Supply, or other Person whom the Commissioners of Supply may authorize for that Purpose, and in Burghs by the Signature of the Chief Magistrate, or of the Town Clerk, or other Person whom the Magistrates may authorize for that Purpose, and such Valuation Roll shall then be in force as the Valuation Roll of the County or Burgh, as the Case may be, for the Year commencing at the Term of *Whitsunday* immediately preceding, and ending at the Term of *Whitsunday* immediately following; and as soon as such Valuation Roll has been authenticated as aforesaid, the Clerk of Supply or Town Clerk, as the Case may be, shall furnish to the Clerks of the several Parochial Boards within the County or Burgh a Copy of so much thereof as relates to their respective Parishes; and every Parish, Person or Persons, interested in any Valuation Roll under this Act, shall be entitled to inspect and make Copies of the same or any Part thereof, at their own Expense, at such reasonable Times, and on Payment of such moderate Fee, and subject to such Regulations, as the Commissioners of Supply or Magistrates respectively may fix.

As to Complaints made with regard to Assessors Valuations.

XIII. If any Complaint shall be made to the Commissioners of Supply of any County, or to the Magistrates of any Burgh, sitting as an Appeal Court as above provided, to the Effect that the yearly Rent or Value of any Lands or Heritages within such County or Burgh respectively has been stated by the Assessor in the Valuation Roll of such County or Burgh at other than the just and true Amount thereof, such Commissioners of Supply and Magistrates respectively may, if they think fit, make Inquiry into such Complaint, after giving not less than Six Days Notice to the Proprietor and Occupier of such Lands and Heritages of the Time and Place when such Inquiry will be gone into, and may thereupon alter the Amount of the yearly Rent or Value of such Lands and Heritages in the Valuation Roll of such County or Burgh to such Extent as, after such Inquiry, may appear to them to be just; and the Commissioners of Supply and Magistrates respectively, in the Conduct of such Inquiries as aforesaid, shall have all the same Powers and Authorities as are by this Act conferred upon them with reference to Appeals; and it shall be lawful for them to award Expenses against the Complainer, where it shall appear to them that such Complaint has been made without any reasonable or probable Cause: Provided always, that where any Parish consists partly of a Burgh and partly of a Landward District, it shall be competent to the Commissioners of Supply of the County or to the Magistrates of such Burgh respectively, if they shall think that any Property within such Parish has been unduly valued, to refer the true Value of the same to the Sheriff of the County, who shall decide the same summarily without being subject to Review, and the Magistrates and Commissioners of Supply respectively, on such Decision being produced to them, shall correct the Roll accordingly at the next ensuing Period of Valuation.

Three Commissioners of Supply or Two Magistrates, &c. to be a Quorum.

XIV. In all Proceedings under this Act, any Three Commissioners of Supply, and Two Magistrates of a Burgh, shall be deemed to be a Quorum of such Commissioners and Magistrates respectively, and shall be entitled to exercise all the Powers conferred upon the general Body of Commissioners and Magistrates respectively under this Act, and the Majority present, and voting, shall rule the Decision; and where the Votes of those present shall be equal, the Preses of the Meeting shall have a Casting Vote.

Preses at Meetings of Commissioners of Supply, and Magistrates of Burghs, under this Act.

XV. In all Meetings of Commissioners of Supply under this Act, their Convener, or, in the Absence of the Convener, the Person who may be elected by such Meeting to act as its Preses, shall be Preses of such Meeting; and in all Meetings of Magistrates of Burghs under this Act, the Lord Provost, or Provost, or Chief Magistrate of the Burgh, when he is present thereat, shall be Preses of such Meeting; and, failing him, the Person who may be elected by such Meeting to act as its Preses shall be Preses of such Meeting.

Papers and Documents emanating from Commissioners of Supply, &c., how to be authenticated.

XVI. For the Purposes of this Act, the Signature of the Convener or of the Preses of a Meeting of Commissioners of Supply adhibited to any Paper or Document shall be equivalent to the Signatures of the whole Commissioners of Supply present at a Meeting thereof; and the Signature of the Lord Provost, or Provost, or Chief Magistrate of the Burgh, or of the Preses of a Meeting of the Magistrates of the Burgh, adhibited to any Paper or Document, shall be equivalent to the Signatures of the whole Magistrates present at such Meeting; and the Addition to such Signatures respectively of the Words "Convener," "Lord Provost," "Provost," "Chief Magistrate," or "Preses," shall be good *primâ facie* Evidence that such Signature is the Signature of such "Convener," "Lord Provost," "Provost," "Chief Magistrate," or "Preses," as the Case may be, and that such Paper or Document is genuine and authentic.

Powers of Supplementary Assessment granted by existing Acts of Parliament not to be affected.

XVII. Where, by any Act of Parliament, Power is given to make a Supplementary Assessment for any Portion of the Year from *Whitsunday* to *Whitsunday*, such Power shall not be affected by this Act; and the Assessors under this Act are hereby respectively authorized and required to make up such Supplementary Valuation Roll as may be necessary in order to such Supplementary Assessment: Provided always, that such Supplementary Assessment shall be made upon the Proprietors, Tenants, or Occupiers liable thereto, according to the Valuations established by this Act of the respective Lands and Heritages of which they are such Proprietors, Tenants, and Occupiers respectively for the Year, to a Portion of which such Supplementary Assessment applies: Provided also, that every Assessor making up

up such Supplementary Valuation Roll shall transmit or cause to be transmitted to each Person included therein, whether as Proprietor, Tenant, or Occupier, a Copy of every Entry in such Supplementary Valuation Roll wherein such Person shall be set forth either as Proprietor, Tenant, or Occupier, along with a Notice to such Person that if he considers himself aggrieved by such Supplementary Valuation he may appeal against the same as after mentioned, and it shall be lawful for every such Person to appeal within Fourteen Days thereafter to the Court of Appeal established by this Act; and such Court shall have the Power of granting Relief against such Supplementary Valuation so appealed against, to such Extent and in such Way and Manner as to such Court may seem just.

Expenses of Valuations, how to be defrayed.

XVIII. After the Completion of each annual Valuation as aforesaid under this Act, the Commissioners of Supply of each County and the Magistrates of each Burgh shall cause an Account to be made up of the Costs and Expenses attending the same, and shall ascertain and fix the just Amount thereof, and shall cause such Amount to be apportioned upon the Parishes within such County and Burgh respectively, according to the yearly Rent or Value thereof as fixed by such Valuation, and the same shall be assessed and levied along with the Assessment for the Relief of the Poor for the current Year within such Parishes respectively, or they shall cause such Amount, along with such reasonable Sum as they may deem necessary to meet the Expenses of Collection, to be assessed upon the Lands and Heritages within their County or Burgh respectively, included in such Valuation, by a rateable Assessment upon such Lands and Heritages according to the Yearly Rent or Value thereof as fixed by such Valuation, the Proprietors and Occupiers of such Lands and Heritages being liable to pay such Assessment equally between them, or, in the Option of such Commissioners of Supply or Magistrates respectively, shall cause such Amount to be assessed along with and as Part of and by way of Addition to any other Assessment which may be leviable according to the Valuation established by this Act within such County or Burgh; and any Balance of Funds remaining on Hand from Time to Time in any County or Burgh, arising from such Assessment under this Act in any One Year, after answering the Expenses of the Year with reference to which such Assessment was imposed, may be retained and applied by the Commissioners of Supply of each County, and the Magistrates of each Burgh respectively, in such Manner as they may deem fit, for defraying the Expenses of making up Valuation Rolls under this Act in subsequent Years, but for no other Uses or Purposes whatever: Provided always, that where in any County or Burgh there are or shall be Funds available for the Purpose, it shall be lawful for the Commissioners of Supply of such County or Magistrates of such Burgh, as the Case may be, to defray such Costs and Expenses as aforesaid out of such available Funds, in place of resorting to Assessment under the Provisions of this Act.

New Qualification for Commissioners of Supply.

XIX. From and after the passing of this Act, no Person, other than a Person duly qualified as after mentioned, shall be qualified to act as Commissioner of Supply in any County; and any Person not duly qualified as aforesaid acting as such Commissioner shall be subject and liable to the Penalties presently attached by Law to the acting as a Commissioner of Supply without Qualification; and from and after the passing of this Act the Qualification requisite for a Commissioner of Supply in any County shall be the being named as an *ex-officio* Commissioner of Supply in any Act of Supply, or the being Proprietor or the Husband of any Proprietor infeft in Liferent, or in Fee not burdened with a Liferent, in Lands and Heritages within such County, of the yearly Rent or Value, in Terms of this Act, of at least One hundred Pounds, or the being eldest Son and Heir Apparent of a Proprietor infeft in Fee not burdened with a Liferent in Lands and Heritages within such County of the yearly Rent or Value, in Terms of this Act, of Four hundred Pounds; and the Factor of any Proprietor or Proprietors infeft, either in Liferent or in Fee unburdened as aforesaid, in Lands and Heritages within such County of the yearly Rent or Value, in Terms of this Act, of Eight hundred Pounds, shall be qualified to act as a Commissioner of Supply in the Absence of such Proprietor or Proprietors: Provided always, that, with reference only to the Qualification of Commissioners of Supply under this Act, the yearly Rent or Value of Houses and other Buildings, not being Farmhouses or Offices or other agricultural Buildings, shall be estimated at only One Half of their actual yearly Rent or Value, in Terms of this Act: Provided also, that all Persons who shall, at the Date of the passing of this Act, have been in actual Possession of the Qualification then required by Law for a Commissioner of Supply, and entitled to act as such Commissioner, shall, so long as he shall continue to possess such last-mentioned Qualification, be deemed to be in possession of the Qualification requisite for a Commissioner of Supply in Terms of this Act.

Assessor of Railways and Canals to be appointed.

XX. In order to the making up of Valuations and Valuation Rolls of Lands and Heritages in *Scotland* belonging to or leased by Railway or Canal Companies, and forming Part of the Undertakings of such Companies, it shall be lawful for Her Majesty to appoint, as Occasion requires, a fit and proper Person to be Assessor of Railways and Canals for the Purposes of this Act; and the Remuneration or Salary to be paid to such Assessor of Railways and Canals in respect of his own Time and Trouble, and in respect of any Clerks or other Officers whom he may be allowed by the Commissioners of Her Majesty's Treasury to employ in the Execution of his Duties under this Act, shall be fixed from Time to Time by the said Commissioners of Her Majesty's Treasury; and such Assessor of Railways and Canals shall, before entering on the Duties of his Office, declare that he will faithfully and honestly perform the Duties thereof, and shall be removeable by Her Majesty at Pleasure.

XXI. The

Such Assessor to make up annually a Valuation Roll of Railways and Canals.

XXI. The Assessor of Railways and Canals under this Act shall, on or before the Fifteenth Day of *August* One thousand eight hundred and fifty-five, and on or before the Fifteenth Day of *August* in every subsequent Year, inquire into and fix *in cumulo* the yearly Rent or Value, in Terms of this Act, of all Lands and Heritages in *Scotland* belonging to or leased by each Railway and Canal Company, and forming Part of its Undertaking, and shall also inquire into and fix the Amount which One Year with another would be required in order to the Acquisition, Formation, and Erection of the several Stations, Wharfs, Docks, Depôts, Counting-houses, and other Houses and Places of Business respectively, in *Scotland*, of or connected with each such Undertaking (including the Solum on which such Stations and others are erected), and shall also inquire into and fix all other Matters necessary to enable him to make up a Valuation Roll of Railways and Canals as after mentioned; and such Assessor of Railways and Canals shall make up a Valuation Roll, applicable to all Railway and Canal Companies having Lands and Heritages as aforesaid, in which Valuation Roll shall be set forth, in Columns, the yearly Rent and Value, in Terms of this Act, of the whole Lands and Heritages, in *Scotland*, belonging to or leased by each such Railway or Canal Company respectively, and forming Part of its Undertaking; the Names of the several Parishes, Counties, and Burghs through which the Line of such Railway or Canal Company runs, or in which its said Lands or Heritages, or any Part thereof, are situated; the lineal Measurement of its entire Line, and the Portion of such lineal Measurement situated in each such Parish, County, and Burgh; the Amount of the Cost as aforesaid of its several Stations, Wharfs, Docks, Depôts, Counting-houses, and Houses and Places of Business in *Scotland*, (including as aforesaid,) the Proportion of such gross Amount expended in each such Parish, County, and Burgh, and, where any Stations, Wharfs, Docks, Depôts, Counting-houses, or other Houses or Places of Business are held or used jointly by any Two or more Railway or Canal Companies, the Proportions in which such Railway and Canal Companies are respectively interested therein, and also the yearly Rent or Value, in Terms of this Act, ascertained as after mentioned, of the Portion in each Parish, County, and Burgh in *Scotland* of the Lands and Heritages belonging to or leased by each Railway and Canal Company, and forming Part of its Undertaking.

Mode in which the yearly Rent or Value of Railways and Canals is to be ascertained.

XXII. The yearly Rent or Value, in Terms of this Act, of the Lands and Heritages in any Parish, County, or Burgh belonging to or leased by any Railway or Canal Company, and forming Part of the Undertaking of such Company, shall be ascertained as follows; that is to say, there shall be deducted, in the first place, from the *cumulo* yearly Rent or Value of the whole Lands and Heritages in *Scotland* as aforesaid of each such Railway or Canal Company, a Sum equal to Three Pounds *per Centum* of the whole Cost as aforesaid of the Stations, Wharfs, Docks, Depôts, Counting-houses, and other Houses and Places of Business in *Scotland* of and connected with the Undertaking of such Railway or Canal Company (including as aforesaid); and the Proportion of such diminished *cumulo* Rent or Value corresponding to the lineal Measurement of the Portion of the Line, including Ferries attached thereto, of such Railway or Canal Company, situated in such Parish, County, or Burgh, as compared with the lineal Measurement of the entire Line, including Ferries as aforesaid, of such Railway or Canal Company, with the Addition of a Sum equal to Three Pounds *per Centum* of the Cost as aforesaid of any Station, Wharf, Dock, Depôt, Counting-house, or other House or Place of Business, within such Parish, County, or Burgh, or of or connected with the Undertaking of such Railway or Canal Company (including as aforesaid), shall be deemed and taken to be the yearly Rent or Value, in Terms of this Act, of the Lands and Heritages in such Parish, County, or Burgh belonging to or leased by such Railway or Canal Company, and forming Part of its Undertaking.

Water, Gas, and other Companies may have their Lands and Heritages valued by the Assessor of Railways and Canals.

XXIII. Where any Water Company, or Gas Company, or other Company having any continuous Lands and Heritages liable to be assessed in more than One Parish, County, or Burgh, shall desire to have such Lands and Heritages assessed by the Assessor of Railways and Canals under this Act, it shall be competent to such Water or Gas or other Company to make Intimation in Writing of such Desire, under the Hand of its Manager, Secretary, or other Principal Officer, at any Time before the Fifteenth Day of *May* in the Year One thousand eight hundred and fifty-five, or before the Fifteenth Day of *May* in any subsequent Year, to the Sheriff of the County within which such Lands and Heritages, or the Head Office and Place of Business in *Scotland* of such Water or Gas or other Company are situated; and such Sheriff shall forthwith make such public Advertisement of his having received such Intimation as to him shall seem necessary or proper, and also shall make special Intimation thereof to the Assessor of Railways and Canals under this Act; and thereupon such Assessor of Railways and Canals shall be exclusively charged, subject to Appeal as herein provided, with the Valuation of the Lands and Heritages in *Scotland* of such Water or Gas or other Company in Terms of this Act; and such Assessor of Railways and Canals shall on or before the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty-five, and on or before the Fifteenth Day of *August* in every subsequent Year, inquire into and fix *in cumulo* the yearly Rent and Value, in Terms of this Act, of all Lands and Heritages in *Scotland* belonging to or leased by such Water or Gas or other Company, and forming Part of its Undertaking, and shall also inquire into and fix the just Proportions of such *cumulo* yearly Rent or Value applicable to each Parish, County, and Burgh in *Scotland* in which such Water or Gas or other Company is liable to be assessed as aforesaid; and such Assessor of Railways and Canals shall include in the Valuation Roll to be made up by him under this Act, all the Water Companies, Gas Companies, and other

Companies, whose Lands and Heritages shall be valued by him as aforesaid, and shall set forth in such Valuation Roll, in Columns, the yearly Rent or Value, in Terms of this Act, *in cumulo*, of the whole Lands and Heritages in *Scotland* belonging to or leased by each such Water, Gas, and other Company respectively, and forming Part of its Undertaking, the Names of the several Parishes, Counties, and Burghs in which its said Lands and Heritages or any Part thereof are situated, and also the yearly Rent or Value, in Terms of this Act, of the Portion in each such Parish, County, and Burgh, separately and respectively, of the Lands and Heritages belonging to or leased by each such Water, Gas, and other Company respectively, and forming Part of its Undertaking.

Notice to be given to Railway and Canal Companies, &c.

XXIV. On or before the Fifteenth Day of *August* in each Year the said Assessor of Railways and Canals under this Act shall transmit or cause to be transmitted to each Railway and Canal and other Company included in his Valuation, either through the Post Office, or by causing the same to be left at the Head or other known Office of Business of each such Company, a Copy of every Entry in his Valuation Roll wherein such Company shall be set forth, either as Proprietor, Tenant, or Occupier; and

If Companies think themselves aggrieved they may appeal to Lord Ordinary.

if such Company consider themselves aggrieved by such Valuation, they may obtain Redress by satisfying such Assessor of Railways and Canals, on or before the Eighth Day of *September* next ensuing, that they have well-founded Ground of Complaint, and obtaining an Alteration by him of his Valuation accordingly, which Alteration he is in such Case authorized to make, or by lodging a Note of Appeal, on or before such last-mentioned Date, to the Lord Ordinary officiating on the Bills in the Court of Session, or where the Lands and Heritages belonging to such Company are all situated within One County, then to the Sheriff of such County; and all Proceedings before such Lord Ordinary or Sheriff, as the Case may be, under this Act, shall be summary, and may be taken either in Court or at Chambers, and

Proceedings before Lord Ordinary, &c., to be summary.

shall be conducted in such Way as such Lord Ordinary or Sheriff respectively may prescribe or allow; and any Deliverance which shall be pronounced by such Lord Ordinary or Sheriff, as the Case may be, on such Objections, on or before the Thirtieth Day of *November* next after such Appeal is entered and such Objections are made, shall receive Effect, and it shall be the Duty of such Assessor of Railways and Canals to alter his Valuation in conformity therewith; and such Deliverance, and the Valuation of the said Assessor of Railways and Canals, if not appealed against, or if appealed against in so far as not altered by a Deliverance of the Lord Ordinary or Sheriff as aforesaid, shall be final and conclusive, and not subject to Review.

Any Parish, County, or Burgh interested in any Railway or Canal Valuation may appeal against the same to the Lord Ordinary.

XXV. The Valuation Roll to be made up by the Assessor of Railways and Canals, while the same is in the Hands of such Assessor, shall be patent to all Persons having Interest therein, and no Fee of any kind shall be charged to any such Person for Liberty to inspect the same; and it shall be competent to any Parish, County, or Burgh, having Interest in any Valuation therein contained, to object to and represent against the same to the Lord Ordinary officiating on the Bills in the Court of Session, or when the Lands and Heritages belonging to any Railway or Canal or other Company included in such Valuation Roll are all situated within One County, then to the Sheriff of such County, and such Lord Ordinary or Sheriff, as the Case may be, shall afford to the Company to which such Objection applies an Opportunity of answering such Objection, and may also, if he think it necessary or proper, afford such Opportunity to the Assessor of Railways and Canals, or to any Person or Persons whom he may consider to be interested in such Objection; and any Deliverance which shall be pronounced by him on such Objections on or before the Thirtieth Day of *November* next after such Objections are made shall be given effect to, and be final and conclusive.

Assessor of Railways and Canals may call for Books and Writings, &c., and if such are refused, Right of Appeal to be forfeited.

XXVI. For the Purpose of making the Valuations of the Lands and Heritages of Railway and Canal and other Companies by the Assessor of Railways and Canals under this Act, it shall be lawful for such Assessor of Railways and Canals to require the Attendance before him of any Persons as Witnesses, and to examine such Witnesses on Oath, and also to call from Time to Time upon any Railway or Canal or other Company to be included in his Valuation for detailed Statements of the yearly Revenue of its Undertaking, distinguishing the different Sources thereof, and the Amount derived from each such Source, and also in the Case of Railways and Canals of the Cost as aforesaid of each of its Stations, Wharfs, Docks, Depôts, Counting-houses, and other Houses and Places of Business (including the Solum on which such Stations and others are erected), and also of the Parishes, Counties, and Burghs in which such Stations, Wharfs, Docks, Depôts, Counting-houses, and other Houses and Places of Business are severally situated, and of the lineal Measurement of the whole, any, each, and every Part of its Line, and to call for Production from Time to Time of any Books, Vouchers, or other Writings in the Possession of any Railway or Canal or other Company relating to or bearing upon any Matters aforesaid, or to or upon the Subject of the Inquiries of such Assessor under this Act; and if any such Company, or its Manager or Secretary, or the Chairman of its Board of Directors, all for the Time being, shall wilfully refuse or delay to furnish any such Statements, or to make any such Production, when required by the Assessor of Railways and Canals as aforesaid, such Company shall not be entitled to appeal against or object to the Valuation of such Assessor of Railways and Canals for the Year in which such Refusal or Delay takes place, anything in this Act to the contrary notwithstanding.

Valuations of Railways and Canals, &c.,

XXVII. The Valuation Roll to be made up annually as aforesaid by the Assessor of Railways and Canals under this Act shall, as soon as may be after the Thirtieth Day of *November* in each Year, be authenticated by the Signature of such Assessor, and such Valuation Roll shall then be in force as the

Valuation Roll of Railway and Canal and other Companies for the Year commencing at the Term of *Whitsunday* immediately preceding and ending at the Term of *Whitsunday* immediately following; and the Assessor of Railways and Canals under this Act shall thereupon transmit to the Clerk of Supply of each County and to the Town Clerk of each Burgh in which any Portion of the Undertaking of any such Company is situated a certified Copy of the Valuation, in Terms of this Act, taken from such Valuation Roll, of the Lands and Heritages within such County or Burgh respectively belonging to or leased by and forming Part of the Undertaking of such Company; and such Valuation relating to such Company shall be engrossed by such Clerk of Supply or Town Clerk, as the Case may be, in the Valuation Roll of such County or Burgh, and shall be authenticated by the Signature of such Clerk of Supply or Town Clerk, and shall be thenceforward deemed and taken to be a Part of such Valuation Roll of such County or Burgh.

when completed, to be authenticated, and communicated to the Clerks of Supply and Town Clerks, and to be in force for One Year.

XXVIII. The Valuation Rolls of Railway and Canal and other Companies, to be made up by the Assessor of Railways and Canals in Terms of this Act, shall be periodically transmitted by the Assessor of Railways and Canals to the Lord Clerk Register, or his Deputy, for Preservation in the General Register House, in like Manner as the Valuation Rolls of Counties and Burghs are herein-after directed to be periodically transmitted as aforesaid.

Valuation Rolls of Railways, &c. to be transmitted to Lord Clerk Register.

XXIX. The Amount of the Remuneration or Salary of the Assessor of Railways and Canals under this Act, and of his Clerks and other Officers as aforesaid, shall, on or before the Eleventh Day of *November* in each Year, be paid by the Railway and Canal and other Companies having Lands and Heritages included in the Valuation of Railways and Canals for the Year to which such Remuneration or Salary applies, to the Commissioners of Her Majesty's Treasury, or to such Person or Persons as they may appoint to receive the same, each Company paying a Proportion of such Remuneration or Salary corresponding to the yearly Rent or Value of its Lands and Heritages, ascertained in Terms of this Act, as compared with the yearly Rent or Value of the whole Lands and Heritages in *Scotland* of Railway and Canal and other Companies included in such Valuation; and in case of any Difference of Opinion as to the Proportions in which such Remuneration or Salary should be borne by such Companies respectively, in Terms of this Act, the same shall be determined by the Commissioners of Her Majesty's Treasury, whose Award thereon shall be final; and on or before the Thirty-first Day of *December* in each Year the said Remuneration or Salary received from such Companies as aforesaid shall be paid over by the Commissioners of Her Majesty's Treasury to the Assessor of Railways and Canals; and the Proportion of such Remuneration or Salary payable by each such Company, in Terms of this Act, shall be deemed to be a Debt due by such Company to the Crown, and shall be recoverable in like Manner as any other Debt due to the Crown is recoverable by Law.

Salary of the Assessor of Railways and Canals to be contributed rateably by Railway and Canal Companies, &c.

XXX. No Valuation of any Lands or Heritages contained in any Valuation Roll under this Act shall be rendered void or be affected by reason of any Mistake or Variance in the Names of such Lands or Heritages, or in the Christian or Surname or Designation of any Proprietor or Tenant or Occupier thereof; and no Valuation Roll which shall be made up and authenticated in Terms of this Act, and no Valuation which shall be contained therein, shall be challengeable, or be capable of being set aside or rendered ineffectual, by reason of any Informality, or of any Want of Compliance with the Provisions of this Act, in the Proceedings for making up such Valuation or Valuation Roll.

Mistake or Misnomer not to affect Valuation.

XXXI. In all Cases where any Lands or Heritages shall be separately let at a Rent not amounting to Four Pounds *per Annum*, and the Names of the Occupiers thereof shall not have been inserted in the Valuation Roll, the Proprietor of such Land and Heritages shall be charged with and have to pay the whole of the Assessments on such Lands and Heritages separately let as aforesaid; but every such Proprietor charged with and paying such Assessments shall have Relief against the Tenants and Occupiers of such Lands and Heritages for Reimbursements thereof, if and in so far as such Assessments may by Law be properly chargeable upon such Tenant or Occupiers.

Proprietors of Subjects under 4*l.* to be chargeable with Assessments.

XXXII. From and after the Establishment of Valuations of the Lands and Heritages in *Scotland* under this Act, every Assessment which shall or might lawfully be assessed or levied under an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to improve Prisons and Prison Discipline in* Scotland, upon any Lands or Heritages, according to the annual Value of such Lands or Heritages, shall be assessed and levied upon the Basis of the Valuations for the Time being established under this Act; and the said last-recited Act is hereby repealed to the Extent which may be necessary to give Effect to this Enactment, but no further.

Prison Assessment to be upon Valuations established by this Act, and not by 2 & 3 Vict. c. 42.

XXXIII. Where, in any County, Burgh, or Town, any County, Municipal, Parochial, or other public Assessment, or any Assessment, Rate, or Tax under any Act of Parliament, is authorized to be imposed or made upon or according to the Real Rent of Lands and Heritages, the yearly Rent or Value of such Lands and Heritages, as appearing from the Valuation Roll in force for the Time under this Act in such County, Burgh, or Town, shall from and after the Establishment of such Valuation therein, be always deemed and taken to be the just Amount of Real Rent for the Purposes of such County, Municipal, Parochial, or other Assessment, Rate, or Tax, and the same shall be assessed and levied according to such yearly Rent or Value accordingly, any Law or Usage to the contrary notwithstanding: Provided always, that when the Area of any Parish Church heretofore erected has been allocated among the

Other public Assessments leviable on Real Rent to be levied upon Valuations established by this Act.

Heritors, according to their respective valued Rents as appearing upon the present Valuation Rolls, all Assessments for the Repair thereof shall be imposed according to such valued Rent; and where in any County, Burgh, or Town, any County, Municipal, Parochial, or other public Assessment, or any Assessment, Rate, or Tax under any Act of Parliament, other than Poor Rates, is or might be assessed upon Means and Substance, such Assessment shall, from and after the Establishment of Valuations under this Act, be assessed and levied upon the yearly Rent or Value, in Terms of this Act, of such Lands and Heritages within such County, Burgh, or Town, One Half upon the Owners and the other Half upon the Tenants and Occupiers of such Lands and Heritages, but subject to the Provisions and Exceptions herein-before made and provided as regards Lands and Heritages separately let at a Rent not amounting to Four Pounds; and all Acts, Laws, and Usages to the contrary are hereby repealed in so far as necessary to give effect to this Enactment, but no further.

Valuation Roll to be Evidence in Registration and Appeal Courts.

XXXIV. In all Questions and Proceedings under any Act of Parliament relating to the Franchise, or to the Representation of the People in Parliament, it shall be sufficient to refer to an Entry in the Valuation Roll in force for the Time, or last in force under this Act in any County or Burgh, and such Entry shall be received and taken in all such Questions and Proceedings as conclusive Proof that the gross yearly Rent or Value of the Lands or Heritages specified therein is at the Rate of such Reference, and has been from the Commencement of the Year to which such Valuation Roll applies, of the Amount therein set forth; and it shall be competent in all Cases, notwithstanding anything in any existing Act of Parliament to the contrary, to refer to such Valuation Roll in such Appeal Court, although such Valuation Roll may not have been produced or referred to in the Registration Court; and it shall be the Duty of every Sheriff Clerk of a County and Town Clerk of a Burgh officiating or who ought to officiate at any Registration Court or Court of Appeal under any such Act of Parliament to have the Valuation Roll of the County or Burgh, as the Case may be, in force for the Time under this Act, on the Table of such Registration Court or Court of Appeal, as the Case may be, for Reference, as aforesaid; and as soon as each annual Valuation Roll of a County, or of a Burgh not being a Burgh sending or contributing to send a Member to Parliament, shall have been completed under this Act, and when the same shall be required for the Purposes of any Registration or Appeal Court, the Clerk of Supply having the Custody of such Valuation Roll shall, when called upon to do so, transmit the same to the Sheriff Clerk of the County, by whom it shall be retained, patent to all Parties having Interest therein, until the Business of the Registration and Appeal Courts of the Year shall be concluded, when it shall be forthwith returned by such Sheriff Clerk to such Clerk of Supply.

Valuation Rolls to be made up in prescribed Form, and to be transmitted to the General Register House for Preservation.

XXXV. The Valuation Rolls to be made up in Terms of this Act shall be, as nearly as may be, in the Forms of the Schedules hereunto annexed; and shall be otherwise in such Form and of such Dimensions as may be prescribed by the Lord Clerk Register of *Scotland*, or his Deputy; and at the Expiration of Six Years from the Date of the passing of this Act, and at the Expiration of every subsequent Period of Six Years thenceforward, every Clerk of Supply and Town Clerk or other Person, being Custodier of the Valuation Rolls of any County or Burgh under this Act, shall transmit or cause to be transmitted to the said Lord Clerk Register or his Deputy, in order to Preservation thereof in the General Register House of *Scotland*, the whole Valuation Rolls of such County or Burgh then completed, and not previously transmitted, other than the Valuation Rolls of such County or Burgh in force for the Time being.

Boundaries of Burghs sending Members to Parliament to be same as prescribed by 2 & 3 W. 4. c. 65.

XXXVI. The Limits and Boundaries of such Burghs as send, or contribute to send, a Member or Members to Parliament, shall, for the Purposes of this Act, be taken and held to be according to the Limits and Boundaries prescribed by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in* Scotland: Provided always, that in any Burgh in which the ordinary Jurisdiction of the Magistrates shall not extend over the whole of the said Boundaries, it shall be lawful to exclude therefrom, for the Purposes of this Act, such Part thereof, being beyond the ordinary Jurisdiction of the Magistrates, as may be mutually agreed on by the Magistrates of the Burgh and the Commissioners of Supply for the County, or in case of Disagreement as shall be determined by the Sheriff of such County: Provided always, that where more than One Burgh contributes to send a Member or Members to Parliament, each such Burgh shall notwithstanding be held to be distinct and separate Burghs for the Purposes of this Act; and the Magistrates of each Burgh respectively shall have and exercise all the Powers herein conferred on Magistrates of Burghs: Provided also, that where the Boundaries of any Burgh are not prescribed by the before-recited Act of the Second and Third Years of the Reign of His Majesty King *William* the Fourth, the same shall be determined by the Sheriff of the Sheriffdom in which such Burgh is situated, or, if such Burgh be situated partly in one County and partly in another, by the Sheriff of that Sheriffdom in which the greater Part of such Burgh may be situated; and, as soon as may be after the passing of this Act, every Sheriff to whom such Power of fixing the Boundaries of any Burgh for the Purposes of this Act is hereby committed shall, by Letter to be addressed by him to the Chief or Senior Magistrate or other Administrator on behalf of such Burgh, require such Magistrate or other Administrator of such Burgh to attend him at a Time and Place to be fixed in such Letter, and shall likewise intimate the same to the Convenor or Convenors of the County or Counties in which such Burgh is situated, and shall at such Time and Place, or at any Time or Place to which the Sheriff may adjourn the Inquiry, take such Evidence as may be adduced to him,

or as he may think necessary, and shall thereupon, by Writing under his Hand, fix and determine the Boundaries of such Burgh for the Purposes of this Act, and shall cause such written Determination to be recorded in the Sheriff Court Books of his County, and shall furnish an official Extract therefrom to such Magistrate or Administrator, and to the Clerk or Clerks of Supply of the County or Counties within which such Burgh is situated; and such Determination shall, when so recorded, fix and determine the Boundaries of such Burgh for the Purposes of this Act.

Recovery of Penalties.

XXXVII. Every Penalty imposed by this Act may be recovered by summary Proceeding, upon Complaint in Writing made in Name of an Assessor under this Act to the Sheriff of the Sheriffdom in which the Offence shall have been committed, or to the Sheriff of any Sheriffdom in which the Offender may be found; and on such Complaint being made such Sheriff shall issue a Warrant or Order requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Order; and every such Order shall be served on the Party offending either in Person or by leaving with some Inmate at his usual Place of Abode a Copy of such Order, and of the Complaint whereupon the same has proceeded; and either upon the Appearance or upon the Default to appear of the Party offending it shall be lawful for the Sheriff to proceed to the Hearing of the Complaint, and upon Proof of the Offence, either by the Confession of the Party complained against, or other legal Evidence, and without any written Pleadings or Record of Evidence, to convict the Offender, and upon such Conviction to decern and adjudge the Offender to pay the Penalty incurred, as well as such Expenses as the Sheriff shall think fit, and to grant Warrant for imprisoning the Offender until such Penalty and Expenses shall be paid: Provided always, that such Warrant shall specify the Amount of such Penalty and Expenses, and shall also specify a Period at the Expiration of which the Party shall be discharged, notwithstanding such Penalty or Expenses shall not have been paid, which Period shall in no Case exceed Three Calendar Months.

Application of Penalties.

XXXVIII. The Sheriff by whom any Penalty shall be imposed by virtue of this Act shall award such Penalty to be applied for the Purposes of this Act within the County or Burgh in which the Offence was committed, and shall order the same to be paid over to the Complainer, or to some other Person for that Purpose: Provided always, that no Person shall be liable to the Payment of any Penalty imposed by virtue of this Act unless such Penalty shall have been prosecuted for within Six Calendar Months after the Commission of the Offence for which it has been incurred.

Where Assessments are levied under Local Acts on a different Valuation to that established by this Act, Sheriff of the County to fix Per-centage.

XXXIX. Where in any Burgh or Parish or County under any Statute any Assessment, Rate, or Tax of a fixed Amount or Per-centage has been assessed upon or levied from the Proprietors or Tenants or Occupiers of any Lands and Heritages, but according to a different Valuation from that established by this Act, it shall be lawful for the Sheriff, on an Application from any Person or Persons authorized to assess or levy such Assessment, Rate, or Tax, or from any Ratepayer within such County, Burgh, or Parish, to fix and determine, after such Inquiry and Notice as he shall think proper, what Per-centage, according to the Valuation to be made under this Act, corresponds with and will yield as nearly as may be the Sum which the Per-centage specified in such Statute should yield according to the Valuation hitherto in use to be made up under such Statute, and the Per-centage so fixed by the Sheriff shall thereafter, subject to all legal Rights, be held to be the Per-centage provided by such Statute.

Rogue Money, &c. to be assessed, first giving Notice of the same.

XL. After the Completion of the First Valuation under this Act, it shall be in the Power of the Commissioners of Supply to assess on the said Valuation and any subsequent Valuation the Rogue Money and all the other Assessments now levied on the valued Rent; provided that Notice of the Resolution so to assess be given at the Meeting of the said Commissioners previous to the Meeting at which such Assessment is to be made; but after such Resolution has once been adopted by the said Commissioners it shall not be in their Power to revert to the former Mode of Assessment.

Liability to Assessment not to be altered.

XLI. Nothing contained in this Act shall alter or affect any Classification or Power of Classification, or any Deduction or Allowances, or Power of making Deductions or Allowances, from gross Rental, made or possessed by any Body, Persons or Person, entitled to impose or levy Assessments, but the same shall not affect the Value to be inserted in the Valuation Roll in Terms of this Act; and nothing contained in this Act shall exempt from or render liable to Assessment any Person or Property not previously exempt from or liable to Assessment.

Interpretation Clause.

XLII. The following Words and Expressions, when used in this Act, shall in the Construction thereof be interpreted as follows, except when the Nature of the Provision or the Context of the Act shall exclude or be repugnant to such Construction; (that is to say,) the Expression "Lands and Heritages" shall extend to and include all Lands, Houses, Shootings, and Deer Forests, where such Shootings or Deer Forests are actually let, Fishings, Woods, Copse and Underwood from which Revenue is actually derived, Ferries, Piers, Harbours, Quays, Wharfs, Docks, Canals, Railways, Mines, Minerals, Quarries, Coalworks, Waterworks, Limeworks, Brickworks, Ironworks, Gasworks, Factories, and all Buildings and Pertinents thereof, and all Machinery fixed or attached to any Lands or Heritages: Provided always, that no Mine or Quarry shall be assessed unless it has been worked during some Part of the Year to which such Assessment applies; the Word "Oath" shall include the Affirmation of a Quaker, Separatist, or Moravian; the Word "Proprietor" shall apply to Liferenters as well as Fiars, and to Tutors, Curators, Commissioners, Trustees, Adjudgers, Wadsetters, or other Persons who shall be in the actual Receipt of the Rents and Profits of Lands and Heritages; the Word "Factor" shall mean a Person

Person acting under a probative Factory and Commission for the Proprietor or Proprietors, including Corporations being Proprietors, for whom he is Factor, and in the *bonâ fide* actual Management as such Factor of the Lands and Heritages belonging to such Proprietor; the Word "Burgh" shall apply only to a City, Burgh, or Town, being a Royal Burgh, or which sends or contributes as a Burgh to send a Member to Parliament; the Expression "Magistrates of Burghs" shall include the Lord Provost, or Provost, or Chief Magistrate and Magistrates and Councils of Burghs, and all Persons being Members for the Time of such Magistracy or Council; the Word "Town" shall extend to and include all Burghs, as well Royal and Parliamentary Burghs as Burghs of Barony or Regality, and all other Burghs whatsoever, and generally all Places situate within a County forming an Area of Assessment distinct from such County; the Word "County" shall include "Stewartry," and shall include and apply to a County exclusive of the Burghs situated therein; the Expression "the Assessor" shall mean the Assessor under this Act of the County or Burgh or Portion or District of the County or Burgh for which he is Assessor, as distinguished from the Assessor of Railways and Canals under this Act.

SCHEDULE referred to in the foregoing Act.

VALUATION ROLL FOR COUNTIES.

County of Parish of

No.	Description of Subject.	Proprietor.	Tenant.	Occupier.	Yearly Rent or Value.				
					1854.	1855.	1856.	1857.	1858.
1	Farm of ———	*A. B.* of *C.*	*E. F.*, residing at ——	*G. H.*, residing at ——	150*l.*				
–	Do.	Do.	Do.	Do.	– –	150*l.*			
–	Do.	Do.	Do.	Do.	– –	– –	150*l.*		
–	Do.	Do.	*L. M.*, residing at ——	*L. M.*, residing at ——	– –	– –	– –	160*l.*	
–	Do.	Do.	Do.	Do.	– –	– –	– –	– –	160*l.*
2	House, Garden, and Grounds of ———	*O. P.* Esq., Mining Engineer.	– –	*O. P.* aforesaid	40*l.*				
–	Do.	Do.	– –	Do.	– –	40*l.*			
–	Do.	*R. S.*, Merchant in ——	– –	Do.	– –	– –	40*l.*		
–	Do.	Do.	– –	*R. S.*, Merchant in ——	– –	– –	– –	35*l.*	
–	Do.	Do.	– –	Do.	– –	– –	– –	– –	35*l.*

VALUATION ROLL FOR BURGHS.

Burgh [*or* City] of Year

No	Description of Subject.	Proprietor.	Tenant.	Occupier.	Yearly Rent or Value.
1	House, 9, High Street	*A. B.*, residing at ——	*C. D.*, Merchant	*C. D.*, Merchant	70*l.*
2	Shop, 10, Do.	*E. F.*, Architect	*G. H.*, Draper	*G. H.*, Draper	50*l.*

CAP. XCII.

An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland*. [10th *August* 1854.]

11 & 12 Vict. c. 2.

15 & 16 Vict. c. 66.

16 & 17 Vict. c. 72.

'WHEREAS an Act was passed in the Session of Parliament held in the Eleventh and Twelfth 'Years of the Reign of Her present Majesty, intituled *An Act for the better Prevention of Crime* 'and Outrage in certain Parts of Ireland *until the First Day of* December *One thousand eight hundred* 'and forty-nine, and to the End of the then next Session of Parliament: And whereas by an Act passed 'in the Session of Parliament held in the Fifteenth and Sixteenth Years of the Reign of Her present 'Majesty, intituled *An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better* 'Prevention of Crime and Outrage in certain Parts of Ireland, the said first-mentioned Act was 'continued until the Thirty-first Day of *August* One thousand eight hundred and fifty-three: And 'whereas by an Act passed in the Session of Parliament held in the Sixteenth and Seventeenth Years 'of the Reign of Her present Majesty, intituled *An Act to continue an Act of the Eleventh Year of Her* 'present

'*present Majesty, for the better Prevention of Crime and Outrage in certain Parts of* Ireland, the said 'first-mentioned Act was further continued until the Thirty-first Day of *August* One thousand eight 'hundred and fifty-four: And whereas it is expedient that the said first-recited Act should be further 'continued for a limited Period:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That the said first-recited Act shall be and continue in full Force and Effect until the Thirty-first Day of *August* One thousand eight hundred and fifty-five. Recited Act continued.

CAP. XCIII.

An Act for the Exchange of the Office in *Somerset House* of the Duchy of *Cornwall* for an Office to be erected in *Pimlico* on the Hereditary Possessions of the Crown.

[10th *August* 1854.]

'WHEREAS under and by virtue of an Act passed in the Fifteenth Year of King *George* the Third, 'intituled *An Act for settling* Buckingham House, *with the Appurtenances, upon the Queen, in* 15 G. 3. c. 33. 'case She shall survive His Majesty, in lieu of His Majesty's Palace of* Somerset House; *for enabling the* 'Lords Commissioners of His Majesty's Treasury to sell and dispose of Ely House *in* Holborn, *and for* 'applying the Money to arise by Sale thereof, together with other Monies, in erecting and establishing 'Public Offices in* Somerset House; *and for embanking certain Parts of the River* Thames *lying within* 'the Bounds of the Manor of the Savoy; *and for other Purposes therein mentioned;* the Palace called 'by the Name of *Somerset House* and other Hereditaments therein referred to were vested in His said 'Majesty, His Heirs and Successors, for the Use, Intent, and Purpose of erecting and establishing 'within the same or upon the Site thereof several Public Offices therein mentioned, and among others 'the Office of the Duchy of *Cornwall:* And whereas the Office in *Somerset House* now used and known 'as the Office of the Duchy of *Cornwall* was built and established under the Provisions of the said Act: 'And whereas the Hereditaments situate in *Pimlico* in the City of *Westminster* and County of *Middlesex*, 'specified in the Schedule written under the Articles of Agreement herein-after recited, and delineated 'in the Plan in the Margin of such Schedule, and therein coloured Blue, are vested in Her Majesty in 'Fee Simple, as Part of the Hereditary Possessions and Land Revenues of the Crown, subject to the 'Provisions of an Act of Parliament passed in the Sixteenth Year of the Reign of Her Majesty, 'intituled *An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to complete* 15 & 16 Vict. 'Improvements in* Pimlico *and in the Neighbourhood of* Buckingham Palace, and of the "*Pimlico* c. 78. '"Improvement Act, 1853:" And whereas the said Office of the Duchy of *Cornwall* is necessary for the 16 & 17 Vict. 'Public Service; namely, for the Use of the Commissioners of Inland Revenue, whose present Office is c. 44. 'insufficient for the Business thereof, and adjoins the said Office of the Duchy of *Cornwall:* And 'whereas by Articles of Agreement made and entered into the Fifteenth Day of *July* One thousand 'eight hundred and fifty-four, between His Royal Highness Prince *Albert* of *Saxe Coburg* and *Gotha*, 'Warden of the Stannaries in *Cornwall* and *Devon*, the Honourable *Alfred Hervey* commonly called 'Lord *Alfred Hervey*, Keeper of the Privy Seal of His Royal Highness *Albert Edward* Prince of *Wales* 'and Duke of *Cornwall*, *William John Alexander* Esquire, One of Her Majesty's Counsel learned in 'the Law, the Attorney General of His Royal Highness *Albert Edward* Prince of *Wales* and Duke of 'Cornwall*, and the Honourable *Charles Beaumont Phipps*, Companion of the Bath, a Colonel in Her 'Majesty's Army, the Treasurer and Cofferer of the Household of His Royal Highness *Albert Edward* 'Prince of *Wales* and Duke of *Cornwall*, (Four of the Members of the Council of His Royal Highness '*Albert Edward* Prince of *Wales* and Duke of *Cornwall*,) of the First Part; the Right Honourable Sir '*William Molesworth* Baronet, the First Commissioner of Her Majesty's Works and Public Buildings '(for and on behalf of the Commissioners of Her Majesty's Works and Public Buildings), of the Second 'Part, and the Honourable *Francis Wemyss Charteris* commonly called Lord *Elcho*, and *Chichester* 'Samuel Fortescue* Esquire, (Two of the Commissioners of Her Majesty's Treasury,) of the Third 'Part, it has been agreed as follows: Within Two Years from the Date of the said Articles 'of Agreement the Commissioners of Her Majesty's Works and Public Buildings (therein-after 'and herein-after styled the Commissioners of Works) shall, out of such Monies as have been or 'shall be appropriated by Parliament for that Purpose, purchase from the Commissioners of Her 'Majesty's Woods, Forests, and Land Revenues the Land, Messuages, and Appurtenances specified in the 'said Schedule thereunder written, and delineated in the said Plan drawn in the Margin of such Schedule, 'and therein coloured Blue, and erect on such Land and the Site of such Messuages and Appurtenances 'a Building according to the Plans and Specifications which have been prepared for the Erection thereof 'by the Architect of the said Commissioners of Works, and have been signed in Duplicate by the 'Parties to the said Articles of Agreement, for the Purpose of identifying the same as the Plans and 'Specifications therein referred to, and have been deposited with the Keeper of the Records of the said 'Duchy and with the Commissioners of Works respectively, and complete such Building with the Appur-'tenances according to such Plans and Specifications, and with Landlord's and Tenant's Fittings and

'Fixtures

'Fixtures thereto in all respects equally good at least with the Fittings and Fixtures in the present 'Duchy Office, fit for Use as and for the Office of the said Duchy, to the Satisfaction in all respects of 'the said Council or of their Architect for the Time being, with the Exception of such Fittings and 'Fixtures as are now in the said present Office of the said Duchy, and as the said Council may think 'fit to remove and set up in such intended Office; the said present Office in *Somerset House* of the 'Duchy of *Cornwall* and the said intended Office in *Pimlico* (to be erected and completed according 'to the aforesaid Plans and Specifications for the Erection thereof), including the Sites and Fittings 'and Fixtures of the said Office and intended Office respectively, shall be valued, according to their 'marketable Values, by *James Pennethorne*, or some other Person to be named by the Commissioners of 'Works, and *Henry Arthur Hunt*, or some other Person to be named by the said Council, and, if they 'disagree, by an Umpire to be named by themselves, and the Values determined by such Valuers, 'if they agree, and by their Umpire, if they disagree, shall be deemed for the Purposes of the said 'Articles of Agreement the Market Values of the said Premises respectively; provided always, that 'in valuing the Site of the said intended Office in *Pimlico* the Value of the Land only, and not of 'Houses and Buildings now and heretofore standing thereon, shall be taken into consideration; within 'the said Period of Two Years from the Date of the said Articles, and so soon as the said intended 'Building in *Pimlico* shall be completed as aforesaid fit for Use as the Office of the Duchy of *Cornwall* 'to the Satisfaction in all respects of the said Council or of their Architect for the Time being, the said 'intended Building, with its Appurtenances, shall be delivered up into the Possession of the said Council 'as the Office of the Duchy of *Cornwall*, and shall be vested in Her Majesty, Her Heirs and Succes-'sors, upon the same Trust for allowing such Building, with its Appurtenances, to be used for the 'Office of the said Duchy as the said Office and Premises in *Somerset House* are now subject to; and 'the said Office and Premises in *Somerset House* of the said Duchy shall remain vested in Her Majesty, 'Her Heirs and Successors, freed and discharged from the said Trust, for allowing the same to be used 'for the Office of the said Duchy, but upon the same or the like Trusts as the said Premises in *Somerset* 'House would have been subject to in case the Office of the Duchy of *Cornwall* had not been one of 'the Public Offices named in or established under the said Act of King *George* the Third; if the 'aforesaid Market Value of the said Office and Premises of the said Duchy in *Somerset House* shall be 'less than the aforesaid Market Value of the said intended Building and Premises in *Pimlico*, the said 'Council shall immediately after the said intended Building and Premises in *Pimlico* shall be completed 'and delivered up to the said Council as aforesaid, pay to the Consolidated Fund of the United Kingdom 'One Half Part of the Excess in Market Value of the said intended Building and Premises in *Pimlico* 'over the said Office and Premises in *Somerset House:* And in the said Articles of Agreement are 'contained Agreements for making the said Articles voidable in certain Events therein specified, and 'for the Payment of Expenses, and otherwise relating to the Premises: And whereas for effectuating 'the herein-before recited Articles of Agreement the Commissioners of Her Majesty's Woods, Forests, 'and Land Revenues have agreed to sell, and the Commissioners of Works have agreed to purchase, the 'said Land and Messuages and Appurtenances specified in the said Schedule to the said Articles of 'Agreement, for the Sum of Four thousand three hundred Pounds, being the Sum at which the same 'have been valued by the Surveyors of the same several Commissioners respectively: And whereas it 'is expedient that the herein-before recited Articles of Agreement be carried into effect:' Be it enacted therefore by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The recited Agreement confirmed.

I. The herein-before recited Articles of Agreement, and all Agreements and Stipulations therein contained, are confirmed, and shall be carried into effect, and the Council of His Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall*, the Commissioners of Her Majesty's Treasury, the Commissioners of Her Majesty's Works and Public Buildings, and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, are empowered and directed to do all such Things as by the said Articles of Agreement are agreed or as may be necessary or expedient to be done for carrying the same into full Effect.

Price of the Land specified in the Schedule to the Agreement to be paid to the Commissioners of Woods, and such Land thereupon to vest in the Commissioners of Works.

II. The said Sum of Four thousand three hundred Pounds, the Purchase Money of the said Land and Messuages and Appurtenances specified in the said Schedule to the said Articles of Agreement, shall, as soon as conveniently may be after the passing of this Act, be paid by the Commissioners of Works out of such Monies as have been or shall be appropriated by Parliament for that Purpose, to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and shall be held and applied by such last-mentioned Commissioners as Monies arising from the Sale of Land, Part of the Hereditary Possessions and Land Revenues of the Crown, and upon such Payment being made the Site of the said intended Building and all Erections thereon, with all Offices, Areas, Yards, Walls, Fences, Drains, Sewers, Rights, Easements, and Appurtenances appertaining thereto, and the Inheritance thereof in Fee Simple, shall vest in the Commissioners of Her Majesty's Works and Public Buildings, and their Successors, as incorporated by the Act of Fifteenth *Victoria*, Chapter Twenty-eight, freed and discharged from all other Estates, Claims, and Incumbrances (if any).

Upon Completion of the Building in

III. Immediately after the said intended Building in *Pimlico*, with the Appurtenances thereto, shall have been completed fit for Use as the Office of the Duchy of *Cornwall*, as by the said Articles of Agreement

ment provided, and shall have been delivered up into the Possession of the Council of the said Duchy, and such Sum of Money (if any) as shall, in pursuance of the said Articles of Agreement, become payable by the said Council to the Account of Her Majesty's Exchequer, shall have been paid, the said intended Building in *Pimlico* and the Site thereof, with all Offices, Areas, Yards, Walls, Fences, Drains, Sewers, Rights, Easements, and Appurtenances appertaining thereto, and the Inheritance thereof in Fee Simple, shall vest in Her Majesty, Her Heirs and Successors, freed and discharged from all other Estates, Claims, and Incumbrances (if any), upon the same Trust for allowing such Building and Premises, with the Appurtenances, to be used as the Office of the Duchy of *Cornwall*, as the Office and Premises of the said Duchy in *Somerset House* are now subject to; and the said Office and Premises of the said Duchy in *Somerset House*, with their Rights, Easements, and Appurtenances, shall remain vested in Her Majesty, Her Heirs and Successors, freed and discharged from the said Trust, for allowing the same to be used for the Office of the said Duchy, but upon the same or the like Trusts as the said Premises in *Somerset House* would have been subject to in case the Office of the Duchy of *Cornwall* had not been one of the Public Offices named in or established under the said Act of King *George* the Third.

Pimlico, and the Delivery of Possession to the Council of the Duchy, the same to vest in Her Majesty;

present Office of the Duchy to be held as the other Portions of Somerset House.

IV. Such Sum of Money (if any) as shall in pursuance of the said Articles of Agreement become payable by the Council of the said Duchy to the Account of Her Majesty's Exchequer of the United Kingdom shall be paid by the said Council into the Bank of *England* to the Account of Her Majesty's Exchequer, to be carried to the Consolidated Fund, and may be so paid by the said Council out of any Monies for the Time being applicable to any of the Purposes of an Act passed in the Eighth Year of the Reign of Her present Majesty, intituled *An Act to enable the Council of His Royal Highness* Albert Edward *Prince of* Wales *to sell and exchange Lands and enfranchise Copyholds, Parcel of the Possessions of the Duchy of* Cornwall, *to purchase other Lands, and for other Purposes.*

Such Money as may become payable by the Duchy to be paid to the Account of the Consolidated Fund. 7 & 8 Vict. c. 65.

CAP. XCIV.

An Act to alter the Mode of providing for certain Expenses now charged upon certain Branches of the Public Revenues and upon the Consolidated Fund. [10th *August* 1854.]

'WHEREAS the several Charges and Payments described in the Schedule (A.) to this Act are 'charged, by various Acts of Parliament or otherwise, upon certain Branches of the Public 'Revenue: And whereas certain other Charges and Payments described in the Schedule (B.) to this 'Act are also charged by the like Authorities upon the said Revenue and upon the Consolidated Fund 'respectively: And whereas it is expedient, in order to bring the gross Income and Expenditure of the 'United Kingdom and the *Isle of Man* under the more immediate View and Control of Parliament, that 'such Charges and Payments should be otherwise provided for, as herein-after mentioned, and that the 'financial Accounts should be prepared and Payments regulated with reference to the Periods for which 'Supplies are now commonly granted by Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the First Day of *April* One thousand Eight hundred and fifty-four, the several Charges and Payments described in the Schedules (A.) and (B.) to this Act, and which, under the Acts and Authorities in the same Schedules respectively referred to, are charged on or made payable out of the several Branches of the Public Revenue in such Schedules mentioned, or on or out of the Monies in the Hands of Commissioners or Collectors or other Receivers of such Revenues, or otherwise now charged on or payable out of all or any Parts of such Revenue respectively, or on or out of the Consolidated Fund of the United Kingdom, shall cease to be so charged and payable; and such of the said Charges and Payments as are described in the said Schedule (A.) shall be charged on and payable out of the said Consolidated Fund; and such of the said Charges and Payments as are described in the said Schedule (B.) shall be paid out of such Aids or Supplies as may be from Time to Time provided and appropriated by Parliament for the Purpose: Provided always, that where the Salary of any Office holden for Life or during good Behaviour is fixed by or under any Act of Parliament, and charged on or payable out of the said Consolidated Fund, or payable out of the gross Produce of Customs and Excise under the Act of the Seventh Year of Queen *Anne*, Chapter Eleven, the Act of the Tenth Year of Queen *Anne*, Chapter Twenty-six, and subsequent Acts, nothing herein contained shall, so long as the present Holder of such Office continues to hold the same, affect the Charge on the said Consolidated Fund, or the Payment out of the gross Produce of Customs and Excise, of the Salary which at the Time of the passing of this Act is payable in respect of such Office: Provided also, that in the event of any Payment being made out of the said Revenues, or out of the Consolidated Fund, before the passing of this Act, on account of any of the Services described in the said Schedules for any Period subsequent to the said First Day of *April* One thousand eight hundred and fifty-four, the same shall be repaid to the said Revenues, or to the Consolidated Fund, as the Case may be, out of the Consolidated Fund, or out of Monies which may be provided by Parliament for such Services for the Year One thousand eight hundred and fifty-four—five.

Charges in Schedule (A.) to be payable out of the Consolidated Fund; and Charges in Schedule (B.) to be paid out of Aids, &c. voted by Parliament, except in certain Cases.

Charges to be defrayed as heretofore up to the passing of the Act.

Annual Financial Accounts to be made up to 31st March instead of 5th January.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall see fit, at and after such Time as may appear to them convenient, instead of the Accounts now by Law directed to be annually prepared and made out for One Year ending on the Fifth Day of January in each Year of the total Income of the United Kingdom, including all the ordinary Revenues and extraordinary Resources thereof, and of the Income of the said Consolidated Fund, and of the actual Payments thereout, and of the future annual Charge upon the said Fund, and of the net Produce of all the permanent Taxes of the United Kingdom, and of the Arrears and Balances due from all public Accountants, and of the Exports and Imports of the United Kingdom, and of the Shipping registered in or belonging to the several Ports of Her Majesty's Dominions, and of the public Expenditure of the United Kingdom, and of the Public Funded Debt of the United Kingdom, and the Reduction thereof, and of the Unfunded and Outstanding Debt of the United Kingdom, and instead of the Account showing how the Monies given for the Service of the United Kingdom for the Year preceding the said Fifth Day of *January* have been disposed of, to cause Accounts to be annually prepared and made up for One Year ending on the Thirty-first Day of *March*, and in all respects with reference to such Day, in like Manner as if in the Provisions now in force relating to the Preparation and making out of such Accounts the Thirty-first Day of *March* was substituted for the Fifth Day of *January*; and the said Commissioners shall in each Year cause such Accounts to be laid before both Houses of Parliament on or before the Thirtieth Day of *June*, if Parliament be sitting, or if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

Quarterly Accounts of Receipts and Expenditure of the United Kingdom to be made up to the End of March, June, September, and December, instead of the old Quarter Days.

10 G. 4. c. 27.

III. It shall be lawful for the Commissioners of Her Majesty's Treasury, at and after such Time as may appear to them convenient, instead of the Accounts of the actual Receipt and Expenditure of the United Kingdom now by Law directed to be prepared Four Times in the Year, within Thirty Days after the Fifth Day of *April*, the Fifth Day of *July*, the Tenth Day of *October*, and the Fifth Day of *January* respectively, showing the actual Receipt and Expenditure of the United Kingdom in the Four Quarters for the whole of the Year immediately preceding such several quarterly Days respectively, according to the actual Receipt and Issue of Monies at the Receipt of Her Majesty's Exchequer, to cause like Accounts to be prepared within Thirty Days after the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in each Year, showing such Receipt and Expenditure in the Four Quarters for the whole of the Year ending on such several last-mentioned quarterly Days respectively, and from and after the Time at which the said Accounts shall be first made up to any of such last-mentioned quarterly Days to which such Accounts shall be made up, in pursuance of this Act, the Sums by the Act of the Tenth Year of King *George* the Fourth, Chapter Twenty-seven, directed to be from Time to Time issued out of the said Consolidated Fund to the Commissioners for the Reduction of the National Debt, shall be ascertained according to such Accounts, as if the last-mentioned quarterly Days had been mentioned in the said Act instead of the quarterly Days mentioned therein, and all other Provisions relating to the Accounts required to be prepared as aforesaid, and referring to such quarterly Days shall be construed in like Manner.

Accounts of Income and Charge of Consolidated Fund to be made up to the End of March, June, September, and December, instead of the old Quarter Days.

57 G. 3. c. 48. s. 6.

IV. It shall be lawful for the Commissioners of Her Majesty's Treasury, at and after such Time as may appear to them convenient, instead of making up the Accounts of the Income and Charge of the said Consolidated Fund for the Quarters ending on the Fifth Day of *April*, the Fifth Day of *July*, the Tenth Day of *October*, and the Fifth Day of *January* in each Year, to cause such Accounts to be made up for the Quarters ending on the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December* in each Year, and from and after the Time at which the said Accounts shall be first made up to any of such last-mentioned quarterly Days, in case it appear to the Commissioners of Her Majesty's Treasury, upon making up such Accounts for the Quarter ending on any of such quarterly Days in any Year, that the Produce of the said Fund is not sufficient to defray the Charges thereupon, including such Charges as would fall due on the old quarterly Day then next, it shall be lawful for such Commissioners, from Time to Time, by Warrant under their Hands, to cause or direct Exchequer Bills to be made out for the Deficiency, according to the Provisions of the Act of the Fifty-seventh Year of King *George* the Third, Chapter Forty-eight, and as if the last-mentioned quarterly Days had been mentioned in such Act instead of the quarterly Days mentioned therein, and the Provisions of the said Act shall be construed accordingly.

Times to which quarterly Exchequer Accounts are to be made up.

V. It shall be lawful for the Commissioners of Her Majesty's Treasury, at and after such Time as may appear to them convenient, to direct that the quarterly Accounts now made up by the Comptroller-General of the Exchequer, under the Provisions of the Twenty-third Section of the Act Fourth *William* the Fourth, Chapter Fifteen, shall be made up to the Termination of the Quarters ending Thirty-first *March*, Thirtieth *June*, Thirtieth *September*, and Thirty-first *December* in every Year, and that the annual Account directed by the same Section of the said Act to be prepared and laid before each House of Parliament, together with the Certificates required to be furnished by the Principal Cashier of the Bank of *England* of the Sum remaining to the Credit of the Exchequer, shall be prepared for the Year ending on the Thirty-first *March*; and such Quarterly Accounts shall thenceforward be transmitted to the Commissioners for auditing the Public Accounts; and such annual Accounts shall be laid before each House of Parliament within Ten Days after the Time fixed for such Purpose by the said Act.

VI. It

Charges in Schedule (B.) may be paid on the new Quarter Days.

VI. It shall be lawful for the Commissioners of Her Majesty's Treasury, if and where they see fit, to cause all or any of the said Charges and Payments described in the said Schedule (B.) now payable on any other quarterly Days than the Thirty-first Day of *March*, the Thirtieth Day of *June*, the Thirtieth Day of *September*, and the Thirty-first Day of *December*, to be paid on such last-named Days, or where any such Charges or Payments are payable yearly or half-yearly on any other than some of such Days, to cause the same to be paid on One or Two (as the Case may require) of such Days as aforesaid; and where the Days of Payment of any such Charge or Payment are altered as aforesaid the said Commissioners shall cause such Deduction to be made from the Payment to be made on the first of the substituted Days of Payment of such Sum as shall be proportionate to the Period by which such Payment is accelerated.

Fees applicable towards the Payment of Charges in Schedule (B.) to be carried to Consolidated Fund.

VII. Where any of the Charges and Payments described in the said Schedule (B.) are by Law payable out of or charged upon any Fees or other casual Receipts, and are payable out of the said Consolidated Fund only in the Event and to the Extent of any Deficiency of such Fees or other casual Receipts, such Fees or other casual Receipts shall from and after the said First Day of *April* One thousand eight hundred and fifty-four, in such Cases as the Commissioners of the Treasury may think fit and direct, cease to be applicable to such Charges or Payments, and be from Time to Time paid into the Receipt of the Exchequer, and be carried to and form Part of the said Consolidated Fund, in which Case the entire Charges shall be provided for out of Monies to be granted by Parliament; but until such Fees or other casual Receipts shall be so paid into the Receipt of the Exchequer, in pursuance of any Direction of the Commissioners of the Treasury, the same shall continue applicable to such Charges or Payments, and such Charges or Payments shall be paid out of Aids or Supplies to be from Time to Time provided and appropriated by Parliament only in the Event and to the Extent of any Deficiency in such Fees or casual Receipts.

Treasury may make Regulations, &c.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to make such Rules and Regulations and issue such Orders concerning the Form and Mode of Transmission of Certificates and Vouchers, and otherwise for checking, controlling, and regulating the Payment of the Charges transferred to the Consolidated Fund by this Act, and for enforcing and regulating the accounting for and due Payment of the Moneys to be carried to the Consolidated Fund under this Act, as they may think fit; and a Return of any such Rules and Regulations which may be issued by the Commissioners of Her Majesty's Treasury shall be laid before Parliament within Six Weeks from the Date of the Issue thereof, if Parliament be then sitting, and if not then sitting, within Six Weeks from the Day of the next ensuing Meeting of Parliament.

SCHEDULE (A.)

SCHEDULE OF SALARIES, PENSIONS, COMPENSATIONS, and other PAYMENTS, charged on the gross REVENUES of CUSTOMS, EXCISE, and TAXES, under the Acts 7 Anne, cap. 11., 10 Anne, cap. 26., 50 Geo. 3. cap. 31., and subsequent Acts, to be charged on the CONSOLIDATED FUND.

Salaries of the Lord President of the Court of Session, the Lord Justice Clerk, and the other Judges of the Court of Session performing the Duties of the Courts of Session, Justiciary, and Court of Exchequer, and of the Bill Chambers, as fixed by the Act 2 & 3 Vict. cap. 36. - - - -

Pensions of the Judges in Scotland, according to the Scale fixed by the Act 48 Geo. 3. cap. 145. and 2 Will. 4. cap. 54. - - - - -

Salaries of Sheriffs and Sheriffs Substitute, per Act 16 & 17 Vict. cap. 80. - -

Retiring Allowances to the Sheriffs Substitute, under the Act 1 & 2 Vict. cap. 119. -

Compensations to various Persons for Loss of Fees and Annuities granted under the following Acts, viz.:—

- 49 Geo. 3. cap. 42. - - - - -
- 50 Geo. 3. cap. 112. - - - - - - -
- 1 & 2 Geo. 4. cap. 38. and cap. 39. - - - -
- 4 Geo. 4. cap. 97. - - - - - - -
- 11 Geo. 4. & 1 Will. 4. cap. 69. - - - - -
- 1 & 2 Vict. cap. 118. - - - - -
- 10 & 11 Vict. cap. 47. and cap. 51. and cap. 67. - - -

Augmentation of Stipends to Scotch Clergy, under the Acts 50 Geo. 3. cap. 84.; 4 Geo. 4. cap. 79.; 5 Geo. 4. cap. 72. and cap. 90. - - - -

Charges upon the Customs Revenue of the Isle of Man, under the Act 16 & 17 Vict. cap. 107. - - - - - - -

SCHEDULE (B.)

SCHEDULE OF SALARIES and PAYMENTS charged under various Acts of Parliament upon or payable out of the Consolidated Fund, and the several Branches of the Public Revenues, to be provided for by ANNUAL VOTES, or otherwise as prescribed in Clauses 1. and 7.

Now charged on C. Fund		
	Salaries and Contingencies of the Audit Office, exclusive of the Salaries of the Board	46 Geo. 3. c. 141.
„	Salaries and Contingencies of the General Register Office of Births, Deaths, and Marriages, England	6 & 7 Will. 4. c. 86.
„	Salaries and Contingencies of the General Register Office of Births, Deaths, and Marriages, Ireland	7 & 8 Vict. c. 81.
„	Salaries and Contingencies of the Tithe, Copyhold, and Inclosure Commission	6 & 7 Will. 4. c. 71. 14 & 15 Vict. c. 53. 8 & 9 Vict. c. 118.
„	Salaries and Contingencies of the National Debt Office	4 Geo. 4. c. 19.
„	Salaries and Contingencies of the Public Works Loan Office, including the Expenses of the Office for West India Islands Relief	5 Vict. (sess. 2.) cap. 9. and 2 & 3 Will. 4. c. 125.
„	Contingent Expenses of the Lunacy Commissioners	8 & 9 Vict. c. 100.
„	Salaries of Official Referees and Registrar for Metropolitan Buildings	7 & 8 Vict. c. 84. 9 Vict. c. 5.
„	Salary of the Registrar of Friendly Societies	13 & 14 Vict. c. 115. 15 & 16 Vict. c. 65.
„	Salary of the General Superintendent of Turnpike Roads in South Wales	7 & 8 Vict. c. 91.
„	Salary of the Secretary to the Board of Education in Ireland and Contingencies of the Board	53 Geo. 3. c. 107. 3 Geo. 4. c. 79.
„	Allowance in aid of the Royal Irish Academy, Dublin	40 Geo. 3. c. 60. 41 Geo. 3. c. 32.
„	Expenses of the Police Courts of the Metropolis, except the Salaries of the Police Magistrates	2 & 3 Vict. c. 71.
„	Expenses of the Mounted Police, River Police, and Police Van Service, and Superannuation of the late Horse and Foot Patrol	2 & 3 Vict. c. 47.
„	Contribution towards defraying the Charge of maintaining the Police of the Metropolis, and Salaries of the Commissioners of Police	3 & 4 Will. 4. c. 89. 2 & 3 Vict. c. 47.
„	Salaries and Contingencies, Queen's Prison	5 Vict. c. 22.
„	Salary of Clerk of the Patents, Court of Chancery	3 & 4 Will. 4. c. 84.
„	Salary of the Clerk of the Crown, Court of Chancery	3 & 4 Will. 4. c. 84. 7 & 8 Vict. c. 77. 15 & 16 Vict. c. 87. s. 23.
„	Salaries of Treasurers of County Courts	9 & 10 Vict. c. 95.
„	Deficiency of Fee Fund of County Courts to pay Salaries of Officers, and the Expenses of the said Courts other than the Salaries of Judges	
„	Expenses of the Crown Office	6 Vict. c. 20.
„	Expenses of the Registrar's and Marshal's Office of the High Court of Admiralty	3 & 4 Vict. c. 66.
„	Remuneration to Revising Barristers for Revising Lists of Voters in England and Wales	6 Vict. c. 18.
„	Deficiency of the Fee Fund for Payment of Salaries and Contingencies of Officers of Court of Queen's Bench, Westminster, excepting Masters	1 Vict. c. 30. 15 & 16 Vict. c. 73.
„	Deficiency of the Fee Fund for Payment of Salaries and Contingencies of Officers of Court of Common Pleas, Westminster, excepting Masters	
„	Deficiency of Fee Fund for Payment of Salaries and Contingencies of Officers of Court of Exchequer, Westminster, excepting Masters	

Public Revenue and Consolidated Fund Charges.

Now charged on		
C. Fund	Salaries and Allowances of Officers (excepting Salary of Master of the Rolls and Masters in Ordinary) and Clerks and Expenses in the Court of Chancery in Ireland, under the Acts	4 Geo. 4. c. 61. 6 Geo. 4. c. 30. 4 & 5 Will. 4. c. 78. 11 & 12 Vict. c. 132.
„	Salaries and Allowances of the Officers and Clerks of the Court of Queen's Bench, Ireland, Excepting Masters	7 & 8 Vict. c. 107.
„	Salaries and Allowances of the Officers and Clerks of the Court of Common Pleas, Ireland, excepting Masters	7 & 8 Vict. c. 107.
„	Salaries and Allowances of the Officers and Clerks of the Court of Exchequer, Ireland, exceptnig Masters	7 & 8 Vict. c. 107.
„	Salaries of Taxing Officers in Common Law Business, and of Clerks to the same in Ireland	7 & 8 Vict. c. 107. 1 & 2 Geo. 4. c. 53.
„	Salary of Clerk to the Court of Errors, Ireland	40 Geo. 3. c. 39.
„	Salaries and Contingent Expenses of the Insolvent Debtors Court, Ireland, except Salaries of Commissioners	1 & 2 Geo. 4. c. 59. 3 Geo. 4. c. 124.
„	Salaries of Registrars to the Judges, Ireland	1 & 2 Geo. 4. c. 54.
„	Salaries of Marshals, Chaplains, Medical Officers; Repairs and Expenses of the Four Courts, Marshalsea, Ireland	7 Geo. 4. c. 70. 7 Geo. 4. c. 74. 50 Geo. 3. c. 103.
„	Salaries of Justices of Police (Commissioners), Dublin	6 & 7 Will. 4. c. 29.
„	Pay, Superannuations, and all other Expenses of the Constabulary Police in Ireland	9 & 10 Vict. c. 97. 10 & 11 Vict. c. 100.
„	Office of Clerk of Writs and Appearances and Seal Expenses (Dublin)	7 & 8 Vict. c. 107. 13 & 14 Vict. c. 18.
„	Registrar of Judgments, Office of (Dublin)	7 & 8 Vict. c. 90. 13 & 14 Vict. c. 74.
„	Expenses of Judges attending adjourned Assizes (Ireland), saving and except the Salaries and Remunerations to the Judges and Crown Lawyers acting judicially and presiding or serving at adjourned Assizes	36 Geo. 3. c. 26. &
„	Expenses of Judges attending Special Commissions (Ireland), saving and except the Salaries and Remunerations to the Judges and Crown Lawyers acting judicially and presiding or serving at Special Commissions	40 Geo. 3. c. 69. Irish.
„	Lodging Money for Judges at Assizes (Ireland)	41 G. 3. c. 88.
„	County Infirmaries, Ireland	5 G. 3. c. 20.
„	Bounty on Slaves, and Tonnage of Slave Vessels	1 Will. 4. c. 55. 1 & 2 Vict. c. 47.
Customs and Excise	Salaries and Allowances, and Expenses of the Officers, Clerks, and others of the several Courts of Law in Scotland. Salaries of Her Majesty's Advocate, Her Majesty's Solicitor, Keeper of the Register of Hornings and Abbreviates of Adjudications, Deputy Clerk Registrar, and other Salaries, Allowances and Expenses payable out of the Revenues of Customs and Excise, and not placed on Consolidated Fund in Schedule A.	7 Anne, c. 11. 10 Anne, c. 26. and subsequent Acts.
„	Her Majesty's Allowance for the Register House, Edinburgh	
„	Salaries of the Lion King-at-Arms, Heralds and Pursuivants	
„	Expenses of Judges and Officers of the Circuits of the Justiciary and Jury Courts	
	Expenses of extra Advocates Depute, Clerks and Macers on Circuit	
Customs	Difference between Dues on British and Foreign Vessels under Treaties of Reciprocity	59 Geo. 3. c. 54.
Customs & Excise	Treasurers of Counties for Corn Returns, Salaries of Inspectors, and Expenses	5 Vict. (s. 2.) c. 14.

	Public Revenue and Consolidated Fund Charges.	*Public Health.*
Now charged on Customs	Expenses of Quarantine	
Ditto	Expenses of carrying out the Merchant Seamen and Mercantile Marine Acts - - - -	7 & 8. Vict. c. 112.
Excise	The Commissioners of White Herring Fishery Board, &c., and for Repair of Piers, Quays, and Boats - -	5 Geo. 4. c. 64.
Ditto	Ditto for improving Fisheries and Manufactures -	5 Geo. 1. c. 20.
Ditto	Salaries to Process-servers, Ireland - - -	7 Geo. 4. c. 36.
Taxes	Commissioners Highland Roads and Bridges - -	59 Geo. 3. c. 35.
Post Office	Expenses of Milford Road Fund - - -	6 Will. 4. c. 25.
Customs	Charges of Collection and Management of the Revenue of Customs - - - - - -	Various Acts.
Inland Revenue	Ditto ditto „ „ - - of Inland Revenue - - - -	
Post Office	Ditto ditto „ „ - - of Post Office - - - - -	

CAP. XCV.

An Act to make better Provision for the Administration of the Laws relating to the Public Health. [10th *August* 1854.]

11 & 12 Vict. c. 63. 13 & 14 Vict. c. 52. 15 & 16 Vict. c. 85.

'WHEREAS by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Sixty-three, "for promoting the Public Health," a Board was constituted for superintending the Execution of that Act, to be called "The General Board of Health," and it was thereby provided that the said Board should be continued only for Five Years next after the passing of that Act, and thenceforth until the End of the then next Session of Parliament; and by the said Act the said Board were authorized, with the Approval of the Commissioners of the Treasury, to appoint a Secretary and such Clerks and Servants and so many Superintending Inspectors as they might deem necessary for the Purposes of the said Act, every Person so appointed to be removable at the Pleasure of the said Board: And whereas under the Metropolitan Interments Act, 1850, an additional Member of the said Board was appointed, and by an Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, Her Majesty was authorized to continue the Appointment of the said additional Member during the Continuance of the said Board: And whereas by certain other Acts certain Powers and Duties are vested in the General Board of Health: And whereas it is expedient that the General Board of Health should be reconstituted: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

General Board of Health and Appointment of Officers determined.

I. On the passing of this Act so much of the said Act for promoting the Public Health as provides what Persons shall constitute the General Board of Health, and Limits the Duration of such Board, and so much of the same Act as relates Appointments by such Board, and so much of any other Act as authorizes the Appointment of an additional Member of such Board, shall be repealed, and the General Board of Health, as constituted by the said Act for promoting the Public Health, and all Appointments of Members thereof, and all Appointments made by such Board under the Authority of the said Act, shall, save as herein-after otherwise provided, cease and determine.

Constitution of General Board of Health.

II. It shall be lawful for Her Majesty from Time to Time, by Warrant under the Royal Sign Manual, to appoint a Person to be, during Her Majesty's Pleasure, President of the General Board of Health under this Act, and such President and Her Majesty's Principal Secretaries of State for the Time being, and the President and Vice President for the Time being of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations, shall constitute and be the General Board of Health, and during any Vacancy in the said Board the continuing Members thereof may act as if no Vacancy had occurred; provided, that the said Board of Health shall be continued only for One Year next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament, and no longer.

Salary of President. President may sit in House of Commons.

III. There shall be paid to the President of the General Board of Health under this Act such Salary, not exceeding Two thousand Pounds *per Annum*, as shall be from Time to Time appointed by the Commissioners of Her Majesty's Treasury, but no Salary shall be paid to any other Member of the said Board; and such President shall be capable of being elected, and of sitting and voting as a Member of the House of Commons.

Board to appoint Officers.

IV. It shall be lawful for the said General Board of Health to appoint from Time to Time a Secretary and Assistant Secretary, and such Clerks and Officers of the said Board, and also so many Superintending Inspectors under such Board, as the Commissioners of Her Majesty's Treasury may think fit; and

and any such Secretary, Assistant Secretary, Clerk, or Officer, and any such Superintending Inspector, may be removed by the said Board.

Treasury to fix Salaries of Officers and Allowances to Superintending Inspectors.

V. There shall be paid to the said Secretary, Assistant Secretary, Clerks, Officers, and Superintending Inspectors such Salaries as shall from Time to Time be appointed by the Commissioners of Her Majesty's Treasury: Provided always, that the Commissioners of Her Majesty's Treasury may allow to any Superintending Inspector such reasonable Travelling and other Expenses as may be incurred by him in the Performance of the Duties of his Office, in addition to his Salary.

All Powers, &c. vested in Board may be exercised by the President or any Two Members.

VI. All Powers and Duties by this Act vested in the General Board of Health constituted under this Act, or which may be hereafter vested in such Board, may be exercised and performed by the President for the Time being of such Board alone or by any Two or more Members thereof; and all Documents or Copies of Documents purporting to proceed from such Board, and to be signed by the President or any Two or more of the Members of such Board, and to be sealed or stamped with the Seal of the General Board of Health, shall be received as *primâ facie* Evidence in all Courts or Places whatsoever.

Transfer of Powers and Duties of Board of Health to such Board as constituted by this Act.

VII. All the Powers and Duties vested in the General Board of Health under the said Act for promoting the Public Health, or any other Act, shall on the passing of this Act become transferred to and vested in the General Board of Health as constituted under this Act; and every Superintending Inspector appointed under this Act shall have all the Powers, Duties, and Liabilities vested in or imposed upon any Superintending Inspector under the said Act for promoting the Public Health; and all Provisions in any Act of Parliament and in any Order of the General Board of Health, and all Instruments whatever in which the General Board of Health, or the Secretary, or a Superintending Inspector, or any other Officer of such Board is mentioned or referred to, shall, so far as may not be inconsistent with the Provisions of this Act, be construed as referring to the General Board of Health as constituted under this Act, or to the Secretary, or a Superintending Inspector, or such other Officer of such Board.

Inquiries, &c. may be completed.

VIII. All Inquiries and Proceedings, Matters and Things, commenced by or under the Authority of the Board hereby determined, may be completed by and under the Authority of the Board constituted by this Act.

Treasury may grant a Retiring Allowance.

IX. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant to One of the Members of the General Board of Health constituted by the said Act for promoting the Public Health such Compensation or Superannuation or Retiring Allowance, not exceeding One thousand Pounds *per Annum*, as the said Commissioners may deem just and proper to be awarded.

As to Payment of Salaries, &c.

X. All Salaries payable under this Act, and all incidental Expenses of the said Board constituted by this Act, and all Compensations and Allowances granted under this Act, shall be paid out of such Monies as shall be provided by Parliament.

CAP. XCVI.

An Act for allowing Gold Wares to be manufactured at a lower Standard than that now allowed by Law, and to amend the Law relating to the assaying of Gold and Silver Wares.

[10th *August* 1854.]

'WHEREAS it is expedient that Gold of Standards inferior to those now allowed by Law should 'be permitted to be used in Manufactures of Gold, and that Provision should be made for autho- 'rizing such lower Standards:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty may, by Order in Council, allow any Standard for Gold Wares not less than One Third Part in the whole.

I. It shall be lawful for Her Majesty, by any Order or Orders to be from Time to Time made by and with the Advice of Her Privy Council, to order that any Gold Vessel, Plate, or Manufacture of Gold may be wrought of any Standard not being less than One Third Part in the whole of Fine Gold, to be declared in any such Order, and also to approve thereby of the Instrument with which Gold Vessels, Plate, and Manufactures of Gold shall be marked or stamped, setting forth in Figures the actual Fineness thereof, according to the Standard so declared; and every such Gold Vessel, Plate, and Manufacture of Gold may be wrought accordingly; and it shall be lawful for Her Majesty, by and with the Advice aforesaid, to revoke or alter from Time to Time any such Order as aforesaid.

Gold and Silver Wares may be assayed at any lawful Assay Office wherever manufactured.

II. Workers or Dealers in Gold or Silver may register their Names, Marks, and Places of Abode at any Assay Office or Offices established by Law which they may select, and may thereupon have the Wares which are manufactured by them assayed and marked at such Office or Offices, without being liable to any Forfeiture or Penalty imposed by any Act now in force for not registering their Names, Marks, or Places of Abode, or for making, selling, or exporting such Wares without being marked at a particular Assay Office, and the Wares which shall be assayed as aforesaid may be sold or exposed by any Person without being liable to any Forfeiture or Penalty, notwithstanding any Provision to the contrary in any Act now in force.

Gold Wares unnecessarily marked not liable to Duty on Gold Plate.

III. If any of the Gold Wares which by any Statute now in force are not liable to be assayed and marked shall nevertheless be assayed and marked as of One of the Standards authorized by Law, such Wares shall not by reason thereof be chargeable with the Duty now levied upon Gold Plate.

IV. Nothing

Provisions of existing Acts to be applicable to the new Standard.

IV. Nothing in this Act contained shall be deemed or taken to repeal the Statutes now in force relating to Standards of Gold Wares, or to the Marks for denoting the same, or any of such Statutes, but the same, and all the Provisions, Prohibitions, Penalties, and Forfeitures enacted thereby respectively, shall continue to be in as full Force and Effect as if this Act had not passed, and shall be construed with and as forming Part of this Act, save only that in the Interpretation thereof all Standards authorized by Her Majesty in pursuance of this Act shall be deemed and taken to be lawful Standards; and all Gold Vessels, Plate, and Manufactures wrought in conformity with this Act shall be deemed and taken to be lawfully wrought within the Meaning of the said Statutes; and all Gold Vessels, Plate, and Manufactures duly assayed and marked in conformity with this Act, and being of the Standard duly authorized in pursuance of the same, shall be deemed and taken to be lawfully assayed and marked within the Meaning of the same Statutes respectively.

Penalty for marking Gold Ware of a lower Standard with the Mark appropriated to a higher Standard.

V. If any Assayer or other Officer or Person employed by any Company or Corporation authorized to assay and mark Gold Vessels, Plate, or Manufactures of Gold, shall mark or permit or suffer to be marked any Gold Vessel, Plate, or Manufacture of Gold of a lower Standard, with any Die or other Instrument used by any such Company or Corporation for marking Gold Vessels, Plate, or Manufactures of Gold of a higher Standard, every such Company or Corporation to which such Assayer or Officer shall belong or by which such Person shall be employed, shall for every such Offence forfeit and pay to Her Majesty the Sum of Twenty Pounds, which may be sued for and recovered in such and the like Manner as Penalties recoverable under any Act in force relating to Stamp Duties are to be sued for and recovered by Law; and every such Assayer or other Officer or Person employed as aforesaid, upon Complaint or Information made thereof by any Officer of Stamp Duties to any Justice of the Peace having Jurisdiction where any such Offence shall be committed, upon the Oath of One or more credible Person or Persons (which Oath such Justice is hereby empowered and required to administer), and upon being convicted of such Offence by or before such Justice, shall be by him forthwith dismissed and discharged from his said Office and Employment of or in the Company or Corporation to or in which he shall have so belonged or been so employed as aforesaid, and shall be incapable for ever afterwards of holding any Office or Employment in or under the same or any other such Company or Corporation; and every Gold Vessel, Plate, and Manufacture of Gold of a lower Standard, so marked as last aforesaid, shall and may be lawfully seized by any such Company or Corporation other than the Company or Corporation to which the offending Officer or Person belongs, or by whom he is employed, and shall be dealt with in like Manner as is provided with respect to Wares seized by virtue of the Provisions of the Act of the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Twenty-two.

CAP. XCVII.

An Act to amend and extend the Acts for the Inclosure, Exchange, and Improvement of Land. [10th *August* 1854.]

'WHEREAS it is expedient that "The Acts for the Inclosure, Exchange, and Improvement of "'Land" should be amended and further extended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lands subject to be inclosed may be exchanged.

I. The Provisions of the said Acts with respect to the Exchange and Partition of Land not subject to be inclosed under such Acts, or of Land subject to be inclosed under such Acts as to which no Proceedings for an Inclosure shall be pending, shall extend and be applicable to Land subject to be inclosed under such Acts whilst Proceedings for an Inclosure shall be pending.

Undivided Shares may be exchanged.

II. Undivided Shares in any Land or other Subject Matter of Exchange may be exchanged under the Provisions of the said Acts, upon the Application of the Person interested under the Provisions of the said Acts in respect of such undivided Shares.

Land to include incorporeal Hereditaments.

III. The Word "Land" shall extend to and include incorporeal as well as corporeal Hereditaments, and any undivided Share thereof.

Lessee the "Person interested" in certain Cases.

IV. Where any Land or Hereditaments shall have been leased for a Term which shall have exceeded One hundred Years from the Commencement thereof, and it shall be shown to the Satisfaction of the Commissioners that no Rent or Acknowledgment has been paid or given for the Period of Twenty Years, or that the Person entitled to the Rent reserved upon such Lease cannot, upon reasonable Inquiry, be ascertained, the Person in the actual Possession or Enjoyment of such Land or Hereditaments, or in the actual Receipt of the Rents and Profits thereof as Owner of such Term, shall be and be deemed to be the Person interested within the Provisions of the said Acts.

Orders of Exchange, &c. may be made upon Application of Parties in possession, &c.

V. It shall be lawful for the Commissioners, on the Application in Writing of the Parties in possession of any Lands, Tenements, or Hereditaments, under any Agreement for the Exchange, Partition, or Division of the same or any of them, to proceed with such Exchange, Partition, or Division, under the Provisions of the said Acts; and such Application, and Order thereon, shall be as valid and effectual as if the Parties making such Application had been the Parties interested under the Provisions of the said Acts.

VI. The

Extending Time for Application for Conversion of Land to be inclosed, &c.

VI. The Time limited by the said Acts for making an Application for the Conversion of Land which shall be directed to be inclosed under the said Acts, or any Part thereof, into a regulated Pasture, shall be extended to any Time before the Report of the Valuer has been sent to the Office of the Commissioners, although Instructions to the Valuer under their Seal may have been delivered to him.

Extending Time for Enrolment of Awards under Common Fields Act or Local Act.

VII. Where an Award under the Act of the Seventh Year of His late Majesty King *William* the Fourth, intituled *An Act for facilitating the Inclosure of Open and Arable Fields in* England *and* Wales, or under any Local Act of Inclosure, shall not have been duly enrolled within the Time limited in that Behalf, it shall be lawful for the Commissioners, if they shall think fit, upon the Application in Writing of any Person interested in the Land to which such Award shall relate, and upon its being shown to the said Commissioners that such Award has been acted upon by the Parties interested thereunder, by an Order under their Hands and Seal to extend the Time for such Enrolment to such Period as they shall think fit, and the Enrolment of any such Award within such extended Time shall have the same Force and Effect as if the same had been enrolled within the Time limited in that Behalf.

Tenure of Allotments in respect of Rights.

VIII. Whereas it is enacted by the first of the said Acts, that is to say, the Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and eighteen, that all such Land as shall be taken in Exchange or on Partition, or be allotted, shall be held by the Person to whom it shall be given in Exchange or on Partition, or allotted, under the same Tenures, Rents, Customs, and Services as the Land in respect of which such Land shall have been given in Exchange or on Partition, or allotted, would have been held in case no such Exchange, Partition, or Inclosure had been made, and Doubts have arisen whether Land taken in Exchange or on Partition, or allotted, in respect of "Rights," will follow the Tenure of such Rights:

The Word "Land" in such recited Enactment shall include and be deemed to have included "Rights."

Fencing and making Roads dispensed with, in certain Cases.

IX. Whenever it shall appear to the Commissioners that any public Roads or Driftways set out by the Valuer in the Matter of any Inclosure are of such a Nature or so situate that it is not necessary, for Public Convenience, that the same should be fenced, or made of hard Materials, and certified by Two Justices, the Commissioners may, by any Order under their Hands and Seal, certify that the said Roads or Driftways are sufficiently formed, having Reference to the Nature or Situation thereof; and such Roads shall thenceforth be kept in repair by such Persons and in such Manner as like public Roads within the said Parish are or ought by Law to be kept in repair; but such last-mentioned Persons shall not by such Obligation to repair be liable to convert the said Roads so set out into fenced Roads, or into Roads made of hard Materials.

Apportionment of Fee-farm Rents, &c.

X. In all Cases where any Lands or Hereditaments are charged with any Fee-farm Rent, Rent Seck, Rent of Assize, or Chief Rent, or other annual or periodical fixed Rent, or other certain Payment, any Persons respectively interested, according to the Provisions of the said Acts, in such Lands, and in the said Rent or other certain Payment as aforesaid issuing therefrom, may make Application in Writing to the said Commissioners to apportion the said Rent or other fixed Payment among all the Lands charged with the Payment thereof, and the Commissioners, upon Receipt of such Application, shall, by themselves, or by an Assistant Commissioner, or other Person to be by them appointed for that Purpose, make Inquiry, and satisfy themselves as to the Expediency of such Apportionment: Provided always, that if in any Case there shall beany Doubt as to the Extent, Identity, or Boundaries of the Lands and Hereditaments charged with any such Rent or Payment, the Commissioners, Assistant Commissioner, or other Person appointed by them as aforesaid shall inquire into and ascertain such Extent, Identity, or Boundaries.

Order of Apportionment.

Order to determine Boundaries.

XI. If the said Commissioners, after Inquiry made, shall be satisfied of the Expediency of such Apportionment, they may and they are hereby empowered, by an Order under their Hands and Seal, to apportion such Rent or other fixed Payment among all the Lands charged with the Payment thereof, and also, where necessary, to determine the Extent, Identity, and Boundaries of the Land and Hereditaments charged with such Rent or Payment; provided, that any specific Portion may, upon the Application of the Person interested in such Lands, be charged and apportioned upon any Close or Closes or other Part of the Estate in respect of which the said Portion of Rents or other fixed Payment was apportioned, so that in the Judgment of the said Commissioners such Part of the Estate be of not less than Six Times the annual Value of the Sum so charged thereupon.

Confirmation of Order.

XII. From and after the Confirmation of such Order by the said Commissioners, the Lands out of which the said Rent or other fixed Payment as aforesaid issued shall be chargeable in respect thereof only in the Manner and to the Extent directed and set forth in the said Order.

Recovery of apportioned Amounts.

XIII. And from and after the Confirmation of the said Order the Owner for the Time being of the said Rent or other fixed Payment as aforesaid, so far as the same has been apportioned upon the Lands of Persons interested and making Application as aforesaid, shall have all such Rights and Remedies for the Recovery of the apportioned Parts of such Rent or other fixed Payment as against the Portions of Land severally charged therewith respectively as such Owner would have had for the Recovery of such Rent or fixed Payment as against the Lands originally charged therewith in case no such Order had been made.

Expenses attending Apportionment.

XIV. The Persons making such Application as aforesaid shall pay the Expenses incident to such Apportionment in such Proportions and to such Amount as the Commissioners shall certify in that Behalf; and the Commissioners, or any Person authorized by them for that Purpose, may take all such Proceedings and have all such Remedies for the Recovery of such Expenses as they, or the Valuer acting in the Matter of any Inclosure, now have or may at any Time hereafter by Law have for the Recovery of the Expenses of or incident to any Inclosure under the Powers of the said recited Act.

Application of Compensation for Common Rights paid under 8 & 9 Vict. c. 18.

XV. Where any Money shall have been or may hereafter be paid to a Committee under "The Lands Clauses Consolidation Act, 1845," or under any Railway or other Special Act by which Money may have been directed or authorized to be paid to a Committee as Compensation for the Extinction of Commonable or other Rights, or for Lands, being Common Lands or in the Nature thereof, the Right to the Soil of which may have belonged to the Commoners, and the Majority of such Committee shall be of opinion that the Provisions of such Act for the Apportionment thereof cannot be satisfactorily carried into effect, such Majority may make Application in Writing to the Commissioners to call a Meeting of the Persons interested in such Compensation Money, to determine whether or not such Compensation Money shall be apportioned under the Provisions of this Act.

Money to be paid into Bank of England.

XVI. If the Majority in Number and Interest shall resolve that such Compensation Money shall be apportioned, the Amount of such Compensation Money shall be forthwith paid into the Bank of *England*, to the Credit of an Account to be named by the Inclosure Commissioners for *England* and *Wales*; and the said Committee shall be absolutely discharged from all Liability in respect of such Compensation Money, upon Payment thereof into the Bank of *England* as herein-before directed.

Interest to be ascertained by Commissioners.

XVII. As soon as the said Monies shall have been paid into the Bank as aforesaid, the said Inclosure Commissioners, or any Assistant Commissioner appointed or to be appointed by them for that Purpose, shall proceed to ascertain, determine, and award the Names of the Parties who were entitled to such Estates, Rights, and Interests in the said Common and Commonable Lands, and the Amount or Value of their respective Shares, Rights, and Interests therein, and the proportionate Amount of the Price so to be paid as aforesaid for such Estates, Rights, and Interests to which each Party so entitled as aforesaid is entitled, in respect of his Share, Right, or Interest as aforesaid; and the Award of the Commissioners under their Common Seal, or Assistant Commissioner in Writing under his Hand and Seal, shall be binding on all Parties claiming such Estates, Rights, and Interests as aforesaid; and for the Purpose of ascertaining the Rights and Interests of such Parties as aforesaid it shall be lawful for the said Inclosure Commissioners or Assistant Commissioner to call such Meetings as they or he shall think fit of all Persons having or claiming any such Rights or Interests in the said Common and Commonable Lands as aforesaid, at such Time and Place as the said Commissioners or Assistant Commissioner shall think fit, so as the same shall be appointed by a public Notice thereof in Writing to be affixed at least Twelve Days before such Meeting on the principal outer Door of the Parish Church in which such Land or any Part is situate; and to be inserted in One of the public Newspapers published or generally circulated in the County in which such Land is situate; and at such Meeting the said Commissioners or Assistant Commissioner do and shall proceed to examine into and ascertain all and every the Claims which shall be made or put forward in respect of any such Rights or Interests as aforesaid, and the relative and proportionate Value of the Estates, Rights, and Interests of any Person or Persons claiming to be entitled thereto, and for that Purpose do and may employ any Valuer or Surveyor, and call for and receive such Records, Deeds, and Writings, and such other Proof or Evidence, as the said Commissioners or Assistant Commissioner may think fit; and they and he are and is hereby authorized and required to take the Testimony of any Witnesses upon Oath (which Oath they and he are and is respectively hereby empowered to administer), or to take the Affirmation of such Witnesses in Cases where Affirmation is allowed by Law instead of Oath.

As to the Payment of Costs of Inclosure Commissioners, and as to the Residue of Monies.

XVIII. All the Costs and Expenses of the said Inclosure Commissioners and Assistant Commissioner, and of any Valuer or Surveyor employed by them or him under the Provisions herein-before contained, shall, in the first place, be paid out of such Compensation Monies, and the Residue of the said Monies shall be paid and divided between and amongst the said several Parties to be named in the said Award, and in the Shares and Proportions to be ascertained and set forth in such Award.

Compensation for limited Interests to be paid to Trustees.

XIX. When it shall appear to the Commissioners or Assistant Commissioner that any of the Parties entitled to such Rights or Interests are only entitled thereto for a limited Interest, then it shall be lawful for them or him, by their or his Award, to direct that the Monies to be paid in respect of such Right or Interest, where the same shall exceed Twenty Pounds, shall be paid to the Trustees acting under the Will, Conveyance, or Settlement under which such Person having such limited Interest shall be interested in such Rights or Interests, and where there are no Trustees then into the Hands of Trustees to be appointed under the Hands and Seal of the Commissioners, to be held by them on Trusts similar to the Uses or Trusts to which such Rights or Interests had been immediately before the Payment of such Monies into the Bank subject to, or as near thereto as the said Commissioners or Assistant Commissioner can ascertain; and the Receipts of any Trustees to whom any such Monies shall be paid as aforesaid shall be good and sufficient Discharges for the same: Provided always, that the Payment of all such Sums shall from Time to Time be subject to such Rules and Regulations, for the Purpose of ensuring the

the Payment thereof to the Person or Persons duly entitled to receive the same, as the said Commissioners shall by any Order direct.

As to Sums payable in respect of Lands not exceeding 20*l.*

XX. In all Cases where the Sum payable by virtue of such Award, in respect of any Estate, Right, or Interest, shall not exceed Twenty Pounds, and the Person entitled to such Estate, Right, or Interest shall be under any Disability or Incapacity, such Sum shall and may be paid to the Guardian, Committee, or Husband of such Person; and where any such Person shall have a limited Interest only in such Estate, Right, or Interest, the whole of such Sum shall and may, nevertheless, be paid to the Person having such limited Interest, to his or her Guardian, Committee, or Husband, as the Case may be.

Act deemed Part of "The Acts for the Inclosure, &c. of Land."

XXI. This Act shall be taken to be a Part of the said Acts, and shall be construed therewith, and be deemed to be included under any Reference to "The Acts for the Inclosure, Exchange, and Improvement of Land."

CAP. XCVIII.

An Act to regulate the Salaries of the Parochial Schoolmasters of *Scotland.* [10th *August* 1854.]

43 G. 3. c. 54.

'WHEREAS an Act was passed in the Forty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making better Provision for the Parochial Schoolmasters, and for making further Regulations for the better Government of the Parish Schools in* Scotland, whereby Provision is made for ascertaining the Amount of the Schoolmasters' Salaries, according to the average Amount of the Fiars Prices of Oatmeal in the several Counties and Stewartries, and for re-ascertaining the Amount of such Salaries at the End of every Period of Twenty-five Years, according to the average Amount of the Fiars Prices to be ascertained as aforesaid: And whereas the average Price of a Chalder of Oatmeal, according to such Fiars Prices, was upon the Twenty-seventh Day of *November* One thousand eight hundred and twenty-eight struck by the Barons of Exchequer at Seventeen Pounds Two Shillings and Twopence and one Farthing, and such Average expired, according to the said recited Act, as at the Term of *Martinmas* One thousand eight hundred and fifty-three:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Average struck in 1828 to endure till Martinmas 1855.

I. The Salaries of the said Schoolmasters shall continue and be paid, according to the said average Amount of the Fiars Prices of Oatmeal so struck in the Year One thousand eight hundred and twenty-eight, from the Term of *Martinmas* One thousand eight hundred and fifty-three, till the Term of *Martinmas* One thousand eight hundred and fifty-five, both inclusive, as if such Average had not expired at the Term of *Martinmas* One thousand eight hundred and fifty-three, but had endured to the Term of *Martinmas* One thousand eight hundred and fifty-five, and such Schoolmasters shall have all such Rights and Remedies in respect of such Salaries as they had prior to the said Term of *Martinmas* One thousand eight hundred and fifty-three.

Recited Act continued.

II. So far as not inconsistent with this Act, the said recited Act shall continue in full Force and Effect: Provided always, that the Rights conferred on such Schoolmasters by this Act shall not be diminished or affected by any Meetings or Resolutions of Heritors held or passed since the said Term of *Martinmas* One thousand eight hundred and fifty-three.

CAP. XCIX.

An Act to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in *Dublin.* [10th *August* 1854.]

'WHEREAS it is expedient to establish a National Gallery of Paintings, Sculpture, and the Fine Arts in *Ireland:* And whereas it is also expedient to render Archbishop *Marsh*'s Library more conveniently accessible than it now is to the Inhabitants of *Dublin:* And whereas at the Close of the Great Industrial Exhibition of 1853 in *Dublin* a Subscription was entered into by several Individuals, both in *Great Britain* and *Ireland*, for the Purpose of commemorating the eminent public Services of *William Dargan* Esquire in founding and sustaining that Exhibition: And whereas the Royal *Dublin* Society for the Promotion of Husbandry and other useful Arts in *Ireland* is desirous of erecting a Public Museum for the Purposes of that Society:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Building Trustees appointed and empowered to receive Subscriptions and Donations.

I. That *Francis William* Earl of *Charlemont, Richard Griffith* Esquire, *George Roe* Esquire, *Thomas Aishew Larcom* Esquire, and *Thomas Hutton* Esquire, together with such Person and Persons as the Lord Lieutenant by Warrant under his Hand may from Time to Time appoint, shall be and they are hereby constituted Trustees of the Building next herein-after mentioned; and that it shall be lawful for the said Trustees and all other the Trustees of the said Building for the Time being (herein-after called the Building Trustees) to receive such Sums of Money as may be subscribed, given, or contributed, or may from any Source become available, for the Purpose of erecting a suitable Building in *Dublin* to be

devoted in part to the fit Accommodation of a National Gallery of Paintings, Sculpture, and the Fine Arts, and the Remainder to the Reception of a Public Library.

Trustees empowered to lay out Monies in the Purchase of a Site.

II. It shall be lawful for the said Trustees or other the Trustees for the Time being of the said Building to take and hold, by Purchase, Lease, or otherwise, Ground in *Dublin* proper for the Site of the said Building, upon such Terms as they may deem advisable, and to lay out the Monies received by them in the Erection of the said Building, but with such Approbation nevertheless and subject to such Agreement as herein-after mentioned.

Persons enabled to make Leases for the Purposes of this Act.

III. All and every Persons and Person seised of or entitled in possession to Lands in *Ireland*, or to the Receipt of the Rents and Profits thereof, for an Estate of Fee-simple or Fee-farm, or any other perpetual Estate, subject to any Mortgage or Incumbrance, or for an Estate in Tail or *quasi* Entail of an Estate in Inheritance or perpetual Interest, or for the Term of his, her, or their own Life or Lives (not being Jointresses or Jointress), or for the Life or Lives of any other Person or Persons, or for so many Years as he, she, or they may live, or for an unexpired Term of Years, not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by way of Settlement, and not in consideration of or subject to any Rent reserved thereby, and whether or not such Estate or Interest shall be subject to any Mortgage or other Incumbrance (provided the Incumbrancer shall not be in possession), shall have Power by virtue of this Act to make a Lease or Leases of all or any Part of such Lands to the said Building Trustees and to the said Royal *Dublin* Society respectively for any Term not exceeding Nine hundred and ninety-nine Years, or in Fee-farm, for the Purposes of the said Building and of this Act: Provided always, that every such Lease made under this Act shall be a Lease in possession and not in reversion or by way of future Interest, and that the Rent reserved thereby shall be the best improved yearly Rent that at the Time of making such Lease can be obtained or reasonably expected from a solvent Tenant, without Fine or Consideration of any kind: Provided always, that all Rents reserved and Covenants and Conditions contained in any Lease made under this Act shall enure to the Persons who for the Time being would, if such Lease had not been made, be entitled to the actual Possession of the Lands comprised in the said Lease, or to the Receipt of the Rents and Profits thereof, according to their Estates and Interests therein; and that every Lease made under this Act, and pursuant to the Provisions thereof, shall be valid to bind the Lessor or Lessors, his, her, or their Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor or Lessors derives or derive, and notwithstanding any Entail, Law, or Custom to the contrary, and whether there be or be not any leasing Power annexed or belonging to the Estate of such Lessor or Lessors, but so as not to prejudice or interfere with any other Power of leasing to him, her, or them belonging.

Governors or Guardians of Marsh's Library empowered to remove the Library to the new Building.

IV. It shall be lawful for the Governors and Guardians of Archbishop *Marsh*'s Library (anything in an Act of the Parliament of *Ireland*, intituled *An Act for settling and preserving a Public Library for ever in the House for that Purpose built by his Grace* Narcissus *now Lord Archbishop of* Armagh, *on Part of the Ground belonging to the Archbishop of* Dublin's *Palace near the City of* Dublin, passed in the Sixth Year of the Reign of Queen *Anne*, or otherwise, to the contrary notwithstanding,) to cause the said Library to be removed to the said Building so to be erected, as soon as the same shall be completed and in a Condition to receive the said Library: Provided always, that the said Governors and Guardians shall approve of the Plan and Arrangements of that Portion of the said Building to be appropriated to the Reception of a Public Library.

Governors, &c. of Marsh's Library empowered to dispose of their present Premises after such Removal.

V. It shall be lawful for the Governors and Guardians of the said Library, at any Time after the said Library shall have been removed to and deposited within the said Building so to be erected as aforesaid, from Time to Time to alien, sell, and dispose of the several Buildings, Grounds, Gardens, Courts, and Premises now vested in them by virtue of the said last-mentioned Act of Parliament, or otherwise, or any of them, or any Part thereof respectively, anything in the said Act or otherwise to the contrary notwithstanding: Provided always, that the Proceeds of all and every such Alienations, Sales, and Dispositions shall be applied by the said Governors and Guardians to make such Compensation as they shall think fit to any Officer or Officers for any Loss which such Officer or Officers shall have incurred by reason of the Removal of the said Library as aforesaid, and to the Objects of their Trust, and not otherwise.

Governors, &c. of Marsh's Library to retain their exclusive Control over the Library.

VI. The Governors and Guardians of Archbishop *Marsh*'s Library shall continue to have the same exclusive Control over the said Library which they at present possess, and shall have the entire and exclusive Possession, Occupation, and Control for the Purposes of their Trust of those Portions of the said Building so to be erected as herein-before mentioned which shall be upon the Completion of the said Building set apart by the said Building Trustees for the Accommodation of the said last-mentioned Library.

Governors and Guardians of the National Gallery for Ireland incorporated.

VII. The President and Senior Vice-President of the Royal *Dublin* Society for the Time being, the President of the Royal *Hibernian* Academy for the Time being, the President of the Royal *Irish* Academy for the Time being, the Chairman of the Board of Public Works in *Ireland* for the Time being, *George Petrie* Esquire, *George Francis Mulvany* Esquire, *William Brabazon* Earl of *Meath*, *Thomas Aiskew Larcom* Esquire, *William Dargan* Esquire, *Francis William* Earl of *Charlemont*, the Right

Right Honourable *Maziere Brady*, Lord Chancellor of *Ireland*, the Lord *Talbot de Malahide*, Sir *George Frederick John Hodson* Baronet, *Robert Calwell* Esquire, *John Calvert Stronge* Esquire, and *John Edward Pigot* Esquire, and their Successors appointed as herein-after directed, and subject to the Provisions herein-after contained, shall be and they are hereby constituted a Body Corporate by the Name of "The Governors and Guardians of the National Gallery of *Ireland*," and shall have a Common Seal, and by the said Name shall have perpetual Succession, and shall and may take, purchase, and hold Lands and Real Estate and other Property in trust for the Purposes of a National Gallery of Paintings, Sculpture, and the Fine Arts, subject to the Provisions of this Act; and all the Powers of the said Corporation may be exercised so long and so often as there shall exist Five Members thereof.

Governors, &c. empowered to receive Donations and Subscriptions, &c.

VIII. It shall be lawful for the said last-mentioned Body Corporate to receive Devises, Bequests, Donations, and Subscriptions (annual or otherwise) of Land, Buildings, Money, and Works of Art, and to hold the same, and to lay out such Sums of Money as they shall so receive for the Purposes of the National Gallery of *Ireland*, in the Improvement and Enlargement of the Collection of Works of Art presented to or purchased for the said Gallery, or deposited therein, and the said Body Corporate shall have the entire and exclusive Possession, Occupation, and Control for the Purposes of their Trusts herein mentioned of those Portions of the said Building so to be erected as herein-before mentioned which shall be upon the Completion of the said Building set apart by the said Building Trustees for the Accommodation of the National Gallery of *Ireland*, and of all such other Buildings, Enclosures, and Appurtenances as shall or may from Time to Time be required and obtained for the Purposes of the said National Gallery or any Part thereof.

Building to be erected according to Plans approved, &c.

IX. The said Building so to be erected as aforesaid for the Purposes herein-before mentioned shall be constructed according to such Plans and Specifications as shall have been approved of and agreed upon by and between the said Building Trustees, the said Governors and Guardians of the National Gallery of *Ireland*, and the said Governors and Guardians of Archbishop *Marsh*'s Library.

After the Completion of the Building, the Governors, &c. to be a Body Corporate, as Trustees of the Building, for ever.

X. The Persons who for the Time being shall compose the said respective Bodies Corporate, that is to say, the Governors and Guardians of the National Gallery of *Ireland*, and the Governors and Guardians of Archbishop *Marsh*'s Library, shall be One Body Corporate, under the Name of "The Joint Trustees "of the National Gallery of *Ireland* and of *Marsh*'s Library," and so soon as the said Building so to be erected as aforesaid shall have been completed the said Building Trustees shall declare it to be so by an Instrument under the Hands of them or of any Three of them, and thereupon the said Building, together with the Ground whereon the same shall have been erected, shall become and be vested in the said last-mentioned Body Corporate for ever, subject nevertheless to the exclusive Possession, Occupation, and Control of those Portions of the said Building respectively to be occupied by the said Governors and Guardians of the National Gallery of *Ireland*, and the said Governors and Guardians of Archbishop *Marsh*'s Library, for the Purposes of their respective Trusts as aforesaid.

Term of Office of the Governors, &c. of the National Gallery limited to Five Years.

XI. Each of the Governors and Guardians of the National Gallery of *Ireland*, save and except only the first Three of them herein-before named, shall continue to hold Office, subject to the Provisions herein contained, for the Term of Five Years at a Time, from the Time of his becoming such Governor and Guardian, and not longer, but at the Expiration of such Five Years he shall be eligible to be re-appointed or re-elected as such Governor and Guardian.

Mode of filling Vacancies in the Number of the Governors of the National Gallery.

XII. The President and Senior Vice-President of the Royal *Dublin* Society, the President of the Royal *Hibernian* Academy, the President of the Royal *Irish* Academy, and the Chairman of the Board of Public Works in *Ireland*, that is to say, the Persons for the Time being holding those Offices respectively, shall be *ex-officio* Members of the said Body Corporate, and Governors and Guardians of the National Gallery of *Ireland*, but shall cease to be such Governors and Guardians respectively upon ceasing to hold the aforesaid Offices respectively: Provided always, that whensoever and so often as the said *George Petrie* Esquire and *George Francis Mulvany* Esquire, or either of them, or their or either of their Successors nominated or appointed as next herein-after mentioned, shall cease to be such Governor and Guardian or Governors and Guardians as aforesaid, then and in every such Case it shall be lawful for the Royal *Hibernian* Academy to nominate and appoint such Artist or Artists resident in *Ireland* as they shall think proper to be a Governor and Guardian or Governors and Guardians in the Room of the Person or Persons so ceasing to be such Governor and Guardian or Governors and Guardians as aforesaid, and every such resident Artist so nominated or appointed by the Royal *Hibernian* Academy shall thereupon forthwith become and be one of the Governors and Guardians of the National Gallery of *Ireland*, to all Intents and Purposes as fully as if he had been so named herein in the Place of the said *George Petrie* Esquire or *George Francis Mulvany* Esquire: And be it enacted, that whensoever and so often as the said *William Brabazon* Earl of *Meath*, *Thomas Aiskew Larcom* Esquire, and *William Dargan* Esquire, or any or either of them, or their or any or either of their Successors appointed as next herein-after mentioned, shall cease to be such Governor and Guardian or Governors and Guardians as aforesaid, then and in every such Case it shall be lawful for the Lord Lieutenant, by Warrant under his Hand, to appoint a Person or Persons to fill such Vacancy or Vacancies, and every such Person or Persons so appointed to fill such Vacancy or Vacancies shall thereupon forthwith become and be one of the Governors and Guardians of the National Gallery of *Ireland*, to all Intents and Purposes as fully as if he had been so named herein in the Place of the said *William Brabazon* Earl of *Meath*, or *Thomas Aiskew Larcom* Esquire,

Esquire, or *William Dargan* Esquire: Provided also, that whensoever and so often as any One or more of the remaining Seven Governors and Guardians herein-before named, or their or any or either of their Successors nominated, elected, or appointed as next herein-after mentioned, shall cease to be such Governor and Guardian or Governors and Guardians as aforesaid, then and in every such Case, so long and so often as there shall be at least One hundred Persons each of whom at the Time of the Occurrence of such Vacancy or Vacancies shall have made a Donation to the Governors and Guardians of the National Gallery of *Ireland*, for the Purposes of their Trust, of not less than Two Guineas in Money, or of a Work or Works of Art to the Value in the whole of Twenty Pounds (such Value to be declared by the said Governors and Guardians by an Entry or Entries in their Books), or shall then be an annual Subscriber of One Guinea or upwards to the Funds of the said last-mentioned Body Corporate, and shall have paid his current Subscription to the said Body Corporate within Twelve Calendar Months then last past, it shall be lawful for such Donors and Subscribers to elect and nominate Persons or a Person to fill such Vacancies or Vacancy; and when and so often as on the Occasion of the happening of such Vacancy or Vacancies there be less than One hundred such Donors and Subscribers, then and in every such Case it shall be lawful for the Lord Lieutenant by Warrant under his Hand to appoint a Person or Persons to fill such Vacancy or Vacancies, and every such Person so nominated, elected, or appointed to fill such Vacancy or Vacancies shall thereupon forthwith become and be One of the Governors and Guardians of the National Gallery of *Ireland*, to all Intents and Purposes as fully as if he had been so named therein in the Place of the said *Francis William* Earl of *Charlemont*, the Right Honourable *Maziere Brady*, Lord Chancellor of *Ireland*, the Lord *Talbot de Malahide*, Sir *George Frederick John Hodson* Baronet, *Robert Calwell* Esquire, *John Calvert Stronge* Esquire, or *John Edward Pigot* Esquire.

Power to Governors, &c. to make Bye-laws and to appoint Officers.

XIII. It shall be lawful for the Governors and Guardians of the National Gallery of *Ireland*, from Time to Time, to make, alter, vary, and repeal Byelaws for the Management of the said Gallery, for securing the Attendance of Members of the Body Corporate, and for all other Purposes necessary for the Execution of their Trusts; and all Officers and Servants, salaried or otherwise, employed in the Care or Management of the Trust Property, shall be appointed by the said Governors and Guardians, subject to such Regulations and Conditions as they shall think proper.

Power to Governors, &c. of Marsh's Library to admit any other Collection of Books into the same Building.

XIV. It shall be lawful for the Governors and Guardians of Archbishop *Marsh*'s Library to admit into that Portion of the Building to be erected as aforesaid which shall be appropriated to the Reception of a Public Library any Books which any public Body or private Individual or Individuals may desire either to present or give to the said last-mentioned Governors and Guardians, or may desire to deposit there for the Use of the Public, upon such Terms nevertheless as to the Arrangement of such Books, the Mode of Access thereto, the Accommodation of Readers, and the Management and Control of said Books, as may be agreed upon between the said last-mentioned Governors and Guardians and such public Body or private Individual or Individuals so giving or depositing such Books as aforesaid; and all such Books as shall be so given, presented, or deposited shall, until Parliament shall otherwise provide, be and remain under the Care and Management and in the Possession of the said last-mentioned Governors and Guardians and such other Person or Persons as shall be agreed on between them and the Body or Bodies, Individual or Individuals, giving, presenting, or depositing such Books, or in such other Care, Management, and Possession as shall be agreed on between the said last-mentioned Guardians and such Body or Bodies, Individual or Individuals, so giving, presenting, or depositing as aforesaid.

Interpretation of Terms.

XV. In the Construction of this Act the Word "Lands" shall include Messuages, Tenements, and Hereditaments of every Tenure, whether corporeal or incorporeal; the Expression "perpetual Interest" shall comprehend, in addition to any greater Interest, any Lease or Grant for One or more than One Life, with or without a Term of Years, or for Years, whether absolute or determinable on the dropping of One or more than One Life, with a Covenant or Agreement by a Party competent thereto, in any of such Cases, whether contained in the Instrument by which such Lease or Contract is made or in any separate Instrument, for the perpetual Renewal of such Lease or Grant; the Word "entitled" shall mean entitled either legally or equitably; the Word "Settlement" shall include every Assurance or connected Set or Series of Assurances, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be limited in a Course of Settlement, or agreed so to be; the Word "Building" shall include the Land upon which such Building shall be built, together with all Enclosures, Yards, Curtilages, and Appurtenances held therewith or appertaining thereto; the Word "Lord Lieutenant" shall be held to mean the Lord Lieutenant of *Ireland* or other Chief Governor or Governors of *Ireland* for the Time being.

Land in possession of Royal Dublin Society for the Promotion of Husbandry may be appropriated for a Building for the Purposes of a Museum.

XVI. 'Whereas it may be found expedient that certain Part or Parts of Lands and Premises now in 'the Possession or Occupation of the Royal *Dublin* Society for the Promotion of Husbandry and other 'useful Arts, in *Ireland*, should be appropriated for a Building or Buildings for the Purposes of a Museum, 'and that other Part or Parts of the said Lands and Premises should be appropriated for a Building or 'Buildings for the Purposes of the said Library and National Gallery:' Be it enacted, That, upon the Surrender by the said Society (which Surrender the said Society is hereby empowered to make) of such Estate, Right, Title, or Interest as they may at present have in any such Lands or Premises, it shall be lawful for all and every Persons and Person seised of or entitled in possession to the said Lands and Premises so now in the Possession or Occupation of the said Society as aforesaid, or to the Receipt of the Rents

Rents and Profits thereof, for an Estate of Fee-simple or Fee-farm, or any other perpetual Estate, subject to any Mortgage or Incumbrance, or for an Estate in Tail or *quasi* Entail, in an Estate of Inheritance or perpetual Interest, or for the Term of his, her, or their own Life or Lives (not being Jointresses or Jointress), or for the Life or Lives of any other Person or Persons, or for so many years as he, she, or they may live, or for an unexpired Term of Years, not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by way of Settlement, and not in consideration of or subject to any Rent reserved thereby (and whether or not such Estate or Interest shall be subject to any Mortgage or other Incumbrance), by virtue of this Act, to make a Lease or Leases of all or any Part or Parts of the same Lands and Premises to the said Society for any Term not exceeding Nine hundred and ninety-nine Years, or in Fee-farm at the best improved yearly Rent that may reasonably be obtained for the same from a solvent Tenant, without any Fine or Consideration; provided that such Rents, and all Clauses and Conditions to be inserted in such Leases, shall secure to the Person or Persons who for the Time being would, if such Leases had not been made, be entitled to the actual Possession of the Lands and Premises therein to be comprised, or to the Receipt of the Rents and Profits thereof, according to their respective Estates and Interests therein, and that such respective Leases as last aforesaid shall be valid and effectual to bind the Lessor and Lessors, his Heir, or their Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor or Lessors derives or derive, and notwithstanding any Settlement, Act of Parliament, Entail, Law, or Custom to the contrary, and whether there be or be not any leasing Power annexed or belonging to the Estate of such Lessor or Lessors, but so as not to prejudice or interfere with any other Power of leasing to him, her, or them belonging.

Board of Trade and Navigation to divide Lands between the said Building Trustees and the Royal Dublin Society.

XVII. When and so soon as the said Royal *Dublin* Society shall have obtained such Lease or Leases, it shall be lawful for such Society to divide the Lands and Premises which shall be comprised therein in such Proportions, and under such Conditions and Restrictions, as to the Board of Trade and Navigation shall seem meet, between the said Building Trustees and the said Royal *Dublin* Society, and to apportion the Rents to be payable respectively on the said respective divided Portions in such Manner as may be, in the Opinion of such Board, conformable to Justice, and to make and execute such Leases, Conveyances, and other Assurances for the Purposes last aforesaid, as such Board shall think fit.

Act to extend only to Ireland.

XVIII. This Act shall only extend to *Ireland*.

CAP. C.

An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery. [10th *August* 1854.]

'WHEREAS the Enlargement in manner herein-after mentioned of the Powers of the Masters in 'Ordinary of the High Court of Chancery during their Continuance in Office, and the Appoint-'ment of additional temporary Clerks in their Offices, would enable them to wind up the more expe-'ditiously the Causes, Matters, and Things from Time to Time depending before them: And whereas 'better Provision is required for the examining and settling of the Accounts of Receivers and others in 'the said Court:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Master may inquire respecting Abatement, &c.

I. Upon a Suit in which any Proceeding may from Time to Time be depending before a Master in Ordinary of the High Court of Chancery becoming abated by Death, Marriage, or otherwise, or becoming defective by reason of some Change or Transmission of Interest or Liability, it shall be lawful for the Master, notwithstanding that the Suit has become abated or defective, to summon as he shall deem fit all or any of the Parties to the Suit or Proceeding, or their or any of their Solicitors, and to require and obtain from them or any of them such Information as may to him seem necessary or proper respecting the Abatement of the Suit, or respecting the same having become defective and the Change or Transmission of Interest or Liability, and respecting the Person or Persons by and against whom the Suit and Proceedings ought to be revived, or the Decree or Order carried on and prosecuted; for which Purposes the Master shall be at liberty to proceed in the Absence of any of the Parties or Solicitors neglecting or refusing to attend his Summons.

Master may certify as to the Abatement, &c.

II. In case the Master shall, by the Means aforesaid or otherwise, obtain sufficient Information for his Guidance in this Behalf, he shall be at liberty to certify the Abatement of the Suit, or that the same has become defective and the Change or Transmission of Interest or Liability.

Order of Revivor, &c. shall be drawn up on Master's Certificate.

III. The Master's Certificate shall be filed by such Person as the Master may direct, and then such Order to the Effect of the usual Order to revive or of the usual Supplemental Decree as is mentioned in the Section numbered LII. of the Act "to amend the Practice and Course of Proceeding in the High "Court of Chancery," passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, shall be drawn up by the Registrar upon the Master's Certificate, which shall be deemed equivalent to such Allegation as is in the said Section mentioned; and the Course of

of Proceeding upon and the Effect of an Order obtained under these present Provisions shall be the same in all respects as if the Order had been obtained upon such Allegation as aforesaid.

Upon Master's Certificate of Abatement, &c. Court may order Prosecution or Disposal of Suit.

IV. In case the Master shall not be able to obtain sufficient Information for his Guidance in certifying as aforesaid, he shall be at liberty to certify the Abatement of the Suit, or that the same has become defective and the Change or Transmission of Interest or Liability, and that by reason thereof he is unable to dispose of the Proceeding depending before him in the Suit; upon which Certificate the Court shall make such Order as it shall think proper on all or any of the Parties for the further Prosecution of the Suit, or for the final Disposal thereof, and for the Payment of the Costs thereof, including any of the Costs which may have been incurred by reason of the Conduct of the Parties.

Proceedings may be carried on by Solicitor to Suitors Fund.

V. In the event of the Parties or their Solicitors refusing or neglecting, within a Time to be fixed by the Master, to file or to bring before the Court any such Certificate as aforesaid, or to serve any Order when drawn up as aforesaid, then by Direction of the Master the Certificate may be filed or brought before the Court, or the Order may be served, by the Solicitor for the Time being to the Suitors Fund; and the Court is hereby empowered to order Payment of the Costs and Expenses of the Solicitor to the Suitors Fund out of such of the Funds in the Suit, or by such Parties as to the Court shall seem just; and in case Payment thereof cannot be obtained by any of the Means aforesaid, the same, by the Direction of the Court, may be paid out of the Suitors Fund.

Master may obtain Assistance of Accountant.

VI. In any Cause, Matter, or Thing which may from Time to Time be depending before or have been referred to a Master, it shall be lawful for him, in such Way as he may think fit, to obtain the Assistance of an Accountant, the better to enable him to make any Report or Certificate, and to act upon the Certificate of such Accountant; and the Allowances in respect of Fees to the Accountant shall be regulated by the Taxing Master of the Court.

Master may certify specially to obtain Opinion of Court.

VII. In any Cause, Matter, or Thing which may from Time to Time be depending before or have been referred to a Master he shall be at liberty to certify specially any Decision at which he may arrive, or any other Matter relating thereto, in order to obtain a Decision or Direction by or from the Court for his Guidance in the further Proceedings, or to enable any Party to obtain the Opinion of the Court with reference thereto.

Additional temporary Clerks in Master's Offices.

VIII. It shall be lawful for the Lord Chancellor to appoint a fit Person to act in the Office of any Master as an additional temporary Clerk, and in assistance to the Master's ordinary Clerks, in such Manner as the Master may direct; and every such Temporary Clerk may be removed by the Lord Chancellor as he may think fit, and shall receive, so long as he shall be so employed, such Salary as the Lord Chancellor shall with the Approbation of the Commissioners of Her Majesty's Treasury order, but shall not be entitled to or receive any Compensation upon or by reason of the Master being released from his Duties, or removed by Resignation, Death, or otherwise.

Salaries how to be paid.

IX. The Salaries given under this Act shall grow due from Day to Day, but shall be payable, under an Order of the Lord Chancellor, on the Third Day of each of the Months of *February*, *May*, *August*, and *November* in every Year, or on such other Days as the Lord Chancellor shall from Time to Time direct, and shall be paid to the Persons entitled thereto respectively, or their respective Executors or Administrators, out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the Account intituled "The Suitors Fee Fund Account," subject to the Payment of such Salaries and Sums of Money as are now payable thereout.

"The Lord Chancellor."

X. In this Act the Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being, and to include or be applicable to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

CAP. CI.

An Act to continue and amend the Acts now in force relating to Friendly Societies.

[10th *August* 1854.]

13 & 14 Vict. c. 115.

'WHEREAS the Act passed in the Thirteenth and Fourteenth Years of Her present Majesty, intituled *An Act to amend and consolidate the Law relating to Friendly Societies*, was continued in 'force for a Period therein limited by an Act passed in the Fifteenth and Sixteenth Years of Her said 'Majesty, Chapter Seventy-five: And whereas the said Acts will expire at the End of the present 'Session of Parliament, and it is expedient the same shall be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act further continued.

I. The said Act of the Thirteenth and Fourteenth Years of Her present Majesty, Chapter One hundred and fifteen, shall be further continued to the First Day of *October* in the Year One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament.

Transcripts of Rules to be deposited with Registrars.

II. All Transcripts of the Rules of Friendly Societies now filed with the Rolls of the Sessions of the Peace in any County, Riding, or Division of a County shall be taken off the File, and sent to the Registrars, who shall keep the same in such Manner as shall be from Time to Time directed by One of Her Majesty's Principal Secretaries of State.

CAP.

CAP. CII.

An Act to consolidate and amend the Laws relating to Bribery, Treating, and undue Influence at Elections of Members of Parliament. [10th *August* 1854.]

'WHEREAS the Laws now in force for preventing corrupt Practices in the Election of Members to serve in Parliament have been found insufficient: And whereas it is expedient to consolidate and amend such Laws, and to make further Provision for securing the Freedom of such Elections:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Acts in the Schedule.

I. The several Acts of Parliament mentioned in the Schedule A. hereto annexed shall be repealed to the Extent specified concerning the same Acts respectively in the Third Column of the said Schedule.

Bribery defined.

II. The following Persons shall be deemed guilty of Bribery, and shall be punishable accordingly:

1. Every Person who shall, directly or indirectly, by himself, or by any other Person on his Behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure or to endeavour to procure, any Money, or valuable Consideration, to or for any Voter, or to or for any Person on behalf of any Voter, or to or for any other Person in order to induce any Voter to vote, or refrain from voting, or shall corruptly do any such Act as aforesaid, on account of such Voter having voted or refrained from voting at any Election:
2. Every Person who shall, directly or indirectly, by himself or by any other Person on his Behalf, give or procure, or agree to give or procure, or offer, promise, or promise to procure or to endeavour to procure, any Office, Place, or Employment to or for any Voter, or to or for any Person on behalf of any Voter, or to or for any other Person, in order to induce such Voter to vote, or refrain from voting, or shall corruptly do any such Act as aforesaid, on account of any Voter having voted or refrained from voting at any Election:
3. Every Person who shall, directly or indirectly, by himself, or by any other Person on his Behalf, make any such Gift, Loan, Offer, Promise, Procurement, or Agreement as aforesaid, to or for any Person, in order to induce such Person to procure, or endeavour to procure, the Return of any Person to serve in Parliament, or the Vote of any Voter at any Election:
4. Every Person who shall, upon or in consequence of any such Gift, Loan, Offer, Promise, Procurement, or Agreement, procure or engage, promise, or endeavour to procure the Return of any Person to serve in Parliament, or the Vote of any Voter at any Election:
5. Every Person who shall advance or pay, or cause to be paid, any Money to or to the Use of any other Person with the Intent that such Money or any Part thereof shall be expended in Bribery at any Election, or who shall knowingly pay or cause to be paid any Money to any Person in Discharge or Repayment of any Money wholly or in part expended in Bribery at any Election:

And any Person so offending shall be guilty of a Misdemeanor, and in *Scotland* of an Offence punishable by Fine and Imprisonment, and shall also be liable to forfeit the Sum of One hundred Pounds to any Person who shall sue for the same, together with full Costs of Suit: Provided always, that the aforesaid Enactment shall not extend or be construed to extend to any Money paid or agreed to be paid for or on account of any legal Expenses *bonâ fide* incurred at or concerning any Election.

Bribery further defined.

III. The following Persons shall also be deemed guilty of Bribery, and shall be punishable accordingly:

1. Every Voter who shall, before or during any Election, directly or indirectly, by himself or by any other Person on his Behalf, receive, agree, or contract for any Money, Gift, Loan, or valuable Consideration, Office, Place, or Employment, for himself or for any other Person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, at any Election:
2. Every Person who shall, after any Election, directly or indirectly, by himself or by any other Person on his Behalf, receive any Money or valuable Consideration on account of any Person having voted or refrained from voting, or having induced any other Person to vote or to refrain from voting, at any Election:

Penalty.

And any Person so offending shall be guilty of a Misdemeanor, and in *Scotland* of an Offence punishable by Fine and Imprisonment, and shall also be liable to forfeit the Sum of Ten Pounds to any Person who shall sue for the same, together with full Costs of Suit.

Treating defined.

IV. Every Candidate at an Election, who shall corruptly by himself, or by or with any Person, or by any other Ways or Means on his Behalf, at any Time, either before, during, or after any Election, directly or indirectly give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay, wholly or in part, any Expenses incurred for any Meat, Drink, Entertainment, or Provision to or for any Person, in order to be elected, or for being elected, or for the Purpose of corruptly influencing such Person or any other Person to give or refrain from giving his Vote at such Election, or on account of such Person having voted or refrained from voting, or being about to vote or refrain from voting, at such Election, shall be deemed guilty of the Offence of Treating, and shall forfeit the sum of Fifty Pounds to any Person who shall sue for the same, with full Costs of Suit; and every

Penalty.

Voter

Voter who shall corruptly accept or take any such Meat, Drink, Entertainment, or Provision, shall be incapable of voting at such Election, and his Vote, if given, shall be utterly void and of none effect.

Undue Influence defined.

V. Every Person who shall, directly or indirectly, by himself, or by any other Person on his Behalf, make use of, or threaten to make use of, any Force, Violence, or Restraint, or inflict or threaten the Infliction, by himself or by or through any other Person, of any Injury, Damage, Harm, or Loss, or in any other Manner practise Intimidation upon or against any Person in order to induce or compel such Person to vote or refrain from voting, or on account of such Person having voted or refrained from voting, at any Election, or who shall, by Abduction, Duress, or any fraudulent Device or Contrivance, impede, prevent, or otherwise interfere with the free Exercise of the Franchise of any Voter, or shall thereby compel, induce, or prevail upon any Voter, either to give or to refrain from giving his Vote at any Election, shall be deemed to have committed the Offence of undue Influence, and shall be guilty of a Misdemeanor, and in *Scotland* of an Offence punishable by Fine or Imprisonment, and shall also be liable to forfeit the Sum of Fifty Pounds to any Person who shall sue for the same, together with full Costs of Suit.

Penalty.

Names of Offenders to be struck out of Register, and inserted in separate List.

VI. Whenever it shall be proved before the Revising Barrister that any Person who is or claims to be placed on the List or Register of Voters for any County, City, or Borough has been convicted of Bribery or undue Influence at an Election, or that Judgment has been obtained against any such Person for any penal Sum hereby made recoverable in respect of the Offences of Bribery, Treating, or undue Influence, or either of them, then and in that Case such Revising Barrister shall, in case the Name of such Person is in the List of Voters, expunge the same therefrom, or shall, in case such Person is claiming to have his Name inserted therein, disallow such Claim; and the Names of all Persons whose Names shall be so expunged from the List of Voters, and whose Claims shall be so disallowed, shall be thereupon inserted in a separate List, to be entitled "The List of Persons disqualified for Bribery, Treating, or undue "Influence," which last-mentioned List shall be appended to the List or Register of Voters, and shall be printed and published therewith, wherever the same shall be or is required to be printed or published.

No Cockades, &c. to be given at Elections.

VII. No Candidate before, during, or after any Election shall in regard to such Election, by himself or Agent, directly or indirectly, give or provide to or for any Person having a Vote at such Election, or to or for any Inhabitant of the County, City, Borough, or Place for which such Election is had, any Cockade, Ribbon, or other Mark of Distinction; and every Person so giving or providing shall for every such Offence forfeit the Sum of Two Pounds to such Person as shall sue for the same, together with full Costs of Suit; and all Payments made for or on account of any Chairing, or any such Cockade, Ribbon, or Mark of Distinction as aforesaid, or of any Bands of Music or Flags or Banners, shall be deemed illegal Payments within this Act.

Penalty.

Voters not to serve as Special Constables during Elections.

VIII. No Person having a Right to vote at the Election for any County, City, Borough, or other Place shall be liable or compelled to serve as a Special Constable at or during any Election for a Member or Members to serve in Parliament for such County, City, Borough, or other Place, unless he shall consent so to act; and he shall not be liable to any Fine, Penalty, or Punishment whatever for refusing so to act, any Statute, Law, or Usage to the contrary notwithstanding.

Penalties how to be recovered.

IX. The pecuniary Penalties hereby imposed for the Offences of Bribery, Treating, or undue Influence respectively shall be recoverable by Action or Suit by any Person who shall sue for the same in any of Her Majesty's Superior Courts at *Westminster*, if the Offence be committed in *England* or *Wales*, and in any of Her Majesty's Superior Courts in *Dublin* if the Offence be committed in *Ireland*, and in or before the Court of Session if the Offence be committed in *Scotland*, and not otherwise.

Costs and Expenses of Prosecutions.

X. It shall be lawful for any Criminal Court, before which any Prosecution shall be instituted for any Offence against the Provisions of this Act, to order Payment to the Prosecutor of such Costs and Expenses as to the said Court shall appear to have been reasonably incurred in and about the Conduct of such Prosecution: Provided always, that no Indictment for Bribery or undue Influence shall be triable before any Court of Quarter Sessions.

Returning Officer to give Notice of Election.

XI. For the more effectual Observance of this Act, every Returning Officer to whom the Execution of any Writ or Precept for electing any Member or Members to serve in Parliament may appertain or belong shall, in lieu of the Proclamation or Notice of Election heretofore used, publish or cause to be published such Proclamation or Notice of Election as is mentioned in Schedule B. to this Act, or to the like Effect.

Cases in which Defendant may recover Costs from the Prosecutor.

XII. In case of any Indictment or Information by a private Prosecutor for any Offence against the Provisions of this Act, if Judgment shall be given for the Defendant, he shall be entitled to recover from the Prosecutor the Costs sustained by the Defendant by reason of such Indictment or Information, such Costs to be taxed by the proper Officer of the Court in which such Judgment shall be given.

Prosecutor not to be entitled to Costs unless he shall have entered into a Recognizance to conduct Prosecution and pay Costs.

XIII. It shall not be lawful for any Court to order Payment of the Costs of a Prosecution for any Offence against the Provisions of this Act, unless the Prosecutor shall, before or upon the finding of the Indictment or the granting of the Information, enter into a Recognizance, with Two sufficient Sureties, in the Sum of Two hundred Pounds (to be acknowledged in like Manner as is now required in Cases of Writs of Certiorari awarded at the Instance of a Defendant in an Indictment), with the Conditions following; that is to say, that the Prosecutor shall conduct the Prosecution with Effect, and shall pay to the Defendant or Defendants, in case he or they shall be acquitted, his or their Costs.

XIV. No

Bribery, &c.

XIV. No Person shall be liable to any Penalty or Forfeiture hereby enacted or imposed, unless some Prosecution, Action, or Suit for the Offence committed shall be commenced against such Person within the Space of One Year next after such Offence against this Act shall be committed, and unless such Person shall be summoned or otherwise served with Writ or Process within the same Space of Time, so as such Summons or Service of Writ or Process shall not be prevented by such Person absconding or withdrawing out of the Jurisdiction of the Court out of which such Writ or other Process shall have issued; and in case of any such Prosecution, Suit, or Process as aforesaid, the same shall be proceeded, with and carried on without any wilful Delay. Limitation of Actions.

XV. 'Whereas it is expedient to make further Provision for preventing the Offences of Bribery 'Treating, and undue Influence, and also for diminishing the Expenses of Elections:' Be it enacted, That within Six Days after the passing of this Act the Returning Officers of the City of *Canterbury*, the Boroughs of *Cambridge*, *Kingston-upon-Hull*, *Maldon*, and *Barnstaple*, and once in every Year, in the Month of *August*, the Returning Officer of every County, City, and Borough shall appoint a fit and proper Person to be an Election Officer, to be called "Election Auditor or Auditor of Election Expenses," to act at any Election or Elections for and during the Year then next ensuing, and until another Appointment of Election Auditor shall be made; and such Returning Officer shall, in such Way as he shall think best, give public Notice of such Appointment in such County, City, or Borough; provided, that any Person appointed an Election Auditor may be re-appointed as often as the Returning Officer for the Time being shall think fit; and that every Person who shall be an Election Auditor on the Day appointed for any Election shall continue to be the Election Auditor in respect of such Election until the whole Business of such Election shall be concluded, notwithstanding the subsequent Appointment of any other Person as Election Auditor; and every Election Auditor upon his Appointment shall make and sign before the Returning Officer the following Declaration: Power to Returning Officers to appoint Election Auditors.

'I [*A. B.*] do solemnly and sincerely promise and declare, That I will well and truly and faithfully, to 'the best of my Ability in all Things, perform my Duty as Election Auditor, according to the Pro- 'visions of "The Corrupt Practices Prevention Act, 1854."'

And every Election Auditor wilfully doing any Act whatever contrary to the true Intent and Meaning of such Declaration shall be deemed guilty of a Misdemeanor, and in *Scotland* of an Offence punishable with Fine and Imprisonment.

XVI. All Persons, as well Agents as others, who shall have any Bills, Charges, or Claims upon any Candidate for or in respect of any Election shall send in such Bills, Charges, or Claims within One Month from the Day of the Declaration of the Election to such Candidate, or to some authorized Agent of such Candidate acting on his Behalf, otherwise such Persons shall be barred of their Right to recover such Claims, and every or any Part thereof: Provided always, that in case of the Death within the said Month of any Person claiming the Amount of such Bill, Charge, or Claim, the legal Representative of such Person shall send in such Bill, Charge, or Claim within One Month after obtaining Probate or Letters of Administration, or Confirmation as Executor, as the Case may be, or the Right to recover such Claim shall be barred as aforesaid. Bills, &c. to be sent in within One Month to Candidate or Right to recover barred.

XVII. Every Candidate shall, by himself or his Agent in that Behalf, within Three Months after the Day of the Declaration of the Election, or within Two Months after any Bill, Charge, or Claim has been sent in by the legal Representative of any deceased Creditor, as herein-before provided, send in to the Election Auditor for Payment all such Bills, Charges, or Claims (except as herein-after excepted) as have been sent in to such Candidate within the One Month herein-before specified from the Day of the Declaration of the Election, or after the granting of Probate or Letters of Administration, or Confirmation as Executor, as the Case may be: Provided always, that the Candidate shall, by himself or his Agent as aforesaid, at the Time of his sending in any such Bill, Charge, or Claim, state to the Election Auditor whether he admits the whole Amount of such Bill, Charge, or Claim, or if not the whole then how much thereof, if any, he admits to be correct: Provided also, that in case of the wilful Default of the Candidate, by himself or his Agent as aforesaid, in sending in all such Bills, Charges, or Claims, or in making such Statement at the Time of sending in such Bills, Charges, or Claims, he shall be liable to a Penalty of Twenty Pounds, and to a further Penalty of Ten Pounds for every subsequent Week of wilful Default or Neglect in sending in all such Bills, Charges, or Claims, or in making such Statement, to be recovered by any Person who will sue for the same, together with full Costs of Suit: Provided always, that in case any such Candidate shall be absent from the United Kingdom at the Time of such Election, he shall send in to the Election Auditor for Payment any such Bills, Charges, or Claims as aforesaid within One Month after his Return to the United Kingdom, which shall be of the same Force and Effect as if the same had been sent in as herein provided. Bills, &c. received within One Month to be sent in to Election Auditor.

XVIII. No Payment of any Bill, Charge, or Claim, or of any Money whatever, for or in respect of any Election, or the Expenses thereof, (except as herein excepted,) shall be made by or by the Authority of any Candidate, except by or through such Election Auditor, and any Payment made by or by the Authority of any Candidate otherwise than as herein provided shall be deemed and taken to be an illegal Payment, and upon Proof thereof such Candidate shall forfeit the Sum of Ten Pounds, with double the Amount of such illegal Payment, and full Costs of Suit, to any Person who will sue for the same: Provided always, that it shall be lawful for any Candidate, by himself or his Agent, to name any Banker through No Payments to be made except through Election Auditor.

through whom alone such Bills, Charges, or Claims, or Money, as aforesaid, shall be paid by the Election Auditor, and in that Case the Election Auditor shall pay such Bills, Charges, and Claims by Cheques drawn on such Banker, to be countersigned by the Candidate, or some Person on his Behalf specially appointed for that Purpose.

Tender and Payment into Court by Election Auditor.

XIX. If the Election Auditor, by the Authority of any Candidate, tenders or offers to pay any Sum in respect of any Bill, Charge, or Claim sent in as herein-before provided, such Tender shall be taken for all Purposes to be the Tender of such Candidate, and may, in any Action or other Proceeding brought against such Candidate to recover the Amount of such Bill, Charge, or Claim, be pleaded as such, or otherwise be made available according to the Proceedings of the Court in which such Action or other Proceeding is brought or carried on; and if such Plea is pleaded, or if it shall be deemed advisable for any other Reason to pay Money into Court in any Action or other Proceeding brought against a Candidate in respect of any Liability alleged to have been incurred by him at such Election, the Election Auditor may, at the Request of the Candidate, and by Leave of any One of the Judges of the Superior Courts of Common Law at *Westminster*, or of any One of the Judges of Her Majesty's Superior Courts at *Dublin*, or of any One of the Judges of the Court of Session in *Scotland*, as the Case may be, pay into Court the Sum required; and such Payment into Court by the Election Auditor shall, for the Purposes of such Action, be deemed and taken to be and may be pleaded as Payment into Court by the Candidate himself: Provided always, that on any Issue or Hearing in reference to any such Tender or Payment of Money into Court, it shall not be necessary to prove the Appointment of the Election Auditor.

Copy of Judgment and Statement of Payments made in satisfaction to be sent to Auditor.

XX. Nothing in this Act contained (except as herein specially provided) shall be taken to limit the Right of any Creditor to bring any Action, or otherwise to proceed against a Candidate for or in respect of any Expenses connected with the Election; and if in any such Action or Proceeding final Judgment be obtained against the Candidate, such Candidate shall forthwith send to the Election Auditor a Copy or Certificate of such Judgment; and when and as the Monies recovered by the said Judgments, or any Part thereof, shall be paid or satisfied by such Candidate, or shall be obtained under or by virtue of any Execution, the said Candidate shall thereupon forward to the Election Auditor a Statement of the Monies so paid or obtained in respect of such Judgment.

Consent of Auditor necessary before settling Action.

XXI. No Candidate shall be allowed to compound or settle any Action or other Proceeding brought against him in respect of any Expenses alleged to have been incurred by him in or about the Election, or to confess Judgment in such Action or Proceeding, without the Consent of the Election Auditor.

Candidate to pay personal Expenses and Expenses of advertising.

XXII. The personal Expenses of any Candidate, and the Expenses of advertising in Newspapers with reference to any Election, shall be defrayed by the Candidate himself, or by his Authority, but a full and true Account of the Sums so paid in respect of the said Advertisements shall, as soon as conveniently may be, be made out to the best of his Ability, and rendered to such Election Auditor by such Candidate, and the Amount of such Account shall be included in the general Account of the Expenses incurred at any Election to be made out and kept by such Election Auditor as herein-after provided.

Refreshments to Voters on the Days of Nomination or polling declared illegal.

XXIII. 'And whereas Doubts have also arisen as to whether the giving of Refreshment to Voters on 'the Day of Nomination or Day of polling be or be not according to Law, and it is expedient that such 'Doubts should be removed:' Be it declared and enacted, That the giving or causing to be given to any Voter on the Day of Nomination or Day of polling, on account of such Voter having polled or being about to poll, any Meat, Drink, or Entertainment, by way of Refreshment, or any Money or Ticket to enable such Voter to obtain Refreshment, shall be deemed an illegal Act, and the Person so offending shall forfeit the Sum of Forty Shillings for each Offence, to any Person who shall sue for the same, together with full Costs of Suit.

No Person to pay Expenses of Elections, except to Candidate or Election Auditor.

XXIV. No Person shall pay or agree to pay any Expenses of any Election, or any Sum of Money whatever, in order or with a view to procure or promote the Election of any Person to serve in Parliament, save to the Candidate at such Election, or to or under the Authority of the Election Auditor, other than as excepted and allowed by this Act; and every Person who shall pay or agree to pay any such Expenses or Money as aforesaid, save as aforesaid, shall become liable to a Penalty of Fifty Pounds, and of double the Money so paid or agreed to be paid, to be recovered in an Action of Debt by any one who shall sue for the same: Provided, that if upon the Trial of any Action to recover any such Penalty or Penalties it shall appear to the Judge who shall try the same, that any such Payment shall have been made or agreed to be made without any corrupt or improper Intention, such Judge may, if he shall think fit, reduce such Penalty or Penalties to any Sum not less than Forty Shillings, and may also, if he shall think fit, direct that the Plaintiff shall not be entitled to Costs of such Action: Provided also, that no Expenses of or relating to the Registration of Electors, and no Subscriptions or Contributions *bonâ fide* made to or for any public or charitable Purpose, shall be deemed Election Expenses within the Meaning of this Act: Provided also, that in any Action to recover any Penalty under this Act it shall be lawful to the Court in which such Action shall be brought, or any Judge thereof, if they or he shall think fit, to order that the Plaintiff in such Action shall give Security for Costs, or that all Proceedings therein shall be stayed.

Candidates and Agents may

XXV. Any Candidate, and his Agents by him appointed in Writing, according to the Provisions of this Act, may, at any Time before the Day of Nomination, pay any lawful and reasonable Expenses in respect

respect of the Election which he or they shall *bonâ fide* believe fit and proper to be paid, in ready Money, and the Payment of which cannot conveniently be postponed; provided, that the Candidate and his Agents shall, upon or before the Day of Nomination, make out to the best of his Ability, and deliver to the Election Auditor, a full, true, and particular Account of all such Payments, with the Names of the Persons to whom they have been made, signed by such Candidate or his Agents respectively, and no Payment so made shall be a legal Payment within this Act unless such Account thereof shall be duly rendered to the Election Auditor. make Payments before Day of Election.

XXVI. The Election Auditor shall, as soon as he conveniently can make out a full and true Account of all the Expenses incurred at the Election, specifying therein every Sum of Money paid to him or paid by him or by his Authority on behalf of each Candidate, and of all Sums claimed, although the same shall not have been allowed or paid, and every Sum which has been paid into Court as aforesaid, or recovered by Judgment against such Candidate, and to whom, by Name, such Payment was made, and for what particular Debt or Liability; and the Election Auditor shall include in such general Account the Amount of the Sums paid by each Candidate for Advertisements, and he shall specify therein the total Amount of Expenses incurred by each Candidate; and the Account, when so made out, shall be duly signed by him: Provided always, that, if it shall be found necessary, the Election Auditor may from Time to Time make out a supplementary Account or Accounts, which shall be made and abstracted in the Manner herein provided with reference to the first general Account. Account of Election Expenses to be made out by Election Auditor.

XXVII. The Election Auditor shall keep all Accounts which shall come to his Hands in some fit and convenient Place, and shall, at all reasonable and convenient Times, submit the same to the Inspection of the Candidates and their Agents, and permit them to take Copies of the same or of any Part thereof, upon Request, and when such general Account as aforesaid shall be so made out and signed by him, he shall keep the same in some fit and convenient Place; and such general Accounts shall be open to the Inspection of any Person, and Copies thereof or of any Part thereof shall be furnished to any Person at all reasonable and convenient Times, upon Request, such Person paying a Fee, at the Rate of One Shilling for every Two hundred Words, to a Copying Clerk, for the same; and when the Election Auditor shall have concluded the Business of any Election he shall deliver over all Accounts in his Hands to the Clerk of the Peace in Counties, and to the Town Clerk or other Officer performing any of the Duties of Town Clerk in Cities and Boroughs, and to the Sheriff Clerk in Counties in *Scotland*, who shall allow them to be inspected by any Person, on the Payment of One Shilling, and shall furnish Copies of the same or of any Part thereof on the Payment of a Fee, at the Rate of One Shilling for every Two hundred Words, to the Copying Clerk; provided always, that for any Copy so furnished the Fee shall in no Instance be less than One Shilling, and shall deliver over to the Candidates respectively the Balance of all Monies, if any, and all Vouchers in his Hands, except any Vouchers appertaining personally to himself. Election Auditor to keep Accounts in some convenient Place which shall be open to Inspection.

XXVIII. The Election Auditor shall also, as soon as he conveniently can, insert or cause to be inserted an Abstract of such Account, signed by him, in some Newspaper published or circulating in the County or Place where such Election is held; and such Abstract of Account shall specify the Amount of each of such Bills, Charges, or Claims admitted to be correct, or claimed and objected to, and the Names of the Parties to whom the same shall have been paid or are due, or by whom the same have been claimed respectively. Election Auditor to publish Abstract of such Accounts.

XXIX. In case the Person appointed to act as Election Auditor should, before his Duties herein mentioned are completed, die, resign, or become incapable of acting as such Election Auditor, it shall be lawful for the Returning Officer for the Time being to appoint some fit and proper Person to act as such Election Auditor in the Room of the Person originally appointed as aforesaid for the Remainder of the then current Year of such Appointment; and the Returning Officer shall give public Notice of such Appointment in the County, City, or Borough. Returning Officer to appoint new Election Auditor in case of Death, &c.

XXX. All Monies, Bills, Papers, and Documents of and relating to the Election which were in the Hands or under the Control of the Election Auditor going out of Office, dying, resigning, or becoming incapable of acting as aforesaid, except Receipts or Vouchers for Payments actually made by such Election Auditor, shall be handed over and transferred to the new Election Auditor appointed as hereinbefore mentioned; and such new Election Auditor shall in all respects, or as near thereto as may be, have the same Powers and act in the same Way as if he had been originally appointed previous to the Election: Provided always, that it shall be lawful for such new Election Auditor, at all reasonable Times, to have Access to and take Copies of or Extracts from the Receipts or Vouchers above excepted. Monies, &c. to be handed over to new Election Auditor.

XXXI. Every Candidate shall, before or at the Nomination, or as soon after as conveniently may be, declare to the Election Auditor in Writing the Name or Names of his Agent or Agents for Election Expenses, who shall be appointed in Writing, and that he has not appointed and will not appoint any other Agent without in like Manner declaring the same to the Election Auditor, and no other than such Agents shall have Authority to expend any Money or incur any Expenses of or relating to the Election, in the Name or on the Behalf of the Candidate; and such Agents may pay any of the current Expenses of the Election necessary to be paid in ready Money, provided that such Agents shall make out, to the best of their Ability, and render, from Time to Time, true and particular Accounts to the Election Auditor Appointment and Notification of Agents.

Auditor of all such Payments; and every such Agent shall, as soon as conveniently may be after his Appointment as aforesaid, make and sign the following Declaration:

'I [*A.B.*], being appointed an Agent for Election Expenses by [*X.Y.*], a Candidate at this Election, do hereby solemnly and sincerely declare, That I have not knowingly made, authorized, or sanctioned, and that I will not knowingly make, authorize, or sanction, any Payment on account of this Election, otherwise than through the Election Auditor, save as excepted and allowed by "The Corrupt Practices Prevention Act, 1854."'

Nomination of absent Candidates Expenses.

XXXII. In case any Person shall be proposed and seconded at any Election in his Absence, and without his previous Authority, it shall be lawful to the Persons proposing and seconding such Person to pay and agree to pay the lawful Expenses of the Election of such Person; and such Proposer and Seconder having agreed to pay such lawful Expenses shall become liable to pay the Fees hereby made payable to the Election Auditor, and pay any of the lawful Expenses of such Election, in like Manner and upon the same Terms and Conditions as herein provided concerning Agents for Election Expenses appointed in Writing by the Candidates.

Payments before passing of Act.

XXXIII. If any Candidate at any Election, or any Member hereafter returned to serve in Parliament, shall before the passing of this Act have paid any Money for or in respect of any Election hereafter to be held, or any Expenses thereof, such Person shall, to the best of his Ability, deliver a full, true, and particular Account of such Payment or Payments to the Election Auditor.

Election Auditor, how paid.

XXXIV. Every such Election Auditor shall be paid and be entitled to receive, by way of Remuneration to him for his Services in and about the Election, the Sum of Ten Pounds from each Candidate at the Election, as and by way of First Fee; and a further Commission, at the Rate of Two Pounds *per Centum*, from each Candidate upon every Payment made by him for or in respect of any Bill, Charge, or Claim sent in to such Election Auditor as herein-before provided; and the reasonable Expenses incurred by the Election Auditor in the Business of the Election and the Performance of his Duties pursuant to this Act shall form Part of the Election Expenses, and shall be paid rateably and proportionably by the Candidates respectively.

In Actions for Penalties, Parties, &c. to be competent Witnesses.

XXXV. On the Trial of any Action for Recovery of any pecuniary Penalty under this Act, the Parties to such Action, and the Husbands and Wives of such Parties respectively, shall be competent and compellable to give Evidence in the same Manner as Parties, and their Husbands and Wives, are competent and compellable to give Evidence in Actions and Suits under the Act of the Fourteenth and Fifteenth *Victoria*, Chapter Ninety-nine, and "The Evidence Amendment Act, 1853," but subject to and with the Exceptions contained in such several Acts: Provided always, that any such Evidence shall not thereafter be used in any Indictment or Criminal Proceeding under this Act against the Party giving it.

Candidate guilty of Bribery incapable of being elected, &c.

XXXVI. If any Candidate at an Election for any County, City, or Borough shall be declared by any Election Committee guilty, by himself or his Agents, of Bribery, Treating, or undue Influence at such Election, such Candidate shall be incapable of being elected or sitting in Parliament for such County, City, or Borough during the Parliament then in existence.

Short Title.

XXXVII. In citing this Act in any Instrument, Document, or Proceeding, or for any Purpose whatsoever, it shall be sufficient to use the Expression "The Corrupt Practices Prevention Act, 1854."

Interpretation of Terms.

XXXVIII. Throughout this Act, in the Construction thereof, except there be something in the Subject or Context repugnant to such Construction, the Word "County" shall extend to and mean any County, Riding, Parts, or Division of a County, Stewartry, or combined Counties respectively returning a Member or Members to serve in Parliament; and the Words "City or Borough" shall mean any University, City, Borough, Town Corporate, County of a City, County of a Town, Cinque Port, District of Burghs, or other Place or Combination of Places (not being a County as herein-before defined) returning a Member or Members to serve in Parliament; and the Word "Election" shall mean the Election of any Member or Members to serve in Parliament; and the Words "Returning Officer" shall apply to any Person or Persons to whom, by virtue of his or their Office, under any Law, Custom, or Statute, the Execution of any Writ or Precept doth or shall belong for the Election of a Member or Members to serve in Parliament, by whatever Name or Title such Person or Persons may be called; and the Words "Revising Barrister" shall extend to and include an Assistant Barrister and Chairman presiding in any Court held for the Revision of the Lists of Voters, or his Deputy in *Ireland*, and a Sheriff or Sheriff's Court of Appeal in *Scotland*, and every other Person whose Duty it may be to hold a Court for the Revision and Correction of the Lists or Registers of Voters in any Part of the United Kingdom; and the Word "Voter" shall mean any Person who has or claims to have a Right to vote in the Election of a Member or Members to serve in Parliament; and the Words "Candidate at an Election" shall include all Persons elected as Members to serve in Parliament at such Election, and all Persons nominated as Candidates, or who shall have declared themselves Candidates at or before such Election; and the Words "Personal Expenses," as used herein with respect to the Expenditure of any Candidate in relation to any Election, shall include the reasonable Travelling Expenses of such Candidate, and the reasonable Expenses of his living at Hotels or elsewhere for the Purposes of and in relation to such Election.

XXXIX. This

XXXIX. This Act shall continue in force for One Year next after the passing thereof, and thenceforth to the End of the then next Session of Parliament. Duration of Act.

The SCHEDULE A. above referred to.

Date of Act.	Title of Act.	Extent of Repeal.
7 W 3. c. 4. A.D. 1695.	An Act for preventing Charge and Expense in Elections of Members to serve in Parliament.	The whole Act.
2 G 2. c. 24. A.D. 1729.	An Act for the more effectual preventing Bribery and Corruption in the Election of Members to serve in Parliament.	All the Act, except the 3d Section, prescribing the Oath to be taken by Returning Officers, and except so far as the Penalties and Provisions of the said Act are applicable to the false taking of such Oath, and the Neglect to take the same.
16 G. 2. c. 11.	An Act to explain and amend the Laws touching the Elections of Members to serve for the Commons in Parliament for that Part of Great Britain called Scotland, and to restrain the Partiality and regulate the Conduct of Returning Officers at such Elections.	So much of the Act as is contained in the 33d Section.
43 G. 3. c. 74. A.D. 1803.	An Act for further regulating the Administration of the Oath or Affirmation required to be taken by Electors of Members to serve in Parliament by an Act passed in the Second Year of King George the Second, intituled "An Act for the "more effectual preventing Bribery and Cor- "ruption in the Election of Members to serve "in Parliament."	The whole Act.
49 G. 3. c. 118. A.D. 1809.	An Act for better securing the Independence and Purity of Parliament, by preventing the procuring or obtaining of Seats in Parliament by corrupt Practices.	The whole Act.
4 G. 4. c. 55. A.D. 1823.	An Act to consolidate and amend the several Acts now in force, so far as the same relate to the Election and Return of Members to serve in Parliament for Counties of Cities and Counties of Towns in Ireland.	So much of the Act as is contained in the 48th, 79th, and 81st Sections.
7 & 8 G. 4. c. 37. A.D. 1827.	An Act to make further Regulations for preventing corrupt Practices at Elections of Members to serve in Parliament, and for diminishing the Expense of such Elections.	The whole Act.
2 & 3 W. 4. c. 65. A.D. 1832.	An Act to amend the Representation of the People of Scotland.	So much of the 26th Section of the Act and the Schedule (K.) thereto annexed as relates to the Oath or Affirmation against Bribery to be put to any registered Voter at any Poll or Election.
2 & 3 W. 4, c. 88. A.D. 1832.	An Act to amend the Representation of the People of Ireland.	So much of the 54th Section of the Act as relates to administering the Oath or Affirmation against Bribery.
5 & 6 Vict. c. 102.	An Act for the better Discovery and Prevention of Bribery and Treating at the Election of Members of Parliament.	So much of the Act as is contained in the 20th and 22d Sections.

SCHE-

SCHEDULE B.

No. 1.—*Proclamation to be used in Counties.*

Election of Knight, *&c.*

THE Sheriff of the County of will, at the Day of now next ensuing, proceed to the Election of a Knight *or* Knights, Member *or* Members [*as the Case may be*] for the County *or* Division of a County [*as the Case may be*], at which Time and Place all Persons entitled to vote at the said Election are requested to give their Attendance.

And take notice, That all Persons who are guilty of Bribery at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Act, 1854."

And take notice, That all Persons who are guilty of Treating or undue Influence at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Pehalf in "The Corrupt Practices Prevention Act, 1854."

Signature of the proper Officer.

No. 2.—*Notice of Election in Boroughs.*

City *or* Borough of Day of

IN pursuance of a Writ received by me for electing a Burgess *or* Burgesses [*as the Case may be*], to serve in Parliament for the City *or* Borough [*as the Case may be*], I do hereby give Notice, that I shall proceed to Election accordingly on the Day of at o'Clock in , when and where all Persons concerned are to give their Attendance.

And take notice, That all Persons who are guilty of Bribery at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Prevention Act, 1854."

And take notice, That all Persons who are guilty of Treating or undue Influence at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Prevention Act."

Signature of the proper Officer.

CAP. CIII.

An Act to make better Provision for the paving, lighting, draining, cleansing, supplying with Water, and Regulation of Towns in *Ireland.* [10th *August* 1854.]

'WHEREAS it is expedient to make better Provision for the paving, lighting, draining, cleansing, supplying with Water, and Regulation of Towns in *Ireland*, and to extend to such Towns certain 'Provisions of "The Commissioners Clauses Act, 1847," and of "The Towns Improvement Clauses Act, '1847," and of certain other Acts herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

10 & 11 Vict. c. 16.
10 & 11 Vict. c. 34.

Interpretation of Terms in this Act.

I. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Word "Town" shall mean and include a City, Town Corporate, Borough, Market Town, or other Town in *Ireland*, containing a Population of One thousand five hundred Inhabitants or upwards, as ascertained by their last Population Returns made pursuant to Act of Parliament; the Expression "the Lord Lieutenant" or "Lord Lieutenant of *Ireland*" shall include any other Chief Governor or Governors of *Ireland;* the Word "Justices," as far as it relates to any Town situate in the *Dublin* Metropolitan Police District, shall be construed to mean the Divisional Magistrates of the said Police District; the Word "Person," and Words applying to any Person or Individual, shall apply to and include Corporations; the Word "Householder" shall mean a Male Occupier of a Dwelling House, or of any Lands, Tenements, or Hereditaments within the prescribed Boundaries of the Town rated to the Relief of the Poor in respect thereof; the Word "Occupier" shall extend to and include an immediate Lessor made liable under this Act to Assessments in Cases of Premises of such small annual Value as herein-after mentioned respectively in that Behalf, and such Word "Occupier" shall not include a Lodger or a Party in the Occupation as Tenant of a furnished House let for a less Period than One Year, but shall include the Party by whom such furnished House is so let; the Expression "Lodging House" shall mean a House in which Lodgers are housed for a less Period than One Week at a Time, at an Amount not exceeding Fourpence *per* Head *per* Night; the Word "County" shall include a County of a City or County of a Town; the Expression "the Commissioners" shall mean a Majority of the Commissioners for the Purposes of this Act acting in and for a Town by which this Act has been in whole or in part adopted; the Word "Treasurer" shall mean any Bank or Banking Company appointed by the Commissioners to act as their Treasurer; the Word "Lands" and the Word

Word "Premises" shall include all Lands, Springs, Dwelling Houses, Shops, Warehouses, Vaults, Cellars, Stables, Breweries, Manufactories, Mills, and other Houses and Buildings, and Yards and Places; the Word "Street" shall extend to and include any Road, Bridge, Lane, Square, Court, Alley, and Thoroughfare or public Passage; the Word "Oath" shall include Affirmation in the Case of Quakers, and Declaration in the Case of Persons allowed by Law to make a Declaration in lieu of an Oath; the Word "Owner," used with reference to any Lands or Premises in respect of which any Work is required to be done, or any Assessment paid under this Act, shall mean the Person for the Time entitled to receive, or who, if such Lands or Premises were let to a Tenant at a Rackrent, would be entitled to receive the Rackrent from the Occupier thereof; the Expression "Assistant Barrister" shall mean the Assistant Barrister for the County or Place in which the Lands or Premises in question are situate, and shall also include the Chairman of the Sessions of the Peace of the County of *Dublin;* the Expression "Rackrent" shall mean Rent which is not less than Two Thirds of the full net annual Value of the Property out of which the Rent arises, and the full net annual Value shall (save as regards any Valuation for Poor Rates or Valuation for Assessments under this Act) be taken to be the Rent at which the Property ought reasonably to be expected to let from Year to Year, free from all Quit Rent, Head Rent, Ground Rent, and usual Tenants Rates and Taxes, and deducting therefrom the probable annual Cost of the Repairs, Insurance, and other Expenses (if any) necessary to maintain the same in a State to command such Rent; the Expression "private Assessment" shall mean any Assessment or Charge on Individuals for private Improvement Expenses, or for House Drainage, or otherwise under this Act; the Expression "District Assessment" shall mean any Assessment other than a "private Assessment" which is confined only to a Portion or District of any Town; the Word "Cattle" shall include any Horse, Mare, Gelding, Foal, Colt, Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine; the Expression "lawful Day" shall mean a Day not being *Sunday, Christmas Day,* or *Good Friday,* and when any Number of Days is appointed by this Act the same shall be construed to mean such lawful Days, and be computed inclusive of the first and exclusive of the last of such Days; Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number; and Words importing the Masculine Gender (except only the Word "Male") shall include Females.

Short Title of this Act.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, and in pleading, it shall be enough to use the Expression "The Towns Improvement (*Ireland*) Act, 1854."

Form in which Portions of this Act may be incorporated in other Acts, or in Documents.

III. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act; and such Reference to said introductory Words shall also be a sufficient Incorporation thereof in any Notice, Application, or other Proceeding under this Act.

On Application of Twenty-one Eight Pound Householders of any Town, Lord Lieutenant may order Mayor, &c. to convene a Meeting to consider the carrying this Act into execution therein.

IV. Upon the Application of Twenty-one or more Householders of any City or Town in *Ireland,* each of such Householders occupying a Dwelling House or other Lands, Tenements, or Hereditaments within such City or Town, and rated in respect thereof to the Relief of the Poor at a net annual Value of Eight Pounds or upwards, applying that this Act or that specific Portion thereof (described as herein-before provided) may be carried into execution in such City or Town, which Application shall specify the Boundaries proposed for the Purposes of this Act, and a Copy of which Application shall be inserted in the *Dublin Gazette* and in One or more Newspaper or Newspapers published in such City or Town, and if none be therein published then in One or more Newspaper or Newspapers published nearest to such City or Town, it shall be lawful for the Lord Lieutenant of *Ireland,* One Month after Receipt of such Application, and if he shall approve of such proposed Boundaries, to order and direct that the Mayor or other Chief Magistrate of such Town (being a Corporate Town), or the Chairman of the Municipal Commissioners under the Act of the Third and Fourth Years of the Reign of Her present Majesty, Chapter One hundred and eight, wherever the same shall be in force, or any Two or more Justices of the Peace resident within Ten Miles of such Town, shall convene a Meeting for the Purpose of considering the carrying of this Act into execution, and One of them shall preside thereat, such Orders and Directions to be signified by the Chief Secretary of the Lord Lieutenant, or in his Absence by the Under Secretary; and a Copy of such Orders and Directions, with the Names of the Parties signing the Application for the same, and the Boundaries so approved of shall be inserted, under the Direction of such Chief or Under Secretary, in such Gazette and Newspaper or Newspaper as aforesaid.

Order to specify the Boundaries of Town for the Purposes of this Act.

If Act adopted, same to be the Boundaries.

V. Any such Order and Direction as aforesaid shall describe and specify the proposed Boundaries, for the Purposes of this Act, of such City or Town; and the same shall be in like Manner published in such Gazette and Newspaper or Newspapers as aforesaid; and if this Act shall be adopted in manner herein mentioned, in the whole or in part, such Boundaries, so approved of as aforesaid, shall be deemed to be the Boundaries of such City or Town for the Purposes of this Act: Provided always, that, in case it shall hereafter appear necessary, it shall be lawful for the Commissioners, by and with the Consent of the Lord Lieutenant, to alter or extend the Boundaries of such City or Town; and such altered or extended

extended Boundaries shall then be deemed to be the Boundaries of such City or Town for the Purposes of this Act.

Notice of such Meeting, when and how to be given.

VI. Such Meeting shall be holden at some convenient Place within such City or Town, and the said Mayor, or other Chief Magistrate, or Justices, as the Case may be, shall within Ten Days after the Receipt of such Orders and Directions signified as aforesaid, appoint and notify a Place within the Town, and a Time for holding such Meeting, which Time shall not be less than Ten Days, and not more than Twenty-one Days, from the Time of so first notifying the same; and such Notification shall be made by affixing Notices by Handbills Ten Days before the Day of the Meeting, in the Form in the Schedule marked (A.) to this Act annexed, on the Outside of the principal Doors of every Parish Church and Roman Catholic Chapel (if any) situate within such Town, and on the principal Market House or Place where Markets are usually holden in the same, and on the Door of the Sessions House where the General Quarter Sessions of the Peace shall be holden for such City or Town, or for the Division in which the same shall be situate, and also by causing a Notice of like Purport to be inserted twice in any Newspaper or Newspapers published within such City or Town, and if none be therein published, then in the Newspaper published nearest to such City or Town.

At such Meeting, Persons rated for One Year to Poor Rates for Premises of the Value of 8*l.* within the Town to have Votes.

VII. At any such Meeting convened as aforesaid such Persons as next herein-after mentioned shall be admitted and entitled to vote, and no other Person whatsoever; that is to say, every Person of full Age who is the immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town, also every Person of full Age who shall have occupied as Tenant or Owner, or shall have been the immediate Lessor (rated for such Premises to the Relief of the Poor) of any Lands, Tenements, or Hereditaments within such City or Town, or within such Boundaries of the same respectively as aforesaid, and shall have been rated in respect of such Premises for the Period of Twelve Months preceding under the Acts for the Relief of the destitute Poor in *Ireland*, as Occupier of such Lands, Tenements, or Hereditaments, at a net annual Value of Eight Pounds or upwards, such Right of voting to be evidenced by the Rate Book of the Union, which the Clerk of the Union is hereby required to produce at such Meeting; and if any Controversy shall arise at any such Meeting as to the Qualification or Right of voting of any Person claiming to vote, or to be qualified, such Controversy shall be determined by the Person or Persons, as the Case may be, presiding at such Meeting, by Reference to the Rate Book which the Clerk of the Union is hereby required to produce at such Meeting.

Right of voting to be decided by Chairman.

Power of Meeting to adopt this Act, or to decline to adopt it.

VIII. Such Meeting, after having had this Act laid before them, together with a Copy of such Application and such Order as aforesaid, shall proceed to consider and determine whether this Act shall, in whole or in part, be adopted and carried into execution within such Town, or shall appoint a Committee of their own Number, not exceeding Nine, to inquire and report to some future Meeting, to be held on such Day as shall be appointed by such Meeting; and such future Meeting shall, upon receiving the Report of such Committee, proceed in all respects in the Manner herein directed for such Meeting.

Expenses attending the calling First Meeting, &c., how to be borne.

IX. If the Provisions of this Act shall be adopted in whole or in part, all the Expenses incurred in relation to calling the First Meeting, making out Returns and Lists of qualified Occupiers, if such be necessary, and otherwise in relation to carying this Act into execution, shall be defrayed out of the Money assessed and levied under the Authority thereof; but in case the Provisions of this Act shall not be adopted by such Meeting as aforesaid, in whole or in part, then the whole of said Expenses shall be borne by the Persons signing the Application for holding such Meeting.

Chairman to declare the Determination of the Meeting.

Majority sufficient.

X. The Person or Persons presiding at such Meeting shall ascertain the Determination thereof by a Show of Hands, or in such other Manner as shall appear to him or them expedient, and if necessary shall appoint Two such Ratepayers, qualified as aforesaid, to act as Tellers to ascertain and enumerate the Votes of qualified Persons assenting to or dissenting from the Adoption of this Act, in whole or in part, and such Tellers shall report the Result of their Scrutiny to such Person or Persons presiding at such Meeting, who shall declare the same; and in case no Poll shall be demanded, as herein-after provided, any Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual if carried by a Majority of Persons qualified and voting as aforesaid; provided always, that if a Poll shall be demanded as aforesaid at such Meeting, in Writing, and signed by any Ten Persons qualified to vote at such Meeting, it shall then be lawful for the Person or Persons presiding at such Meeting, and he or they are hereby required, to direct the Poll so demanded to be proceeded with at such Polling Place or Places and within such Period as he or they shall determine, such Period not to exceed Two clear lawful Days from the Day of such Meeting; and no Poll authorized by this Act to be taken shall be kept open for more than One Day, and the Polling shall commence at the Place or Places intimated at Nine o'Clock of the Forenoon, and close at Four o'Clock of the Afternoon of the Day that shall be named.

Poll Books to be provided.

XI. Such Chief Magistrate, Mayor, or Justices shall direct the necessary Number of Poll Clerks to be appointed, and of Poll Books to be prepared, in which Books shall be inscribed by such Clerks the Name of the Voter and the Manner in which he votes.

State of Poll to be ascertained and declared.

XII. As soon after the Close of the Poll as may be the Poll Clerks shall transmit the State of the respective Polls to such Chief Magistrate, Mayor, or Justices, who shall sum up the same, and openly declare

declare the Result of the total Poll at an adjourned Meeting to be held on the next lawful Day; and any Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual if carried by a Majority of the Persons qualified and voting as aforesaid.

How Minutes of Meeting to be worded if Act adopted in part only.

XIII. If such Resolution shall be to adopt this Act only in part, the Matter or Matters with respect to which this Act is so adopted shall be set forth and declared in the Minutes of such Meeting in the Words introductory to the Enactment in this Act with respect to such Matters, or it shall be set forth and declared in such Minutes that this Act, with the Exception of the Matter or Matters so described, is so adopted; and any Adoption of this Act, though in part only, shall infer the Adoption of the Enactments with respect to Assessments, and shall also infer the Adoption of the Enactments with respect to Appeal herein-after provided in so far as the Enactments relate to the Matter or Matters adopted, and shall also infer the Adoption of every other general Enactment or Enactments applicable to such Matter or Matters, though not specially set forth and declared in such Minutes to be adopted.

Act, if not adopted, may be re-considered in Two Years; if adopted in part only, in Two Months.

XIV. Where any Town shall have resolved not to adopt the Provisions of this Act, the Householders and Occupiers thereof, qualified in each Case respectively as aforesaid, may, after the Expiration of Two Years from the Date of any preceding Meeting, but not sooner, by such and the like Proceedings, again take this Act into consideration, and adopt the same in whole or in part, or determine not to adopt the same; and when any Town shall have adopted them only in part, the Householders and Occupiers thereof, qualified in each Case respectively as aforesaid, may, after the Expiration of Two Months from the Date of any preceding Meeting, but not sooner, by such and the like Proceedings, again take this Act into consideration, and adopt such Part thereof as may not formerly have been adopted, or determine not to adopt the same.

Certified Copy of Determination to be transmitted to Lord Lieutenant.

If Lord Lieutenant approve of Determination, Notice of Approbation to be published in Gazette, and Act put in force accordingly.

Notice to state Number of Wards, &c.

In Corporate Towns, Town Council or Municipal Board to be the Commissioners.

XV. The Person or Persons presiding at such Meeting shall, within One Week, transmit to the Lord Lieutenant of *Ireland* a Copy, certified under his or their Hand, of the Resolution and Determination of such Meeting as aforesaid, and within One Month after such Resolution or Determination shall have been so certified, in case such Resolution or Determination shall be in favour of adopting the Execution of this Act in whole or in part; and in case the Lord Lieutenant shall approve of the same, he shall notify his Approbation thereof to the said Person or Persons, and fix the Number of Commissioners to be elected for carrying this Act into execution in such Town, and cause Notice of such Approbation to be published in the *Dublin Gazette;* and from and after a Day to be named in such Notice in that Behalf, either the whole of this Act or the Portion thereof so adopted and approved shall be applicable to and in force in such Town; and the Production of a printed Copy of such Gazette containing such Notice shall be deemed and taken to be in all Courts and Places final and conclusive Evidence for all Purposes that all the Proceedings, Acts, Matters, and Things required by this Act to be had or done for the Adoption of this Act in whole or in part were well and sufficiently done, and that the Act is in force in whole or in part, as the Case may be, in the Town to which such Notice relates; and the said Notice shall further state the Number of Commissioners to be elected for carrying this Act into execution in such Town, and the Number and the Boundaries of Wards into which such Town is to be divided; provided that in case of any Borough or Town Corporate in *Ireland*, the Town Council of such Borough, or the Board of Municipal Commissioners elected under the Provisions of the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, wherever the same shall be in force, shall be the Commissioners for carrying this Act into execution therein, where the Adoption of this Act, in whole or in part, shall have been determined on and approved in manner aforesaid; and in such Case no such Statement as last aforesaid of Division into Wards, or of the Number of Commissioners to be elected, shall be contained in such Notice; and the Lord Lieutenant shall appoint some fit and proper Person to divide such Town into Wards, and to determine and set out the Extent, Limits, and Boundary Lines of such Wards, and what Portions of such Borough shall be included therein respectively; and the Copy of the Particulars of such Division, together with the Number of Commissioners assigned as herein-after mentioned to each Ward, shall be forthwith transmitted to the Chief Secretary of the Lord Lieutenant; and if it shall be approved of by the Lord Lieutenant, with the Advice of the Privy Council, shall be published in the *Dublin Gazette;* and another Copy of such Particulars shall be delivered to the Town Clerk, or such Officer of the Town as the Privy Council may direct, to be by him safely kept among the public Documents of the Town, and such Division shall continue and be in force until the same shall be altered by the Authority of Parliament; and the Person so appointed to divide the Town into Wards shall also apportion among the several Wards of such Town the Number of Commissioners appointed for the Town by the Lord Lieutenant; and in assigning the Number of Commissioners to each Ward, such Person shall, as far as in his Judgment he may deem it practicable, have regard as well to the Number of Persons rated to the Relief of the Poor in each Ward, as to the aggregate Amount of the Sums at which all the said Persons shall be so rated, and such Apportionment of Commissioners shall be subject to the like Approval of the Lord Lieutenant and Privy Council: Provided, that in case the Lord Lieutenant and Privy Council shall not approve of the said Division or Apportionment, the Lord Lieutenant shall remit the same either to the Person originally appointed, or to some other Person, to make a new Division and Apportionment, subject to the like Approval, and so from Time to Time until such Division and Apportionment shall be definitely approved of.

Number of Commissioners. If the Town be divided into Wards.

XVI. The Commissioners for the Purpose of executing this Act, to be elected as herein provided, shall be in Number not less than Nine nor more than Twenty-one, as may be determined as aforesaid, such Number to be divisible by Three; and where the Town shall be divided into Wards as aforesaid, the Number thereof, and the Number of Commissioners to be elected, shall be so settled and adjusted that there shall be not less than Three such Commissioners for each such Ward.

Where 9 G. 4. c. 82. in force in any Town, same to be no longer in force after First Election of Commissioners under this Act.

XVII. In any Town where the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, shall be in force, and by which Town Application shall be made and Proceedings had in manner aforesaid under this Act, then, from and after the First Election of Commissioners under this Act for such Town, the said Act of the Ninth Year of King *George* the Fourth shall be no longer in force therein, save and except as to Matters or Things theretofore done, and as to any Debts, Demands, Rights, Liabilities, or Engagements theretofore incurred or accrued under the Provisions thereof; and all and every the Powers, Duties, and Authorities conferred upon or vested in the said Commissioners, whether by Statute or otherwise, and all Property, (including all Property vested in the said Commissioners under the Provisions of the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight,) and all Claims, Demands, and Liabilities or Engagements of the Commissioners under the said Act of the Ninth Year of King *George* the Fourth, shall be transferred to and vested in the said Commissioners under this Act.

Where a Local Act in any Town provides for any Purposes of this Act, this Act not to be put in force without previous Consent of Two Thirds of Commissioners under Local Act.

After Adoption of this Act, and First Election of Commissioners, Local Act to be no longer in force for the Purposes of this Act.

XVIII. Where any Local Act in force in any Town before the passing of this Act provides for any of the Purposes for which Provision is hereby made, this Act shall not be adopted or put in force therein in manner herein provided, so far as relates to any of the Purposes for which Provision is made under such Local Act, without the Consent in Writing of Two Thirds of the Commissioners or governing Body, constituted for the Purposes of such Local Act, first had and obtained at a Special Meeting of such Commissioners or governing Body, called upon Ten Days previous Notice at the least (to be published in the Manner and for the Time herein-before mentioned), but this Act may without such Consent be adopted and put in force for other Purposes for which Provision is not made under such Local Act; but in such Case where such Consent is hereby required, and has been had, then, from and after the Adoption of this Act in the whole or in part and the First Election of Commissioners under this Act for such Town, such Local Act shall be no longer in force in such Town, so far as regards the Provisions of such Act which have Reference to the Purposes for which this Act shall have been so adopted, save and except as to Matters and Things theretofore done, and as to any Debts, Demands, Rights, or Liabilities theretofore incurred or accrued under or in relation to such Provisions thereof; and in such Case, if under the Provisions of such Local Act any Tolls within such Town shall have been payable to and vested in such Commissioners or governing Body, such Tolls, and all Rights of receiving and levying the same, and the Remedies for the Recovery thereof, shall, from and after the First Election of Commissioners under this Act, be transferred to and stand vested in the Commissioners under this Act, subject nevertheless to all Debts, Demands, Rights, Liabilities, or Engagements theretofore affecting such Tolls or such Commissioners under such Local Act in respect thereof; and such Tolls shall stand vested in the said Commissioners acting under this Act, upon the Uses and Trusts, and for the Purposes, and subject to the same or like Regulations as contained and provided in such Local Act relating to such Tolls, so far as may be consistent with this Provision for the Transfer of the same as aforesaid; and such Commissioners under this Act shall be likewise empowered to raise, levy, and apply, for the Purposes of this Act, such Rates and Assessments, and of such Amount and for such Purposes, as by this Act is herein-after provided.

Meetings for Adoption of 9 G. 4. c. 82.

XIX. From and after the Commencement of this Act it shall not be lawful for the Lord Lieutenant of *Ireland* to order or direct any Meeting to be called or convened for the Purpose of carrying the said Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, into execution.

Where Commissioners under Local Act decline to consent to the Adoption of this Act, same may be adopted by Consent of Two Thirds of Town Council, and Powers of Assessment under Local Act transferred to Commissioners under this Act.

XX. In any City or Town Corporate where any Local Act in force provides for Purposes for which Provision is made under this Act, and where the Commissioners constituted under the said Local Act decline to consent to the Adoption of this Act in the Manner herein-before provided, then and in that Case this Act may be adopted or put in force in whole or in part in said City or Town Corporate, by Consent obtained in Writing under the Hands of Two Thirds of the Town Council of said City or Town Corporate; and in case any or all the Purposes for which the Assessment, or any Part thereof, under such Local Act is raised and levied are adopted as aforesaid under the Provisions of this Act, then the Powers of Assessment for such Purposes under such Local Act, and in the Manner specified by such Local Act, so far as such Powers are necessary for carrying out such Purposes and no further, shall be transferred to the said Commissioners under this Act, in addition to the Powers of Assessment herein-after provided under this Act: Provided always, that in case there exists any Debt due of the Commissioners of said Local Act, borrowed under the Provisions thereof, and payable out of the Dues and Duties leviable under said Act, such Debt, with the Interest accruing and payable thereon, shall be transferred to the Commissioners under this Act, and be considered as Money borrowed by them under the Provisions of this Act, and repayable as herein-after provided in respect to all Monies to be borrowed by the Commissioners appointed under this Act.

And with respect to the Election and Rotation of Commissioners under this Act, except where the Town Council are the Commissioners under this Act, be it enacted as follows:

First Election of Commissioners under Act.

XXI. As soon as conveniently may be after the Receipt of the Lord Lieutenant's Approval of the Adoption of this Act, in the whole or in part, in and for any Town, the Chief Magistrate, Mayor, or Justices as aforesaid shall convene a Meeting of the rated Occupiers, qualified as next herein-after mentioned, of such City or Town, or (if the same shall be divided into Wards) of such respective Wards, for the First Election of Commissioners for the Purpose of executing this Act, at some convenient Place in such City or Town, or in their respective Wards, as the Case may be, to be specified in the Notice to be given of such Meeting, and, in such Places as shall be divided into Wards as aforesaid, the Ward Meetings shall, at the said First Election of Commissioners under this Act, be presided over by a Justice of the Peace resident within such Ward (if any), and in default of such, by One of the highest Ratepayers within such Ward, to be nominated by the Mayor, Chief Magistrate, Chairman of the Municipal Commissioners, or Justices aforesaid.

Qualification of Electors at Elections of Commissioners.

XXII. At such First and every other Meeting for the Election of Commissioners in said Town as herein-after prescribed such Persons as next herein-after mentioned shall be admitted and entitled to vote, and no other Person whatsoever; that is to say, every Person of full Age who is the immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town, also every Person of full Age who shall have occupied as Tenant or Owner or joint Occupier, or shall have been the immediate Lessor (rated for such Premises to the Relief of the Poor to the net annual Value of Four Pounds or upwards, and in the Case of joint Occupiers rated in respect of Premises of the net annual Value of Four Pounds or upwards for each of such joint Occupiers) of any Lands, Tenements, or Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, and shall have been rated in respect of such Premises for the Period of Twelve Months preceding the First Day of *January* in the Year in which any such Election shall be held, under the Acts for the Relief of the destitute Poor in *Ireland*, and shall have paid all such Poor Rates as aforesaid as shall have become payable by him in respect of such Premises and all Grand Jury Rates, and all such Rates as shall have become payable by him under any Local Act in force in the City or Town or under this Act, except such as shall have become payable within Six Months next preceding such Election; and of the Payment or Nonpayment of such Rate, a Receipt, Certificate, or certified List, under the Hand of the Collector of Poor Rate, the Barony Collector, and the Collector under any Local Act in force in the City or Town, shall for such Purpose be deemed sufficient Evidence, and which Certificate or certified List such Collectors and Barony Constables are hereby required to furnish to the Person or Persons presiding at such Election; and if any Controversy shall arise at such Meeting as to the Qualification or Right to vote of any Person claiming to vote or to be qualified, such Controversy shall be determined by the Person or Persons presiding at such Meeting upon reference to the Rate Book, which the Clerk of the Union is hereby required to produce at such Meeting.

Day for Election of Commissioners.

XXIII. The Day upon which One Third of the Commissioners elected under this Act shall annually go out of Office, as herein-after provided, shall be the Fifteenth Day of *October* in each Year, or the next lawful Day thereto, and on the same Day annually the Places of Commissioners going out of Office shall be supplied by an equal Number of newly elected Commissioners, to be chosen from among the Householders or Occupiers of the Town, qualified to be Commissioners, as herein-after prescribed; and where the Town is divided into Wards, the Place of each Commissioner going out of Office shall in all Cases under this Act be filled up by the Ward which returned him: Provided always, that if such First Election of Commissioners under this Act shall take place before the Fifteenth Day of *October* in the Year of such Election, the Commissioners then first elected shall all continue in Office until the Fifteenth Day of *October* in the Year next ensuing that in which such Election shall have been held, or the next lawful Day afterwards.

Commissioners Clauses Act, as to Election and Rotation incorporated herewith.

XXIV. Save as herein-before in that Behalf provided, so much of "The Commissioners Clauses Act, "1847," as relates to the Election and Rotation of the Commissioners, save so much thereof as relates to the Scale of Votes of Owners and Occupiers, shall be incorporated with and read as Part of this Act; and that wherever in the Portions of said Act so incorporated, or in any other Portions of said Act, or of "The Towns Improvement Clauses Act, 1847," herein-after incorporated with this Act, the Expression "Special Act" occurs, same shall be construed, but so far only as relates to Towns which shall adopt the Provisions of this Act, to mean this Act, and shall be read as if, instead of such Expression, there were inserted in such Provisions the Words "The Towns Improvement (*Ireland*) Act, 1854," as applied to any particular Town adopting the Provisions of this Act and of the Acts incorporated herewith.

And with respect to the Qualification of Commissioners, be it enacted as follows:

Qualification of Commissioners.

XXV. Every Person who shall have been for Twelve Months preceding the First Day of *January* in the Year in which such Election is held the immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty

Fifty Pounds or upwards, according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town, and also any Householder or Occupier of full Age rated to the Relief of the Poor in respect of a Dwelling House in the Town at the net annual Value of Twelve Pounds or upwards, not being an Ecclesiastic of any religious Denomination, shall be eligible to be elected a Commissioner for the Purposes of this Act, and may be proposed at such Meeting by any Householder or Occupier qualified to vote under the Provision herein-before contained, and may be seconded by any other Householder or Occupier qualified to vote as aforesaid.

Incorporation Clause.

XXVI. So much of "The Commissioners Clauses Act, 1847," as relates to the Qualification of the Commissioners shall be incorporated with and read as Part of this Act.

And with respect to the Meetings and other Proceedings of the Commissioners, be it enacted as follows:

First Meeting of Commissioners. Statutory Meetings.

XXVII. All the Commissioners so returned as aforesaid shall, at Twelve of the Clock at Noon on the First *Monday* after such Election, hold their First General Meeting in the Town Hall or other convenient Place within such Town, with Power to adjourn to such other Place as they may think fit; and Meetings of the Commissioners shall be held in such Places as they shall appoint within the Town upon the First *Monday* of every Month in each Year, at Twelve of the Clock at Noon.

Incorporation Clause. Meetings of Commissioners.

XXVIII. Save as herein in that Behalf provided, so much of "The Commissioners Clauses Act, 1847," as relates to the Meetings and other Proceedings of the Commissioners, and their Liabilities, shall be incorporated with and read as Part of this Act.

And with respect to the Chairman of the Commissioners, be it enacted as follows:

Chairman to be a Justice of the Peace for the Purposes of the Act.

XXIX. The Commissioners elected under this Act shall furnish to the Lord Chancellor of *Ireland* for the Time being a certified Return, setting forth the Name, Age, Rating, Occupation, or Profession of the Persons elected to be Commissioners, and it shall be lawful for the Lord Chancellor, if he shall think fit, to select from such Commissioners a proper and qualified Person to act as a Justice of the Peace for the Purposes of this Act within the Boundaries of the Town, and then in all Cases arising under this Act, and cognizable by One or more Justices of the Peace, the Person so selected shall, during his Term of Office, and during that Term so long as the Lord Chancellor shall not disapprove, have the Jurisdiction and Authority of and be a Justice of the Peace within the Boundaries of the Town as specified for the Purposes of this Act, and for such Purposes only, provided such Town be not situate within the *Dublin* Metropolitan Police District.

And with respect to the Duties of such Commissioner so selected as aforesaid, to have the Jurisdiction and Authority of a Justice of the Peace, be it enacted as follows:

Commissioners to provide suitable Court House, and proper Officer to act as Clerk.

XXX. It shall be lawful for the said Commissioners and they are hereby required to appoint a proper Officer to act as Clerk, and to provide, if there shall be no public Court House within such Town, a suitable Building to be a public Court for the hearing and determining of Offences under this Act; and it shall be lawful for the said Commissioner or any other Justice of the Peace of the City or Town, or of the County in which such City or Town or any Part thereof is situate, to sit at and hold such Court on every Fair and Market Day of such City or Town, and on every other Day on which he or they may think fit, for the hearing and determining of Offences under this Act; and for the Purposes of this Act such Commissioner or other Justice or Justices presiding at such Court shall have the same Powers as Justices presiding at Petty Sessions.

And with respect to the Officers to be appointed by the Commissioners, be it enacted as follows:

Officers: Proviso as to Approval.

XXXI. So much of "The Towns Improvement Clauses Act, 1847," as relates to the Officers to be appointed by the Commissioners, shall be incorporated with and form Part of this Act: Provided always, that the Approval requisite to the Appointment of such Officers shall be the Approval of the Lord Lieutenant of *Ireland* for the Time being.

And with respect to Plans of Towns, and of the Works to be executed under the Powers of this Act, be it enacted as follows:

Surveys and Plans.

XXXII. So much of "The Towns Improvement Clauses Act, 1847," as relates to Plans of the District, and of the Works to be executed under any Act, shall be incorporated with and form Part of this Act.

And with respect to making and maintaining the public Sewers, be it enacted as follows:

Power to purchase, &c. certain Sewers.

XXXIII. The Commissioners may, if they shall think fit, purchase the Rights, Powers, and Authorities vested in any Person for making Sewers, or contract for the Use of, or purchase any Sewers within the Town, with or without the Buildings, Works, Materials, and Things belonging or appertaining thereto; and any Person to whom any such Sewers belong may sell and dispose of the same to or otherwise contract with the Commissioners; and in case of any such Sale the Purchase Money shall be settled and applied to the same Uses and Trusts to which the Property purchased may have been subject at the Time of such Sale, and the Property purchased shall vest in and belong to the Commissioners purchasing the same.

Incorporation Clause.

XXXIV. So much of "The Towns Improvement Clauses Act, 1847," as relates to the making and maintaining the public Sewers, shall be incorporated with and form Part of this Act: Provided always, that

that as regards the making, altering, and maintaining Sewers and Drains, it shall be lawful for any Person whose Property may be taken or affected, or who shall think himself thereby aggrieved, to appeal thereon to the Court of the Assistant Barrister in manner herein-after mentioned. Appeal.

And with respect to the Drainage of Houses, be it enacted as follows:

XXXV. So much of "The Towns Improvement Clauses Act, 1847," as relates to the Drainage of Houses shall be incorporated with and form Part of this Act: Provided, that where the Commissioners shall signify their Disapproval of the Level at which it is proposed to lay the Foundations of any new House as provided therein, it shall be lawful for any Person who shall think himself aggrieved thereby to appeal thereon to the Court of the Assistant Barrister in manner herein-after provided. Drainage of Houses Incorporation Clause. Appeal.

And with respect to paving and maintaining the Streets, be it enacted as follows:

XXXVI. That Clauses Fifty-one, Fifty-two, and Fifty-three of "The Towns Improvement Clauses Act, 1847," shall be incorporated with and form Part of this Act; provided that nothing herein or in the said Clauses so incorporated with this Act shall extend or be construed to exonerate any Turnpike Commissioners or Trustees, or any Grand Jury or other Body, or Person or Persons whatsoever, from his or their Duty or Obligation to maintain and repair any Street or Road running through any City, Town Corporate, Borough, or other Town adopting the Provisions of this Act, unless the Commissioners for the Execution of this Act shall desire to take upon themselves such Duty or Obligation; and in such Case such Commissioners shall become liable in like Manner as the Party or Parties originally liable to such Duty or Obligation, and shall in like Manner answer for and be punishable for any Default in the Discharge or Observance of such Duty or Obligation. Paving Incorporation Clause.

And with respect to laying out new Streets, be it enacted as follows:

XXXVII. So much of "The Towns Improvement Clauses Act, 1847," as relates to laying out new Streets be incorporated with and form Part of this Act: Provided always, that as regards the making and laying out any new Streets, and fixing the Levels thereof, it shall be lawful for any Person whose Property may be taken or affected, and who shall think himself thereby aggrieved, to appeal thereon to the Assistant Barrister in manner herein-after mentioned. New Streets Incorporation Clause. Appeal.

And with respect to naming the Streets and numbering the Houses, and also with respect to improving the Line of the Streets and removing Obstructions, be it enacted as follows:

XXXVIII. So much of "The Towns Improvement Clauses Act, 1847," as relates to naming the Streets and numbering the Houses, and also so much thereof as relates to improving the Line of the Streets and removing Obstructions, shall be incorporated with and form Part of this Act: Provided always, that as regards the improving the Line of any Street and removing Obstructions it shall be lawful for any Person whose Property may be taken or affected, and who shall think himself thereby aggrieved, to appeal thereon to the Assistant Barrister in manner herein-after mentioned. Naming Streets, &c. Appeal.

And with respect to ruinous or dangerous Buildings, and also with respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, be it enacted as follows:

XXXIX. So much of "The Towns Improvement Clauses Act, 1847," as relates to ruinous and dangerous Buildings, and also so much thereof as relates to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, shall be incorporated with and form Part of this Act. Ruinous Buildings, Precautions, &c.

And with respect to Objections to Works to be constructed by or subject to the Approval of the Commissioners, be it enacted as follows:

XL. So much of "The Towns Improvement Clauses Act, 1847," as relates to Objections to the Works to be constructed by or subject to the Approval of the Commissioners, except so much thereof as relates to the Appeal thereby provided, shall be incorporated with and form Part of this Act. Objections to Works.

XLI. Any Person liable to pay or to contribute towards the Expense of any of the Works hereinbefore mentioned, or otherwise aggrieved by any Order of the Commissioners relating thereto, may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Commissioners that he intends to appeal against such Order to the Assistant Barrister at the next Quarter Sessions for the Division or Place, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Eight Days next after giving such Notice the Party give Security by Recognizance before a Justice of the Peace, with Two sufficient Sureties, to the Satisfaction of such Justice, to abide the Order of the Assistant Barrister, and pay such Costs as may be awarded against him thereupon, the Work so appealed against shall not be begun until after the Judgment of the Assistant Barrister upon such Appeal; and a Copy of such Notice, and Statement of the Grounds of such Appeal as aforesaid, shall be lodged by the Appellant with the Clerk of the Peace on the Day before the Commencement of the Sessions at which the Appeal is to be heard; and the Assistant Barrister shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying such Order, Proceeding, or Matter, and shall award such Costs to either of the Parties, as the said Assistant Barrister in his Discretion thinks fit; provided, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given and such Recognizance entered into as aforesaid, nor on the Hearing of such Appeal shall he go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid; provided Persons aggrieved by Orders of the Commissioners may appeal to the Assistant Barrister.

provided also, that if there be not an Interval of Fifteen Days between the making of such Order and the then next Sessions, then such Appeal may be made and such Notice given for the next following Sessions for the Division or Place at which the Appeal can be heard.

And with respect to cleansing the Streets, and the Prevention of Nuisances, and the Prevention of Smoke, be it enacted as follows:

Cleansing Streets, Prevention of Nuisances, &c.

XLII. So much of "The Towns Improvement Clauses Act, 1847," as relates to cleansing the Streets, and the Prevention of Nuisances, and the Prevention of Smoke, shall be incorporated with and form Part of this Act.

And with respect to the Construction of Houses for Prevention of Fire, be it enacted as follows:

Party Walls to be carried up through the Roof.

XLIII. The Party Walls of all Buildings erected after the Adoption of this Act by any Town shall be carried through and above the Roof, to form a Parapet of not less than Twelve Inches in Height, measured at Right Angles with the Slope of the Roof, above the Covering of the Roof of the highest Building to which such Party Walls belong; and every Person who shall erect any Building contrary to the Provision herein contained, and who shall not alter the same within One Month after Notice given to him for that Purpose by the Commissioners, shall be liable to a Penalty not exceeding Five Shillings for every Day that such Building shall so continue.

And with respect to supplying Buildings with fresh Air, be it enacted as follows:

Ventilation.

XLIV. So much of "The Towns Improvement Clauses Act, 1847," as relates to supplying Buildings with fresh Air shall be incorporated with and form Part of this Act; provided, that the Appeal from the Determination of the Commissioners in this respect shall be such Appeal to the Court of the Assistant Barrister as is herein-before provided.

And with respect to Lodging Houses, be it enacted as follows:

For the Regulation of Lodging Houses.

XLV. It shall not be lawful to keep or use as a Lodging House within any Town the Population of which, as ascertained by the last Population Returns made pursuant to Act of Parliament, shall be above Three thousand Inhabitants, any House, not being a Licensed Victualling House, unless such House shall have been registered as a Lodging House in a Book to be kept by the Commissioners for that Purpose.

Incorporation Clause.

XLVI. Save as above provided, so much of "The Towns Improvement Act, 1847," as relates to Lodging Houses shall be incorporated with and form Part of this Act.

And with respect to Slaughter-houses, be it enacted as follows:

Slaughter-houses, &c. Saving Rights of Persons incorporated by Act of Parliament, &c.

XLVII. So much of "The Towns Improvement Clauses Act, 1847," as relates to Slaughter-houses shall be incorporated with and Form Part of this Act: Provided always, that nothing herein contained shall prejudice or affect the Rights, Privileges, Powers, or Authorities of any Persons incorporated or authorized by any Local Act of Parliament passed before the passing of this Act, for the Purpose of making and maintaining Slaughter-houses for the Accommodation of any City, Town, or Place.

And with respect to the Sale or Exposure for Sale of unwholesome and adulterated Food, be it enacted as follows:

Provision against Sale of unwholesome Meat;

XLVIII. In any Shop, Building, Stall, or Place kept or used for the Sale of Butchers Meat, Poultry, or Fish, no Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which is unfit for the Food of Man shall be kept or retained, unless entirely separate and apart from any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which is intended for such Food, nor unless the same be ticketed in large and legible and conspicuous Characters as being unfit for such Food; and any Person who shall keep in any Shop, Building, Stall, or Place occupied or used by him as aforesaid any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which is unfit for the Food of Man otherwise than entirely separate and apart, and ticketed as aforesaid, shall be liable to a Penalty not exceeding Five Pounds; and the Inspector of Nuisances, Officer of Health, or any other Officer appointed by the Commissioners for that Purpose, may and he is hereby empowered, at all reasonable Times, with or without Assistants, to enter into and inspect any Shop, Building, Stall, or Place kept or used for the Sale of Butchers Meat, Poultry, or Fish, or as a Slaughter-house, and to examine any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which may be therein; and in case any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish appear to him to be intended for the Food of Man, and to be unfit for such Food, the same may be seized; and if it appear to the Chairman of the Commissioners, upon the Evidence of a competent Person, that any such Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish is unfit for the Food of Man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for Sale or used for such Food; and the Person to whom such Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding Five Pounds for every Animal or Carcass, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, so found, and as to which such Magistrate shall be satisfied that it was intended for the Food of Man.

and against Sale of adulterated Food.

XLIX. If any Person shall sell or expose for Sale any adulterated Butter, Meal, Bread, or other Article of Food, knowing the same to be adulterated, such Person so offending shall, upon Conviction before a Justice, for every such Offence be liable to a Penalty not exceeding Forty Shillings, and such adulterated Article shall be forfeited and disposed of as the Chairman of the Commissioners shall direct; and

and it shall be lawful for such Chairman on the Application of the Inspector of Nuisances, or other Officer acting under this Act, setting forth that he has received Information and has just Cause to believe that any adulterated Article of Food is in the Possession of any Person for the Purpose of being disposed of, to grant Warrant to enter upon the Premises of such Person, and to search for and seize such Article of Food, and to forfeit and dispose of the same as to him shall seem proper.

Offensive Trades newly established to be subject to the Regulation of Commissioners.

L. The Business of a Blood-boiler, Bone-boiler, Slaughterer of Cattle, Horses, or Animals of any Description, Soap-boiler, Tallow-melter, Tripe-boiler, or other noxious or offensive Business, Trade, or Manufacture, shall not be newly established in any Building or Place within the Town without the Consent of the Commissioners; and whosoever offends against this Enactment shall be liable for each Offence to a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Forty Shillings for each Day during which the Offence is continued; and the Commissioners may from Time to Time make such Byelaws with respect to any such Businesses so newly established as they may think necessary and proper, in order to prevent or diminish the noxious or injurious Effects thereof.

And with respect to the lighting of Towns, be it enacted as follows:

Commissioners may contract for lighting Streets.

Price to be paid for Gas to be ascertained in case of Dispute.

LI. The Commissioners may contract for any Period not exceeding Three Years at any One Time with the Owners of any Gasworks, or with any other Person, for the Supply of such Gas or Oil, or other Means of lighting, and mayprovide such Lamps, Lamp Posts, and other Works as the Commissioners think necessary for lighting the Streets of the Town; and if the Commissioners and the Owners of any Gasworks authorized by Act of Parliament to supply Gas within the Town, and with whom the Commissioners shall be desirous of contracting, shall not agree as to the Price to be paid for such Supply, then such Price shall be settled by Arbitration, and for that Purpose the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to the Settlement of disputed Compensation by Arbitration, shall be incorporated with this Act.

And with respect to the Supply of Water, be it enacted as follows:

Incorporation Clause.

Commissioners may provide sufficient Supplies of Water, and may erect Waterworks, &c.

In case of Waterworks constructed by Commissioners, the Water may be kept constantly under Pressure.

Commissioners not to construct Waterworks, &c. if any Waterworks Company within the Town be able and willing to supply Water upon Terms.

LII. The One hundred and twenty-fourth Clause of "The Towns Improvement Clauses Act, 1847," shall be incorporated with and form Part of this Act, and the Commissioners may provide the Town from within or without the Boundaries of such Town with such a Supply of Water as may be proper and sufficient for the Purposes of this Act, and for private Use to the Extent required by this Act; and for those Purposes or any of them the Commissioners may from Time to Time contract with any Person whomsoever, or with any Company, or purchase, take upon Lease, hire, construct, lay down, and maintain such Waterworks, and do and execute all such Works, Matters, and Things as shall be necessary and proper, including the opening of Roads and Streets from Time to Time, for the Purpose of laying down, altering, or repairing Water Pipes therein; and the Commissioners may provide and keep a Supply of pure and wholesome Water, and may lay on at such Pressure as will carry the same to the Top Story of the highest Dwelling House within the Town: Provided always, that before constructing or laying down any Waterworks under the Powers of this Act within any Limits in respect of which any Waterworks Company shall have been established, the Commissioners shall give Notice in Writing to every such Waterworks Company, or private Owner or Owners of such Waterworks, stating the Purposes for and the Extent to which Water is required by the Commissioners; and it shall not be lawful for the Commissioners to construct or lay down any Waterworks within such Limits so long as any such Company, or Owner or Owners as aforesaid, shall lay on Water proper and sufficient for all reasonable Purposes for which it is required by the Commissioners; and in case any Difference shall arise as to whether the Water which any such Company, or Owner or Owners as aforesaid, are willing to supply is proper and sufficient for the Purposes for which it is required, or whether the Purposes for which it is required are reasonable, the same shall be settled on an Appeal in manner aforesaid (but without any Recognizance) by either Party to the Assistant Barrister, whose Decision shall be final: Provided always, that it shall not be lawful for the Commissioners to take or use any Water, Cistern, Pump, Well, Conduit, or Waterwork without having obtained the Consent in Writing of the Owner or Owners thereof.

Service Pipes to be laid by Owners.

Water to be used only for domestic and ordinary Purposes, unless by Agreement

LIII. Where the Commissioners are able and willing to supply the Houses or Tenements within the Town with Water for domestic and ordinary Purposes, the Owners of such Houses and Tenements shall be entitled to obtain such Supply by connecting a Service Pipe with the Main Pipes to be laid down by the Commissioners, the Expense of such Service Pipes and of connecting the same with the Main Pipes being defrayed by such Owners; and where the Houses and Tenements generally in any Street or Place within the Town shall be supplied with Water by means of such Service Pipes, it shall be competent to the Commissioners to require the Owner of any Tenement in such Street or Place not so supplied to take a Supply of Water by connecting a Service Pipe with the Main Pipe as aforesaid; and in the event of Refusal or Delay on the Part of such Owner to comply with such Requisition, it shall be lawful for the Commissioners to enter upon such Houses or Premises, and proceed to lay down such Service Pipes themselves, and to recover the Expense thereof from such Owner in the same Manner as Damages; and no Person within the Town shall be entitled without, special Agreement with the Commissioners, to use the Water supplied through the Pipes of the Commissioners, except for domestic and ordinary Purposes; but where there is a Supply of Water more than is required for such domestic and ordinary Purposes within the Town, it shall be lawful for the Commissioners to contract with any Person or Persons within the

with the Commissioners.

the Town to supply any Public Baths and Wash-houses, Works, Manufactories, or other Premises within the Town with Water, at such Rate and upon such Terms and Conditions as may be agreed on; or in the event of Disagreement, either as to the Ability of the Commissioners to give the Supply, or as to the Rate, Terms, or Conditions on or in respect of which the Supply is to be given, the same shall be fixed on an Appeal in manner aforesaid (but without any Recognizance) by either of the Parties to the Assistant Barrister, whose Decision shall be final; and when the Main Pipes of the Commissioners have been laid down in any Town or Borough, it shall be lawful for the Owners of and other Persons interested in any House or Tenement situate without the Limits of such Town or Borough, at their own Expense, to lay down Main Pipes and Service Pipes, and to connect the same with the Main Pipes of the said Commissioners, such Connexion to be made under the Superintendence and to the Satisfaction of the Engineer for the Time being to the said Commissioners; and when and so soon as such Connexion shall have been made and completed, the said Commissioners shall supply such House or Tenement with Water for domestic Purposes at a Rate not exceeding that which shall be assessed upon the Houses and Tenements within any such Town or Borough; and it shall be lawful for the Commissioners to make Byelaws regulating all or any Matters and Things whatsoever connected with the Water to be supplied within or without the Town through their Pipes.

Commissioners may make Byelaws in reference to Water.

Penalty for injuring Waterworks, diverting Streams, or wasting Water.

LIV. Whosoever shall wilfully or carelessly break, injure, or open any Lock, Cock, Waste-pipe, or Waterworks belonging to or under the Management or Control of the Commissioners, or shall unlawfully divert or take Water from any Waterworks belonging to or under the Control of the Commissioners, or from any Waters by which such Waterworks are supplied, or shall wilfully or negligently waste any Water with which he is supplied by the Commissioners, shall for every such Offence forfeit a Sum not exceeding Two Pounds, and a further Penalty not exceeding Ten Shillings for each Day whilst the Offence is continued after written Notice in that Behalf, which Penalties shall be paid to the Commissioners; and whosoever shall bathe in any Stream, Reservoir, or other Waterworks belonging to or under the Control of the Commissioners, or shall wash, throw, or cause to enter therein any Animal, Rubbish, or Thing of any kind, or shall cause or permit or suffer to run or be brought therein the Water of any Sink, Sewer, Drain, Engine, or Boiler, or other filthy, unwholesome, or improper Water, or shall do anything whatsoever whereby any Water belonging to the Commissioners, or under their Management or Control, shall be fouled, shall for every such Offence forfeit a Sum not exceeding Two Pounds, and a further Sum not exceeding Twenty Shillings for each Day whilst the Offence is continued, after written Notice in that Behalf, which Penalties shall be paid to the Commissioners; and whosoever, being Proprietor of any Gasworks, or engaged or employed in the Manufacture or Supply of Gas, causes or suffers to be brought or to flow into any Stream, Reservoir, or Waterworks belonging to or under the Management or Control of the Commissioners, or into any Drain or Pipe communicating therewith, any Washing or other Substance produced in the Manufacture or Supply of Gas, or shall wilfully do any Act connected with the Manufacture or Supply of Gas, whereby the Water in any such Stream, Reservoir, or Waterworks is fouled, shall forfeit to the Commissioners for every such Offence a Sum not exceeding One hundred Pounds, and, after the Expiration of Twenty-four Hours Notice in Writing from them in this Behalf, a further Sum not exceeding Ten Pounds for every Day during which the Offence is continued; and if any Water belonging to or under the Management or Control of the Commissioners be fouled in any Manner by the Gas of any such Proprietor or Person, he shall forfeit to the Commissioners for every such Offence a Sum not exceeding Ten Pounds, and a further Sum not exceeding Five Pounds for every Day whilst the Offence is continued after the Expiration of Twenty-four Hours Notice in Writing from the Commissioners in this Behalf; and for the Purpose of ascertaining whether such Water is fouled by the Gas of any such Proprietor or Person, the Commissioners may lay open and examine any Pipes, Conduits, and Works from which the Gas is supposed to escape; provided that before beginning so to do Twenty-four Hours Notice in Writing be given to the Person to whom such Pipes, Conduits, or Works belong, or under whose Management or Control they may be, of the Time at which the Examination is intended to be made; and if upon such Examination it appear that the Water has been fouled by the Gas proceeding from the Works examined, the Expenses of the Examination shall be paid and borne by the Person to whom such Works belong, or under whose Management or Control they may be, and be recoverable from him in the same Manner as any Debt may be recovered by the Law of *Ireland*; but if it appear that the Water has not been so fouled, then such Expenses, and all Damages occasioned by the Examination, shall be paid by the Commissioners out of the general Assessments levied under this Act, and be recoverable from them upon summary Proceeding by Civil Bill or otherwise, as any Debt may be recovered by the Law of *Ireland*.

Penalties on Persons for causing Water in Reservoirs to be fouled;

and on Proprietors of Gasworks, &c.

And with respect to Things to be done by the Commissioners by special Order only, and with respect to Clocks, and with respect to Entry by the Commissioners or their Officers in execution of this Act, and with respect to ensuring the Execution of the Works by this Act required to be done by the Owners or Occupiers of Houses or Lands, be it enacted as follows:

Special Order; Clocks; Entry of Commissioners;

LV. So much of "The Towns Improvement Clauses Act, 1847," as relates to Things to be done by the Commissioners by special Order only, and so much thereof as relates to Clocks, and so much thereof as relates to Entry by the Commissioners or their Officers in execution of the Act, and so much thereof

as

as relates to ensuring the Execution of Works required to be done by the Owners or Occupiers of Houses or Lands, shall be incorporated with and form Part of this Act. Execution of Works.

And with respect to the Sale of Gunpowder, be it enacted as follows:

LVI. No Gunpowder shall be sold within the Town by Candle or other artificial Light, under a Penalty not exceeding One Pound for each Offence; and no Person shall keep at any Time more than Ten Pounds Weight of Gunpowder, except by special Permission of the Commissioners, signed by the Chairman and Two of the said Commissioners, and under such Regulations for its safe Custody as they may approve and determine, under a Penalty for the First Offence of any Sum not exceeding One Pound, for the Second Offence not exceeding Three Pounds, and for the Third or any subsequent Offence not exceeding Five Pounds, besides Forfeiture of all the Gunpowder which shall be found exceeding the aforesaid Weight; and the aforesaid Quantity of Gunpowder allowed to be kept as aforesaid shall be deposited in a Place separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding One Pound to be paid for each Offence by the Occupier of the Premises in which such Quantity not so kept and secured as aforesaid shall be found: Provided always, that nothing herein contained shall apply to any Quantity of Gunpowder provided for Military or Constabulary Purposes. Regulations as to Gunpowder.

And with respect to the Byelaws to be made by virtue of this Act, be it enacted as follows:

LVII. So much of "The Towns Improvement Clauses Act, 1847," and of "The Commissioners Clauses Act, 1847," as relates to the Byelaws to be made by virtue of said Acts, shall, save as next herein provided, be incorporated with and form Part of this Act: Provided that no Byelaw made by the Commissioners under the Authority of this Act shall come into operation until the same be confirmed by the Lord Lieutenant, who is hereby empowered to inquire into any Byelaws tendered for that Purpose, and to allow or disallow of the same as he may think meet; provided also, that no such Byelaws be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers circulating within the Town (if any), or otherwise in some Newspaper circulating in the County in which the Town is situated, One Month at least before the making of such Application; and any Person desiring to object to any such Byelaw, on giving to the Commissioners Notice of the Nature of his Objection Ten Days before the making of the Application for the Allowance thereof, may transmit to the Lord Lieutenant a Memorial containing the Grounds of such Objection; and if such Byelaws should be thereupon confirmed, in the whole or in part, the Order for such Confirmation, in the whole or in part, shall be signed under the Hand of the Chief or Under Secretary of the Lord Lieutenant, of which Order a Copy shall be published in One or more such Newspapers as aforesaid, and such Publication shall be deemed Evidence of such Byelaws. Byelaws to be confirmed. Notice of Confirmation to be given.

And with respect to the Contracts to be entered into, and the Deeds to be executed by the Commissioners, be it enacted as follows:

LVIII. So much of "The Commissioners Clauses Act, 1847," as relates to the Contracts to be entered into, and the Deeds to be executed by the Commissioners, shall be incorporated with and form Part of this Act. Incorporation Clause.

And with respect to the Appointment and Accountability of the Officers of the Commissioners, other than those herein-before provided for, be it enacted as follows:

LIX. So much of "The Commissioners Clauses Act, 1847," as relates to the Appointment and Accountability of the Officers of the Commissioners, save as herein next provided, shall be incorporated with and form Part of this Act: Provided that the Commissioners shall in all Cases appoint some Bank or Banking Company to act as their Treasurer, and that it shall not be necessary to require from such Bank or Banking Company any Security for the due Execution of such Office as required by said Act; provided also, that the Drafts to be drawn on said Bank on account of said Commissioners shall be drawn at a Meeting of the Commissioners, and there signed by the Chairman of the Meeting and by Two other Commissioners, and no Drafts on the said Account shall be drawn for any private Purpose on any Pretence whatever, nor for any other Purpose than the Payments which shall from Time to Time be authorized by the Commissioners for the Purposes of this Act, as the same shall be certified to the said Treasurer by the Clerk to the Commissioners, who shall countersign all such Drafts. Clerk, Treasurer, Collector, &c. How Drafts to be drawn.

And with respect to General Assessments under this Act, be it enacted as follows:

LX. Once in each Year the Commissioners shall assess all Occupiers of Premises within the Town, and the Boundaries thereof as before determined on and declared and settled, rated in respect of such Premises under the Acts for the Relief of the destitute Poor in the Sums necessary to be levied for the Purposes of this Act, other than by way of Private or District Assessments, and shall fix a Day, not being less than One Month from the Date of laying on such Assessment, on which the same shall be payable; and the Rate of Assessment, and Day so fixed by the Commissioners, shall be published by Handbills posted in the Town, and by Advertisement in any Newspaper or Newspapers published therein (if any), or otherwise in some Newspaper or Newspapers published nearest to such City or Town: Provided that such Assessment other than Private and District Assessments shall not in any Year exceed the Rate of One Shilling and Sixpence in the Pound where the Enactments of this Act with Commissioners to make Assessment for the Purposes of this Act.

respect to Water have been adopted, or the Rate of One Shilling in the Pound where such Enactments with respect to Water have not been adopted; provided that all unoccupied Houses, Tenements, or Premises, being at the Time of such Assessment unproductive to the Lessors or Landlords thereof, shall be exempt from Taxation under this Act during the Period that such Premises are so unoccupied and unproductive, and no longer.

Assessment Book to be made up, and Objections how to be entered and disposed of by the Commissioners.

LXI. The Clerk of the Union shall, on the Requisition of the Commissioners, produce the Rate Book of the Union, and the said Commissioners shall annually cause to be made up a Book of Assessment, to be signed by the Chairman and Two others of the Commissioners, showing the net annual Value of the whole Premises in the Town under the Poor Law Valuation liable to be assessed under this Act, and according to which the Assessments under this Act are intended to be levied; and such Book of Assessment shall be open to Inspection by all Ratepayers, in the Hands of the Clerk; and the Commissioners shall have Power to rectify any Mistake or Error, upon the ground of any Variance from the last Assessment for Poor Rates, or on the ground of any Change of Occupation of Premises since such last Assessment for Poor Rates; and in each Year a Copy of the said Book of Assessment, as finally adjusted by the Commissioners, signed by the Chairman and Two Commissioners, and countersigned by the Clerk, shall be delivered over to the Collector, as the Rule for levying and collecting the annual Assessment under this Act, and shall be deemed to be Evidence of each and every separate Assessment for the Purposes of this Act.

Copy of Assessment Book to be given to Collector.

Rating of Railways and Canals.

LXII. For the Purpose of any Rate to be made or levied under the Provisions of this Act or of any Act incorporated herewith, all Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands, or Market Gardens, or Nursery Grounds, and all Lands covered with Water and used as a Canal, and any Towing-path to the same, and all Lands used as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed and liable in the Proportion of One Fourth Part only of the net annual Value of such Lands respectively.

Assessment may be levied by Distress and Sale, or upon a Complaint to be made to a Justice who shall summon the Party.

LXIII. If any Person so rated and assessed as aforesaid shall refuse or neglect to pay the Assessment charged upon him for the Space of Ten Days next after the same shall be due and demanded by the Collector, it shall be lawful for the Collector to levy the same by Distress and Sale of any Goods and Chattels of such Person which may be found either on the Premises chargeable, or on any Premises within the Town rented or possessed by the Person so assessed, rendering to the Owner of such Goods and Chattels the Overplus (if any) after deducting the Expenses of distraining, not exceeding Twelvepence in the Pound on the Sum for which such Distress may have been made; or in case the Collector shall not think it expedient to proceed by Distress, then it shall be lawful for him to leave at the Dwelling House of the Party chargeable for or in respect of such Premises a Notice, bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Sum applotted within Ten Days from the Date of such Notice, and expressing that within Ten Days the Money demanded may be paid to the Collector at his House or Office; and if such Money be not so paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace having Jurisdiction in such Town, and such Justice shall summon the Party so complained against to appear before him, or any other Justice of the Peace sitting in Petty Sessions, and answer the said Complaint, and shall, at the Time specified in such Summons, examine into the Matter of such Complaint on Oath, and shall direct the Payment to such Collector of such Money as he shall find due and payable under such Assessment by the Party complained against, together with a Sum certain for such reasonable Costs and Charges as to such Justice shall seem meet; and in default of the Appearance of such Party, or upon his or her Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace having Jurisdiction in such Town, to issue his Warrant authorizing and empowering the said Collector to levy the Money thereby ordered to be paid, by Distress and Sale of any Goods or Chattels of the Party so complained against, which may be found within the Town, rendering the Overplus (if any) to him or her, the necessary Charges and Expenses of distraining being thereout first deducted, as directed by such Justice; and the Collector shall be bound to preserve the Warrants of such Seizures or Sales, and enter in a Book to be kept for that Purpose the Names of the Parties proceeded against, the Assessment due, the Expense of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party considering himself aggrieved to complain to any such Justice of anything done unjustly or oppressively in regard of such Seizure or Sale, such Complaints being made in the Form of Petitions subscribed by the Complainer, and the Decision of such Justice shall be final; or otherwise the Collector shall be and he is hereby authorized and empowered to sue for and recover all or any Part of such Assessment in arrear by personal Action or by Suit before the Civil Bill Court of the Assistant Barrister having Jurisdiction in that Behalf as to such Town, or otherwise according to Law; and no Misnomer, Mistake, or Informality committed in any Proceedings for Recovery of any Assessment under this Act shall prejudice the Recovery of such Assessment and Expenses, nor shall such Proceedings abate by the Death, Resignation, or Removal of the Collector instituting the same, or by any Change in the Persons holding Office as Commissioners, but it shall be lawful for the Collector for the Time to prosecute

In default of Appearance, Goods of Party may be distrained.

Power to proceed by Action or Suit.

prosecute and follow forth Proceedings commenced and carried on in the Name of any previous Collector in all respects as if such Proceedings had been taken by himself: Provided always, that it shall not be competent for any Person to sue, nor for any Court of Law to entertain, any Action or Proceeding against the Commissioners, or the Collector or Officers or other Persons employed in executing any Warrant in reference to any Assessment under this Act, by reason of any Mistake, Informality, or Misnomer, if the Goods or other Effects seized or sold under such Warrant were *bonâ fide* the Property or in the lawful Possession of the Person actually liable to Payment of such Assessment under the Provisions of this Act.

Immediate Lessors of Property of less Value than 4*l.* to be assessed for the same.

LXIV. Whenever the net annual Value of the rateable Hereditaments in any such Town actually occupied by any Person or Persons shall not exceed Four Pounds the Assessment under this Act in respect of such Property shall be made on the immediate Lessor or Lessors of such Person or Persons; and if at the Time of making any such Assesssment the Name of the immediate Lessor be not accurately known to the Persons making the Assessment, it shall be sufficient to describe him therein as "the immediate Lessor," with or without any Name or further Addition, and such Assessment shall be held to be duly made on him by such Description, and shall be recoverable from him accordingly, notwithstanding any Error or Defect in his Name or Description, or the entire Omission of his Name therein: Provided, that wherever any Occupier shall claim to be and shall be accordingly rated to the Relief of the Poor, although the net annual Value of the rateable Hereditaments occupied in any Town by such Person shall not exceed Four Pounds, the Assessment under this Act shall be made upon the Person so claiming to be rated to the Relief of the Poor.

Recovery of Assessment from Lessors by Action or Civil Bill, or by Warrant of Distress.

LXV. Any Assessment made as aforesaid on any Lessor shall be recovered from him by personal Action in the Name of the Clerk of the Commissioners, and, by their Direction, against such Lessor in any of the Superior Courts of Record in *Dublin*, or by Civil Bill in the Court of proper Jurisdiction; or, where such Lessor resides within such Town, the Collector may leave at the Dwelling House of such Lessor such a Notice as herein-before provided requiring Payment of the Assessment within Ten Days; and if such Assessment be not paid within such Time, the same may be recovered upon a Complaint before a Justice, and by Distress and Sale, under the Warrant of a Justice, of the Goods of such Lessor, in manner herein-before provided as to Assessments; and if a sufficient Distress of the Goods and Chattels of such Lessor cannot be found within such Town, then on Oath thereof made before any Justice of the Peace of any County in which any of the Goods and Chattels of such Lessor may be found, the Goods or Chattels of such Lessor shall be subject and liable to such Distress and Sale in such County where the same may be found, and may by virtue of such Warrant be distrained and sold in the same Manner as if the same had been found within such Town; and if such Assessment be not paid by such Lessor within Four Months after the making thereof, it shall be lawful for the Collector, by Direction of the Commissioners, to give a Notice in Writing as aforesaid to the Occupier or respective Occupiers for the Time being of any such Property to pay the Assessment due in respect of the Property in his or their Occupation; and after the Expiration of One Calendar Month from the Time of giving such Notice it shall be lawful to recover such last-mentioned Assessment from every such Occupier, or, in his Default, from any subsequent Occupier of the Premises; and every such Occupier so paying such Assessment may deduct from the Rent he may be then or next thereafter liable to pay in respect of any such Property the whole of any such Assessment he may have paid in respect of the same Property; and if Rent sufficient to cover such Assessment be not then or do not thereafter become due from such Occupier, he shall be entitled to recover the same from such Lessor by Civil Bill; and so much of "The Towns Improvement Clauses Act, 1847," as relates to the Manner of making Rates, shall be incorporated with and form Part of this Act.

If Assessment be not paid by the Lessor, it may be recovered from the Occupier, who may deduct it from Rent.

And with respect to Private and District Assessments for Sewers, Drains, and Private Improvements, be it enacted as follows:

Private Assessments.

LXVI. So much of "The Towns Improvement Clauses Act, 1847," as relates to Rates directed to be made for Sewers, Drains, and Private Improvements shall be incorporated with and form Part of this Act; and the said Commissioners shall cause to be made up a Book of Assessment applicable thereto, and the same or a Copy thereof, signed by the Chairman and any Two of the Commissioners, shall forthwith be delivered over to the Collector as the Rule for levying and collecting the said Assessments; and thereupon the several Provisions of this Act in reference to the Recovery of any other Assessments by this Act authorized shall apply to and be available for the Recovery of such Private and District Assessments.

Recovery thereof.

And with respect to the Appeal to be made against any Private or District Assessment, be it enacted as follows:

How Objections to be entered and disposed of.

LXVII. The Commissioners shall appoint a Day on which every Assessment shall be payable, and another Day on which Objections by any Parties complaining that they have been improperly assessed may be lodged with the Clerk, and another Day or Days, at an Interval of One Week at the least respectively, on which Objections in reference to such Assessment shall be heard by the Commissioners; and Notice to each Party intended to be so assessed, stating the Particulars of the intended Assessment as regards such Party, and specifying the several Days fixed by the Commissioners as aforesaid, shall be sent by the Clerk through the Post Office at least Two Weeks preceding the Day which may be fixed for

for hearing the Objection of Parties; and the Commissioners may rectify or alter any Assessment as regards any Person assessed or liable to be assessed therefor, by whom an Objection may be taken by Letter to the Clerk, lodged with him on or before such Day for lodging Objections as the Commissioners shall have fixed as aforesaid: Provided, that it shall be lawful for any Person considering himself aggrieved by any Assessment to appeal from the Decision of the Commissioners to the Assistant Barrister at the General or Quarter Sessions for the Division, who shall hear and determine such Appeal, and make such Order thereupon, and as to the Costs thereof, as shall be just, and such Determination upon such Appeal shall be final.

Accounts.

And with respect to the Accounts to be kept by the Commissioners, be it enacted as follows:

LXVIII. So much of "The Commissioners Clauses Act, 1847," as relates to the Accounts to be kept by the Commissioners shall be incorporated with and form Part of this Act; provided that the Appeal thereby directed shall, in Towns adopting the Provisions of this Act, be brought before the Court of the Assistant Barrister, who shall hear and determine the same, and make such Order in respect thereof, and of the Costs thereby incurred, as shall be just, and such Determination shall be final.

Power to Commissioners to borrow Money for the Purposes of this Act, but not beyond the fixed Rate of Assessment.

And with respect to the borrowing of Money for the Purposes of this Act, be it enacted as follows:

LXIX. It shall be lawful for the Commissioners, with the Approval of the Lord Lieutenant signified in Writing by the Chief Secretary or Under Secretary, to borrow, for the Purpose of procuring or erecting a Slaughter-house, or for erecting Lamps, or for constructing Common Sewers, or for procuring or supplying Water or Gas, or Fire Engines, or for any of the Purposes authorized by this Act, such Sums and at such Times, as the Commissioners shall deem necessary for such Purposes; provided, that in all Cases where it shall be necessary to borrow any Sum or Sums for the Purposes of this Act, it shall be lawful for the Commissioners and they are hereby required, at their First Annual Meeting for Assessment after such borrowing, to assess all Persons within the Town liable in Assessment under this Act in such additional Assessment as will produce a Fund equal to Five *per Centum per Annum* upon the Sum or Sums so borrowed, and also to the annual Interest of such borrowed Sum or Sums, which Sum of Five *per Centum per Annum* the Commissioners shall annually appropriate and invest, at the highest Rate of Interest which can be had for the same, in the Public Funds, or in the Stock of the Governor and Company of the Bank of *England* or *Ireland*, as a Sinking Fund, applicable and to be applied by the Commissioners to the Repayment of the Money borrowed, until the Debt shall be extinguished; provided that such additional Assessment shall at no Time increase the whole Assessment leviable beyond the maximum Rate of Assessment of One Shilling and Sixpence in the Pound allowed by this Act; and provided also, that no Sum of Money shall be borrowed until an Estimate of the Amount required shall have been laid before the Commissioners, and until the Expiration of Six Weeks after public Notice shall have been given by the Commissioners of the Amount so proposed to be borrowed, and the Purpose to which the same is to be applied, in some Newspaper in Circulation within such Town; and provided also, that the Proposal to borrow shall be disposed of at the next Meeting of the Commissioners Six Weeks after such public Notice, and that the Sum borrowed shall not exceed the Amount so advertised without a further Estimate and Notice in manner above provided; and no Commissioner or Officer acting under them shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided; and, save as above provided, so much of "The Commissioners Clauses Act, 1847," as relates to Mortgages to be executed by the Commissioners shall be incorporated with and form Part of this Act.

Power to prevent Obstructions in the Streets during public Processions, &c.

And with respect to the Regulation of Towns, and to Obstructions and Nuisances in the Streets, and to the Suppression of Vagrants and Beggars, be it enacted as follows:

LXX. The Commissioners may from Time to Time make Orders for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets of the Town in all Times of public Processions, Rejoicings, or Illuminations, and in any Case when the Streets are thronged or liable to be obstructed, and may also give Directions to the Constables and Officers of the Constabulary Force for keeping Order and preventing any Obstruction of the Streets in the Neighbourhood of Theatres and other Places of public Resort; and every wilful Breach of any such Order shall be deemed an Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

Power to impound stray Cattle.

Power to sell stray Cattle for Penalty and Expenses.

LXXI. If any Cattle be at any Time found at large in any Street of the Town without any Person having the Charge thereof, any Constable or Officer of Constabulary, or any Person residing within the Town, may seize and impound such Cattle, and may detain the same until the Owner thereof pay to the Commissioners a Penalty not exceeding Twenty Shillings besides the reasonable Expenses of impounding and keeping such Cattle; and if the said Penalty and Expenses be not paid within Three Days after such impounding, the Person appointed by the Commissioners for that Purpose may proceed to sell such Cattle, or cause the same to be sold; but previous to such Sale, then Three Days Notice of such intended Sale shall be given by posting such Notice on the Constabulary Barrack, Pound, and other Place (if any) which may be appointed by the Commissioners for that Purpose, and the Money arising from such Sale, after deducting the said Sums, and the Expenses aforesaid, and all other Expenses attending the impounding,

pounding, keeping, and Sale of any such Cattle so impounded, shall be paid to the Commissioners, and shall be by them paid, on Demand, to the Owner of the Cattle so sold.

Penalty on Persons committing any of the Offences herein named.

LXXII. Every Person who in any Street, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, commits any of the following Offences, shall be liable to a Penalty for each Offence as herein-after mentioned; and any Constable or other Officer appointed by virtue of this Act shall take into Custody, without Warrant, and forthwith convey before a Justice or Justices, any Person who within his View commits any such Offence; (that is to say,)

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal; or exhibits in a Caravan or otherwise any Show or public Entertainment; or shoes, bleeds, or farries any Horse or Animals (except in Cases of Accident); or cleans, dresses, trains, or breaks, or turns loose any Horse or Animal; or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary), shall be liable to a Fine not exceeding Ten Shillings:

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal, shall be liable to a Fine not exceeding Ten Shillings:

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who, after public Notice given by any Justice or Justices at Petty Sessions, Chief Magistrate, or Chairman of Commissioners, directing Dogs to be confined on account of Suspicion of canine Madness, suffers any Dog to be at large during the Time specified in such Notice, shall be liable to a Fine not exceeding Ten Shillings;

Every Person who slaughters or dresses any Cattle, or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot, shall be liable to a Fine not exceeding Ten Shillings:

Every Person having the Care of any Waggon, Cart, or Carriage, who rides on the Shafts thereof; or who, without having Reins, and holding the same, rides upon such Waggon, Cart, or Carriage or on any Animal drawing the same; or who is at such a Distance from such Waggon, Cart, or Carriage as not to have due Control over every Animal drawing the same; or who does not, in meeting any other Carriage, keep his Waggon, Cart, or Carriage to the left or near Side, or who in passing any other Carriage does not keep his Waggon, Cart, or Carriage on the right or off Side of the Road (except in Cases of actual Necessity, or some sufficient Reason for Deviation); or who, by obstructing the Street, wilfully prevents any Person or Carriage from passing him, or any Waggon, Cart, or Carriage under his Care, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who at One Time drives more than Two Carts or Waggons, and every Person driving Two Carts or Waggons who has not the Halter of the Horse in the last Cart or Waggon securely fastened to the Back of the First Cart or Waggon, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who rides or drives furiously any Horse or Carriage, or drives furiously any Cattle, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who causes any public Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burden, standing for Hire in any Place appointed for that Purpose by the Commissioners or other lawful Authority); and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Animal, or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who causes any Tree or Timber, or Iron Beam, to be drawn in or upon any Carriage, without having sufficient Means of safely guiding the same, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway of any Street, or fastens any Horse or other Animal so that it stands across or upon any Footway, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandise, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing-place, Stool, Bench, Stall, or Showboard on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over and along any such Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every Part thereof from the Ground, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who places, hangs up, or otherwise exposes to Sale any Goods, Wares, Merchandise, Matter, or Thing whatsoever, so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who places any Line, Cord, or Pole across any Street, or hangs or places any Clothes thereon, shall be liable to a Fine not exceeding Twenty Shillings:

Every common Prostitute or Nightwalker loitering and importuning Passengers for the Purpose of Prostitution, or being otherwise offensive, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who wilfully and indecently exposes his Person, or who commits any Act contrary to public Decency, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sings any profane or obscene Song or Ballad, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who wantonly discharges any Fire-arm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who wilfully and wantonly disturbs any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door, or who wilfully and unlawfully extinguishes the Light of any Lamp, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so enclosed as to prevent Mischief to Passengers), shall be liable to a Fine not exceeding Ten Shillings:

Every Person who beats or shakes any Carpet, Rug, or Mat (except Rugs or Mats beaten or shaken before the Hour of Nine in the Morning), shall be liable to a Fine not exceeding Ten Shillings:

Every Person who fixes or places any Flower Pot or Box, or other heavy Article, in any upper Window, without sufficiently guarding the same against being blown down, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who leaves open any Vault or Cellar, or the Entrance from any Street to any Cellar or Room underground, without a sufficient Fence or Handrail; or leaves defective the Door, Window, or other Covering of any Vault, Area, or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open; or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who throws or lays any Dirt, Dung, Litter or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, on any Street, or Sea Beach, or Strand within the Boundaries of a Town, or causes any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill, into any Street: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost to prevent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as soon as the Occasion for them ceases, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who keeps any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who keeps any Swine in or near any Street, so as to be a common Nuisance, shall be liable to a Fine not exceeding Forty Shillings:

Every Person drunk in any Street or guilty of any riotous or indecent Behaviour in any Street, Police Office, or Petty Sessions Court, or any Police Station House within the Town, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence, or, in the Discretion of the Justice or Justices before whom he is convicted, to Imprisonment for a Period not exceeding Seven Days.

Fire Engines may be provided and Fire-

LXXIII. The Commissioners may provide such Engines for extinguishing Fire, and such Appurtenances for such Engines, and such Fire Escapes and other Implements for Safety or Use, in case of Fire, and keep or hire such Horses for drawing such Engines as they think fit, and employ a proper Number of

of Persons to act as Firemen, and make such Rules for their Regulation as they think proper, and give such Firemen and other Persons such Salaries and such Rewards for their Exertions in Cases of Fire as they think fit; and the Commissioners may send such Engines, and the said Firemen, beyond the Boundaries of the Town, for extinguishing Fire in the Neighbourhood of the Town, and the Owner of the Premises shall in such Case defray the actual Expense which may be thereby incurred, and shall also pay to the Commissioners a reasonable Charge for the Use of such Engines, and for the Attendance of such Firemen; and the Amount of the said Expenses and Charges, as well as the Propriety of sending the said Engines and Firemen as aforesaid for extinguishing such Fire (if the Propriety thereof be disputed), shall be determined by the Justices at Petty Sessions, whose Decision shall be final; and the Amount of the said Expenses and Charges shall be recovered by the Commissioners as Damages.

men employed by the Commissioners.

Fire Police permitted to go beyond the Limits of the Town in certain Cases.

And with respect to Places of public Resort, be it enacted as follows:

LXXIV. Every Victualler, or Keeper of any Public House, or Person licensed to sell fermented or distilled Liquors by Retail, to be drunk or consumed on the Premises, within the Town, who harbours or entertains in his Public House or Place wherein he carries on his Business any Constable during any Part of the Time for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings; and every Person keeping any Place of public Resort within the Town for the Sale or Consumption of Refreshments of any kind, who knowingly suffers common Prostitutes or reputed Thieves to assemble and continue in his Premises, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Victuallers entertaining Constables while on Duty.

Penalty for harbouring disorderly Persons.

LXXV. Every Person who within the Town keeps or acts in the Management of any House or Place for the Purpose of fighting, baiting, or worrying any Animals, shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Magistrate before whom he is convicted, to Imprisonment, with or without Hard Labour, for a Time not exceeding One Month; and the Commissioners may, by Order in Writing, authorize the Officer of Police, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not exceeding Five Shillings; and a Conviction for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequence to which he is liable for the Nuisance thereby occasioned.

Penalty on Persons keeping Places for baiting Animals; and on Persons found therein.

LXXVI. And be it enacted, That all Thimblers, loaded Dice Players, and other Swindlers of that or any similar Description, who shall be found in possession of Implements or Articles for practising Games of Hazard, or who shall exhibit such Implements or Articles in order to induce or who shall induce any Person to play at any Game of Hazard, or who by any fraudulent Art or Device shall cozen, cheat, or attempt to cozen or cheat any Person, may be convicted before a Justice on the Testimony of One or more Witness or Witnesses, and on Conviction shall be imprisoned for any Term not exceeding Thirty Days, and shall also at the same Time be sentenced to repay any Money or restore any Property which they may have obtained by means of any such Offence, and failing such Payment or Restoration may under the same Procedure be committed to or detained in Prison for any further Term not exceeding Thirty Days.

Penalty against Swindlers, &c.

And with respect to public Bathing, be it enacted as follows:

LXXVII. Where any Part of the Seashore or Strand of any River used as a public Bathing Place is within the Town, the Commissioners may make Byelaws for the following Purposes; (that is to say,)

Bathing Machines and Bathing.

For fixing the Stands of Bathing Machines on the Seashore or Strand, and the Limits within which Persons of each Sex shall be set down for bathing, and within which Persons shall bathe:

For regulating the Occupation of such Stands of Bathing Machines, and apportioning the same temporarily among the Owners of such Machines for the Time:

For preventing any indecent Exposure of the Persons of the Bathers:

For regulating the Manner in which and the Times at which the Bathing Machines shall be used, and the Charges to be made for the same:

For ensuring that the Bathing Machines shall be kept in a proper State of Repair:

For regulating the Distance at which Boats and Vessels let to hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within such prescribed Limits.

And with respect to Hackney Carriages, be it enacted as follows:

LXXVIII. Every wheeled Carriage, whatever may be its Form or Construction, used in standing or plying for Hire in any Street within Four Miles from the Post Office of the Town, and every Carriage standing upon any Street within such Distance, having thereon any numbered Plate required by this Act to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, shall be deemed to be a Hackney Carriage within the Meaning of this Act; and in all Proceedings at Law or otherwise the Term "Hackney Carriage" shall be sufficient to describe any such Carriage: Provided, that no Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and duly licensed for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches, shall be deemed to be a Hackney Carriage within the Meaning of this Act.

What to be Hackney Carriages.

Hackney Carriages to be licensed. Fee to be paid for Licences. Persons applying for Licence to sign a Requisition for same.

LXXIX. The Commissioners shall from Time to Time license to ply for Hire, within such prescribed Distance, such Hackney Coaches or Carriages, of any Kind or Description adapted to the Carriage of Persons, as shall be necessary; and for every such Licence there shall be paid to the Clerk, or other Person appointed by them to receive the same, such Sum as the Commissioners direct, not exceeding Five Shillings: Provided that before any such Licence is granted, a Requisition for the same, in such Form as the Commissioners may provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage in respect of which such Licence is applied for, and in every such Requisition shall be truly stated the Name and Surname and Place of Abode of the Person applying for such Licence and of every Proprietor or part Proprietor of such Carriage; and any Person who, on applying for such Licence, states in such Requisition the Name of any Person who is not a Proprietor or part Proprietor of such Carriage, and also any Person who wilfully omits to specify truly in such Requisition as aforesaid the Name of any Person who is a Proprietor or part Proprietor of such Carriage, shall be liable to a Penalty not exceeding Five Pounds.

What shall be specified in the Licence. Licence to be in force for One Year only. Licences to be registered.

LXXX. In every such Licence shall be specified the Name and Place of Abode of every Person who is a Proprietor or part Proprietor of the Hackney Carriage in respect of which such Licence is granted, and also the Number of such Licence which shall correspond with the Number to be painted or marked on the Plates or Marks to be fixed on such Carriage, together with such other Particulars as the Commissioners think fit; and every Licence so to be granted shall be signed by Two or more of the Commissioners, and shall not include more than One Carriage so licensed, and shall be in force from One Year only from the Day and the Date of such Licence, or until the next General Licensing Meeting, in case any General Licensing Day be appointed by the Commissioners; and every such Licence shall be made out by the Clerk of the Commissioners, and duly entered in a Book to be provided by him for that Purpose, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Proprietor or Driver or Person attending such Carriage; and any Person may at any reasonable Time inspect such Book without Fee or Reward; and if the Proprietor or part Proprietor of any Carriage permits the same to be used as a Hackney Carriage plying for Hire within such prescribed Distance without having obtained a Licence for such Carriage, or during the Time that such Licence is suspended as herein-after provided, or if any Person be found driving, standing, or plying for Hire with any Carriage within such prescribed Distance for which such Licence ought to be, but has not been, previously obtained, or without having the Number of such Carriage openly displayed on such Carriage, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty for plying for Hire without a Licence.

Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

LXXXI. So often as any Person named in any such Licence as the Proprietor or One of the Proprietors changes his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Commissioners, specifying in such Notice his new Place of Abode; and he shall at the same Time produce such Licence at the Office of the Commissioners, who shall, by their Clerk, or some other Officer, endorse thereon and sign a Memorandum specifying the Particulars of such Change; and any Person named in any such Licence as the Proprietor or One of the Proprietors of any Hackney Carriage, who changes his Place of Abode, and neglects or wilfully omits to give Notice of such Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon, as directed by this Act, shall be liable to a Penalty not exceeding Forty Shillings.

Drivers not to act without first obtaining a Licence. Penalty on Drivers acting without Licence. Licences to be suspended or revoked for Misconduct.

LXXXII. No Person shall act as Driver of any Hackney Carriage licensed in pursuance of this Act, without first obtaining a Licence from the Commissioners, which Licence shall be registered by the Clerk to the Commissioners, and a Fee of One Shilling shall be paid for the same; and every such Licence shall be in force until the same is revoked, except during the Time that the same may be suspended as after mentioned; and if any Person acts as such Driver without having obtained such Licence, or during the Time that his Licence is suspended, or if he lend or part with his Licence, except to the Proprietor of the Hackney Carriage, or if the Proprietor of any Hackney Carriage employ any Person as the Driver thereof who has not obtained such Licence, or during the Time that his Licence is suspended as herein-after provided, every such Driver and every such Proprietor shall for every such Offence respectively be liable to a Penalty not exceeding Twenty Shillings; and the Commissioners may, upon the Conviction for the Second Time of the Proprietor or Driver of any Hackney Carriage for any Offence under the Provisions of this Act with respect to Hackney Carriages, or any Byelaw made in pursuance thereof, suspend or revoke, as they deem right, the Licence of any such Proprietor or Driver.

Number of Persons to be carried in a Hackney Carriage to be painted thereon. Penalty for Neglect or for Refusal to

LXXXIII. No Hackney Carriage shall stand or ply for Hire within such prescribed Distance, unless the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in Form following, (that is to say,) "To carry Persons," be printed on some conspicuous Place on the Outside of such Carriage, in legible Letters, so as to be clearly distinguishable from the Ground whereon the same are painted; and the Driver of any Hackney Carriage shall not be required to carry a greater Number of Persons than the Number painted thereon, and if the Proprietor of any Hackney Carriage permit the same to be used, or if any Person stand or ply for Hire with such Carriage, without having the Number of Persons to be carried thereby painted in manner aforesaid, or if the Driver of any Hackney Carriage refuse, when required by the Hirer thereof, to carry in or by such Hackney Carriage such Number of Persons,

Persons, or any less Number, every Proprietor or Driver so offending shall be liable to a Penalty not exceeding Forty Shillings; and any Driver of a Hackney Carriage standing at any of the Stands for Hackney Carriages, or in any Street, who refuses or neglects, without reasonable Excuse, to drive such Carriage to any Place within such prescribed Distance, or any Distance to be appointed by any Byelaw of the Commissioners, to which he is directed to drive by the Person hiring or wishing to hire such Carriage, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

carry the prescribed Number.

Penalty on Driver for refusing to drive.

LXXXIV. If the Proprietor or Driver of any Hackney Carriage agree beforehand with any Person to take for any Job a Sum less than the Fare allowed by this Act, or any Byelaw made thereunder, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if he exact or demand for such Job more than the Fare so agreed upon; and no Agreement whatever made with the Driver, or with any Person having the Care of any Hackney Carriage, for the Payment of more than the Fare allowed by any Byelaw made under this Act, shall be binding on the Person making the same, and any such Person may, notwithstanding such Agreement, refuse to pay any Sum beyond the Fare allowed; and if any Person actually pay to the Driver of any Hackney Carriage any Sum exceeding the Fare to which such Driver was entitled, the Person paying the same shall be entitled, on Complaint made against such Driver before a Justice, to recover back the Sum paid beyond the proper Fare, and moreover such Driver shall be liable to a Penalty for such Exaction not exceeding the Sum of Forty Shillings; and in default of the Repayment by such Driver of such Excess, or of Payment of the said Penalty, the Justice shall forthwith commit such Driver to Prison, there to remain for any Time not exceeding One Month, unless the said Excess of Fare and the said Penalty be sooner paid; and every Proprietor or Driver of any Hackney Carriage who is convicted of taking as a Fare a greater Sum than is authorized by any Byelaw made under this Act shall be liable to a Penalty not exceeding Forty Shillings, and such Penalty may be recovered before a Justice; and in the Conviction of such Proprietor or Driver an Order may be included for Payment of the Sum so overcharged, over and above the Penalty and Costs, and such Overcharge shall be returned to the Party aggrieved, whose Evidence shall be admissible in proof of such Offence.

Penalty for demanding more than the Sum agreed for, though less than the legal Fare.

Agreement to pay more than the legal Fare not to be binding.

Sum beyond the proper Fare may be recovered.

Overcharge to be included in Conviction, and returned to aggrieved Party.

LXXXV. If the Driver or any other Person having the Care of any Hackney Carriage be intoxicated while driving, or if any such Driver or other Person by wanton and furious driving, or by any other wilful Misconduct, injure or endanger any Person in his Life, Limbs, or Property, he shall be liable to a Penalty not exceeding Five Pounds, and in default of Payment thereof the Justice before whom he is convicted of such Offence may commit him to Prison, there to remain for any Time not exceeding Two Months; and any Driver of any Hackney Carriage who suffers the same to stand for Hire across any Street or alongside of any other Hackney Carriage, or who refuses to give way, if he conveniently can, to any other Carriage, or who obstructs or hinders the Driver of any other Carriage in taking up or setting down any Person into or from such other Carriage, or who wrongfully in a forcible Manner prevents or endeavours to prevent the Driver of any other Hackney Carriage from being hired, shall be liable to a Penalty not exceeding Twenty Shillings; and in every Case in which any Hurt or Damage has been caused to any Person or Property as aforesaid by the Driver of any Carriage let to hire, the Justice before whom such Driver has been convicted may direct that the Proprietor of such Carriage shall pay such Sum not exceeding Five Pounds as appears to such Justice a reasonable Compensation for such Hurt or Damage; and every Proprietor who pays any such Compensation as aforesaid may recover the same from the Driver; and such Compensation shall be recoverable from such Proprietor, and by him from such Driver, as Damages.

Penalty on Drivers misbehaving.

Improperly standing with Carriage, refusing to give way to, or obstructing any other Driver, or depriving him of his Fare.

Damage done by Driver may be recovered from the Proprietor.

LXXXVI. If the Driver of any Hackney Carriage leave it in any Street, or at any Place of public Resort or Entertainment, without some one proper to take care of it, any Constable may drive away such Hackney Carriage, and deposit it at some neighbouring Livery Stable or other Place of safe Custody; and such Driver shall be liable to a Penalty not exceeding Twenty Shillings for such Offence; and in default of Payment of the said Penalty upon Conviction, and of the Expenses of taking and keeping the said Hackney Carriage and Horse or Horses, the same, or any of them, shall be sold by Order of the Justice before whom such Conviction is made; and after deducting from the Produce of such Sale the Amount of the said Penalty, and of all Costs and Expenses, as well of the Proceedings before such Justice as of the taking, keeping, and Sale of such Hackney Carriage, and of such Horse or Horses, the Surplus (if any) of the said Produce shall be paid to the Proprietor of such Hackney Carriage.

Penalty for leaving Carriages unattended at Places of public Resort.

LXXXVII. If any Person refuse to pay, on Demand, to any Proprietor or Driver of any Hackney Carriage, the Fare allowed by any Byelaw made under this Act, such Fare may, together with Costs, be recovered before a Justice as a Penalty; and any Person using any Hackney Carriage plying under a Licence granted by virtue of this Act who wilfully injures the same shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage reasonable Satisfaction for the Damage sustained by the same; and such Satisfaction shall be ascertained by the Justice before whom the Conviction takes place, and shall be recovered by the same Means as the Penalty.

Penalty for refusing to pay the Fare.

Penalty for damaging Carriages.

Commissioners may make Byelaws for regulating Hackney Carriages.

LXXXVIII. The Commissioners may from Time to Time (subject to the Restrictions of this Act) make Byelaws for all or any of the Purposes following; (that is to say,)

For regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within such prescribed Distance in their several Employments, and for regulating the Conduct of the Owners and Boatmen of Boats plying for Hire, and determining whether such Drivers and Boatmen shall wear any and what Badges, and for regulating the Hours within which they may exercise their Calling:

For regulating the Manner in which the Number of each Carriage, corresponding with the Number of its Licence, shall be displayed:

For regulating the Number of Persons to be carried by Hackney Carriages and Boats, and in what Manner such Number is to be shown on such Carriage and Boats, and what Number of Horses or other Animals is to draw such Carriage, and the placing of Check-strings to the Carriages, and the holding of the same by the Driver, and how Hackney Carriages and Boats are to be furnished or provided:

For fixing the Stands of Hackney Carriages, and the Distance to which they may be compelled to take Passengers, not exceeding such prescribed Distance:

For fixing the Rates or Fares, as well for Time as Distance, to be paid for Hackney Carriages and Boats plying for Hire for the Carriage of Passengers within such prescribed Distance, and for securing the due Publication of such Fares:

For securing the safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages and Boats, and fixing the Charges to be made in respect thereof:

For licensing Porters, and regulating their Fares.

Commissioners may appoint Watchmen.

LXXXIX. It shall be lawful for the Lord Lieutenant of *Ireland*, on the Application of the said Commissioners, to increase the Constabulary Force stationed in such Town to act as Watchmen within such Town by Night, and also, upon any special Occasions, by Day, as they may be required by the Commissioners, or any Three of them; and the said Commissioners shall provide a Watch-house and all necessary Articles for such watching, and pay out of the General Assessments, upon the Certificate of the Receiver for the Constabulary Force in *Ireland*, such proper Salaries and Wages for such additional Constables as shall be fixed by the said Lord Lieutenant; and it shall be lawful for such Constables and all other Constables to apprehend all such idle and disorderly or drunken Persons as they or any of them shall find committing any Breach of the Peace or making any improper Noise or Disturbance during the Night, or during their Watch, and to detain any such Persons till Morning, and then, or if apprehended by Day, as soon as conveniently may be, to take such Person or Persons before any Justice of the Peace for or acting in the Borough, Town, or Place, to be dealt with according to Law; and if any Victualler, Publican, or other Person or Persons selling Beer or Spirituous Liquors shall entertain or harbour in his, her, or their House any such Constable during his appointed Hours of Duty, such Victualler, Publican, or other Person or Persons shall forfeit for such Offence any Sum not exceeding Twenty Shillings.

Powers of Constables.

Penalty for harbouring Constables during the Hours of Duty.

And with respect to legal Proceedings, be it enacted as follows:

Recovery of Damages, &c.

XC. In all Cases in which the Amount of any Damages, Costs, and Expenses is by this Act directed to be ascertained or recovered in a summary Manner, the same may be ascertained by and recovered before One or more Justices, together with such Costs of the Proceedings as the said Justice or Justices may think proper; and if the Sums adjudged be not paid by the Party against whom the Adjudication is made, the same may be levied by Distress and Sale of his Goods and Chattels by Warrant under the Hands and Seals of the said Justice or Justices making the Adjudication; and any Penalty imposed by or under the Authority of this Act, or any Byelaw made under this Act, the Recovery whereof is not otherwise expressly provided for, may, upon Proof on Oath of the Offence in respect of which the Penalty is alleged to have been incurred, be recovered before One or more Justices, together with such Costs of the Proceedings as they may think proper; and if the Sums adjudged be not paid by the Party against whom the Adjudication is made the same may be levied by Distress and Sale of his Goods and Chattels by Warrant under the Hands and Seals of the said Justice or Justices making the Adjudication; and such Justice or Justices may order that any Offender convicted as last aforesaid be detained and kept in safe Custody until Return can be conveniently made to the last-mentioned Warrant, unless he give sufficient Security, by way of Recognizance or otherwise, for his Appearance on the Day appointed by the Return, such Day not being more than Eight Days from the Time of taking the Security; and if before issuing such Warrant, or upon the Return thereof, it appear to the Satisfaction of the last-mentioned Justice or Justices that no sufficient Distress can be had within their Jurisdiction, such Justice or Justices may, by Warrant under their Hands and Seals, cause the Offender to be committed to Gaol, there to remain, without Bail, for any Term not exceeding Three Months, unless such Penalty and Costs be sooner paid.

Mode of proceeding before Justices.

XCI. In proceeding before any Justice or Justices under the Provisions of this Act, in any Case in which the Mode of Proceeding is not specially prescribed, any One Justice may summon the Party charged to appear before the Justice or Justices by whom the Matter is to be determined, at a Time and Place

Place to be named; and upon the Appearance of the Party charged, or in his Absence upon Proof of Service of the Summons upon him personally, or by leaving a Copy thereof at his last known Place of Abode or Business, the last-mentioned Justice or Justices may hear and determine the Matter, and for that Purpose examine the Parties or any of them, and their Witnesses, on Oath; and the Costs of all such Proceedings shall be in the Discretion of the last-mentioned Justice or Justices; and where in this Act any Sum of Money whatsoever is directed to be levied by Distress and Sale of the Goods and Chattels of any Party, the Overplus arising from such Sale shall, after satisfying such Sum, and the Costs and Expenses of the Distress and Sale, be returned to him, on Demand; and no Distress levied under the Authority of this Act shall be unlawful, nor shall any Party making the same be a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall he be a Trespasser *ab initio* on account of any Irregularity afterward committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction in an Action upon the Case; and the Justices before whom any Person is convicted of any Offence against the Provisions of this Act may cause the Conviction to be drawn up according to the Form and Directions contained in the Schedule (C.) annexed to this Act, or to the like Effect; and any Conviction so drawn up shall be valid and effectual; and Justices of the Peace, being Commissioners or liable to Assessment under this Act, may, if acting in Petty Sessions, notwithstanding their being such Commissioners, exercise the Jurisdiction vested in them as such Justices under this Act. Every Person who, upon any Examination upon Oath under the Provisions of this Act, shall wilfully give false Evidence, shall be liable to Punishment for Perjury.

Distress how to be levied; not unlawful for Want of Form. Form of Conviction. Justices, though Commissioners, may act under this Act. Penalty on Persons giving false Evidence.

XCII. No Proceedings for the Recovery of any Penalty incurred under the Provisions of this Act shall be taken by any Person other than by a Party grieved, or the Commissioners, without the Consent in Writing of Her Majesty's Attorney General first had and obtained; and no such Penalty shall be recovered unless Proceedings for the Recovery thereof shall have been commenced within Six Calendar Months after the Commission or Occurrence of the Offence upon which the Penalty attaches; and One Half of such Penalty shall go to the Informer, and the Remainder to the Commissioners; and if the Commissioners be the Informers they shall be entitled to the whole of the Penalty recovered; and all Penalties or Sums recovered on account of any Penalty by them shall be paid over to the Treasurer, and shall be placed to the Credit of the General Assessments Fund for the Purposes of this Act, any Act or Acts to the contrary notwithstanding, and notwithstanding the Liability of any Person to any Penalty under the Provisions of this Act, he shall not be relieved from any other Liability to which he would have been subject if this Act had not been passed.

Common Informers not to sue without Consent of Attorney General. Proceedings for Penalties. Application of Penalties. As to Liabilities to Penalty.

XCIII. Any Person who shall think himself aggrieved by any Order, Conviction, Judgment, or Determination of, or by any Matter or Thing done by, any Justice or Justices, under the Provisions of this Act, in any Case in which the Penalty imposed or the Sum adjudged shall exceed the Sum of Twenty Shillings, may appeal to the Court of General or Quarter Sessions for the respective Division or Place holden next after the Accrual of the Cause of Complaint; but the Appellant shall not be heard in support of the Appeal, unless within Fourteen Days after the Accrual of the Cause of Complaint he give to the Clerk of the Commissioners and to the Justice or Justices by whose Act he may think himself aggrieved Notice in Writing stating his Intention to bring such Appeal, together with a Statement in Writing of the Grounds of Appeal; and the said Court, upon hearing and finally determining the Matter of the Appeal, shall and may, according to its Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and its Determination shall be conclusive and binding on all Persons to all Intents and Purposes whatsoever; provided that if there be not Time to give such Notice before such Sessions holden as aforesaid, then such Appeal may be made to and such Notice and Statement given for the next Sessions for the respective Division or Place at which the Appeal can be heard: Provided also, that on the Hearing of the Appeal no Grounds of Appeal shall be gone into or entertained other than those set forth in such Statement as aforesaid.

Appeal to Quarter Sessions.

XCIV. The Commissioners may sue and be sued in the Name of the Clerk for the Time being for or concerning any Contract, Matter, or Thing relating to any Property, Works, or Things vested in them by reason of the Provisions of this Act, or relating to any Matter or Thing whatsoever entered into or done by them under the Provisions of this Act; and in Proceedings by or on the Part of such Commissioners against any Person for stealing or wilfully injuring or otherwise improperly dealing with any Property, Works, or Things belonging to them or under their Management, it shall be sufficient to state generally that the Property or Thing in respect of which the Proceeding is instituted is the Property of the said Clerk, and all legal Proceedings by or on the Part of or against such Commissioners under this Act may be preferred, instituted, and carried on in his Name; and no Proceedings whatever shall abate or be discontinued by the Death, Resignation, or Removal of the Clerk, or by reason of any Change or Vacancy in such Commissioners, by Death, Resignation, or otherwise: Provided that the Clerk in whose Name any such Action, or Suit, Complaint, Information, or Proceeding may be brought, preferred, instituted, or defended as aforesaid, shall be fully reimbursed out of the general Assessments to be levied under this Act all such Costs, Damages, and Expenses as he shall or may be or become liable to pay, sustain, or be put unto by reason of his Name being so used.

Actions, &c. in Name of Clerk. Mode of describing Property of Commissioners. Actions, &c. not to abate. Clerk to be reimbursed Expenses and Costs.

XCV. No

Notice of Action.

XCV. No Writ of Summons and Plaint shall be sued out against or served upon the Commissioners or any of them, or their Clerk, or other Officer or Person whomsoever acting under the Direction of the Commissioners, for anything done or intended to be done under the Provisions of this Act, until the Expiration of One Month next after Notice in Writing shall have been delivered to him, or left at their or his Office or usual Place of Abode, stating the Cause of Action, and the Name and Place of Abode of the intended Plaintiff, and of his Attorney or Agent in the Cause; and upon the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action which is not stated in the last-mentioned Notice; and unless such Notice be proved the Jury shall find for the Defendant; and every such Action shall be brought or commenced within Six Months next after the Accrual of the Cause of Action, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action occurred, and not elsewhere; and it shall be a sufficient Defence for the Defendant to allege that he did what is complained of under the Provisions of this Act, and to give this Act and all special Matter in Evidence thereunder; and any Person to whom any such Notice of Action is given as aforesaid may tender Amends to the Plaintiff, his Attorney or Agent, at any Time within One Month after Service of such Notice, and in case the same be not accepted may plead such Tender as a Defence, and if upon Issue joined the Jury find generally for the Defendant, or if the plaintiff be nonsuited or discontinue, or if Judgment be given for the Defendant, then the Defendant shall be entitled to full Costs of Suit, and have Judgment accordingly.

Limitation of Actions.

Venue.

General Issue.

Tender of Amends, &c.

No Rate or Proceeding to be quashed for Want of Form, &c.

XCVI. No Rate nor any Proceeding to be had touching the Conviction of any Offender against this Act, nor any Order, Award, or other Matter or Thing whatsoever, made, done, or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside for Want of Form, or be removed or removable by Certiorari or other Writ or Process whatsoever into any of the Superior Courts.

Persons acting in execution of Act not to be personally liable.

XCVII. No Matter or Thing done or Contract entered into by the Commissioners, nor any Matter or Thing done by any Commissioner, or by any Officer or Person whomsoever acting under the Direction of the Commissioners, shall, if the Matter or Thing were done, or the Contract were entered into *bonâ fide* for the Purpose of executing this Act, subject them or any of them personally to any Action, Liability, Claim, or Demand whatsoever; and any Expense incurred by any such Commissioner, Officer, or Person acting as last aforesaid shall be borne and repaid out of the general Assessments levied under the Authority of this Act.

Bonds, Contracts, &c. under former Act to be saved;

XCVIII. When this Act shall be adopted in whole or in part in any Town which had previously adopted it in whole or in part, the Powers and Provisions of the said Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, or in any Town or Place which had previously possessed a Local Act or Acts as aforesaid, all Bonds, Contracts, Covenants, Agreements, and Securities made and entered into, and all Assessments imposed or to be imposed under and by virtue of such first-mentioned Acts or of such Local Act or Acts, in so far as regards anything done under such Acts or any of them previous to the Adoption of this Act, shall remain in full Force and Effect, and shall continue available and binding on all concerned; and nothing herein contained shall be construed to affect the Debts, Rights, or Claims of any Creditor under such Local Act or Acts; and the Officers appointed under and employed on the First of *January* One thousand eight hundred and fifty-four, in the Execution of such first-mentioned Act and of such Local Act or Acts, shall continue to be employed under the Provisions of this Act so far as possible in Offices of an analogous Nature, until they are respectively superseded or removed for Insufficiency, or for other good or sufficient Cause.

and Officers in Office to continue until removed.

Public Libraries Acts 1850 and 1853 incorporated with this Act.

XCIX. That the Public Libraries Act, 1850, and an Act passed in a Session held in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act to extend the Public Libraries Act, 1850, to* Ireland *and* Scotland, shall be incorporated with and read as Part of this Act, and the Chairman of the Town Commissioners for the Time being shall exercise the Powers and perform the Functions appointed by the said recited Acts to be exercised and performed by the Mayor, and the Town Commissioners shall have the Powers thereby conferred on Town Councils; and the Parties entitled to vote under said Act shall in *Ireland* be the Parties entitled to vote at the Meeting convened for the Adoption of this Act, as herein-before provided; and the Commissioners, when such Acts for the Establishment of Libraries shall be adopted, shall have the general Management, Regulation, and Control of such Libraries, and may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Maps, and Specimens of Art and Science, for the Use of such Libraries.

Extension of Act.

C. This Act shall extend only to *Ireland;* and nothing herein contained shall extend to or affect the Cities of *Dublin, Cork, Limerick,* and *Londonderry,* and Town of *Belfast.*

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (A).

City [*or* Town] of } NOTICE is hereby given, That in virtue of the Powers contained in an Act of Parliament passed in the Session holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen Victoria, intituled "The Towns Improvement (Ireland) Act, 1854," and by the Order of the Lord Lieutenant of Ireland in that Behalf, bearing Date the Day the rated Occupiers and Lessors herein-after mentioned of Premises of the net annual Value of Eight Pounds and upwards in the City [*or* Town] of [*or where the Boundaries have been ascertained by the Lord Lieutenant's Order under this Act,* within the Boundaries following, viz., *repeat them as in the said Order*], are hereby required to meet upon the Day of next, at of the Clock, within [*state exact Place of Meeting*], when the said Act shall be laid before the Meeting, with the view of adopting it in whole or in part; that is to say, the rated Occupiers and Lessors following are required to meet as aforesaid, viz.: Every Male Person of full Age who shall have occupied as Tenant or Owner, or shall have been the immediate Lessor (rated for such Premises to the Relief of the Poor) of any Lands, Tenements, or Premises within the said [City *or* Town], or within such Boundaries as aforesaid, and shall have been so rated in respect of such Premises for the Period of Months preceding the said Day of Meeting, and shall have paid all such Poor Rates as shall have become payable by him in respect of such Premises, except such as shall have become payable within Months preceding such Day of Meeting.

Dated at the Day of 18 .

(Signed)
E.F., Chief Magistrate,
or Justices [*as the Case may be*].

SCHEDULE (B).

Form of the Book to be used in the Elections of Commissioners.

Names and Designations of Commissioners voted for.		Qualifications of Electors.	Signatures of Electors.
1.			

SCHEDULE (C).

Form of Conviction.

County of [*or*, Borough, *&c.*] to wit. } BE it remembered, That on the Day of in the Year of our Lord *A.B.* is convicted before me [*or* us] One [*or* Two] of Her Majesty's Justices of the Peace in and for the County [*or* Borough, *&c.*] of [*here describe the Offence generally, and the Time and Place when and where committed, in the Words of this Act, or as near thereunto as may be*], contrary to "The Towns Improvements (Ireland) Act, 1854;" and I [*or* we] do adjudge that the said *A.B.* hath forfeited for his said Offence the Sum of [*Amount of Penalty adjudged*], and that he do pay to *C.D.* the further Sum of as and for his Costs in this Behalf.

Given under my Hand and Seal [*or* our Hands and Seals], the Day and Year first above written.

(Signed) (L.S.)
(L.S.)

CAP. CIV.

An Act to amend and consolidate the Acts relating to Merchant Shipping.

[10th *August* 1854.]

WHEREAS it is expedient to amend and consolidate the Acts relating to Merchant Shipping: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Preliminary.

Short Title of Act.

1. This Act may be cited for all Purposes as "The Merchant Shipping Act, 1854."

Interpretation of certain Terms in this Act:

2. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

"Her Majesty's Dominions" shall mean Her Majesty's Dominions strictly so called, and all Territories under the Government of the *East India* Company, and all other Territories (if any) governed by any Charter or Licence from the Crown or Parliament of the United Kingdom:

"The United Kingdom" shall mean *Great Britain* and *Ireland*:

"*British* Possession" shall mean any Colony, Plantation, Island, Territory, or Settlement within Her Majesty's Dominions, and not within the "United Kingdom:"

"The Treasury" shall mean the Commissioners of Her Majesty's Treasury:

"The Admiralty" shall mean the Lord High Admiral or the Commissioners for executing his Office:

"The Board of Trade" shall mean the Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations:

"The *Trinity House*" shall mean the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided *Trinity* and of *St. Clement* in the Parish of *Deptford Strond* in the County of *Kent*, commonly called the Corporation of the *Trinity House of Deptford Strond*:

"The Port of *Dublin* Corporation" shall mean the Corporation for preserving and improving the Port of *Dublin*:

"Consular Officer" shall include Consul General, Consul, and Vice Consul, and any Person for the Time being discharging the Duties of Consul General, Consul, or Vice Consul:

"Receiver" shall mean any Person appointed in pursuance of this Act Receiver of Wreck:

"Pilotage Authority" shall include all Bodies and Persons authorized to appoint or license Pilots, or to fix or alter Rates of Pilotage, or to exercise any Jurisdiction in respect of Pilotage:

"Pilot" shall mean any Person not belonging to a Ship who has the Conduct thereof:

"Qualified Pilot" shall mean any Person duly licensed by any Pilotage Authority to conduct Ships to which he does not belong:

"Master" shall include every Person (except a Pilot) having Command or Charge of any Ship:

"Seaman" shall include every Person (except Masters, Pilots, and Apprentices duly indentured and registered,) employed or engaged in any Capacity on board any Ship:

"Salvor" shall, in the Case of Salvage Services rendered by the Officers or Crew or Part of the Crew of any Ship belonging to Her Majesty, mean the Person in command of such Ship:

"Person" shall include Body Corporate:

"Ship" shall include every Description of Vessel used in Navigation not propelled by Oars:

"Foreign-going Ship" shall include every Ship employed in trading or going between some Place or Places in the United Kingdom, and some Place or Places situate beyond the following Limits; that is to say, the Coasts of the United Kingdom, the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, and *Man*, and the Continent of *Europe* between the River *Elbe* and *Brest* inclusive:

"Home-trade Ship" shall include every Ship employed in trading or going within the following Limits; that is to say, the United Kingdom, the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, and *Man*, and the Continent of *Europe* between the River *Elbe* and *Brest* inclusive:

"Home-trade Passenger Ship" shall mean every Home-trade Ship employed in carrying Passengers:

"Lighthouses" shall, in addition to the ordinary Meaning of the Word, include Floating and other Lights exhibited for the Guidance of Ships, and "Buoys and Beacons" shall include all other Marks and Signs of the Sea:

"Wreck" shall include Jetsam, Flotsam, Lagan, and Derelict found in or on the Shores of the Sea or any tidal Water.

Commencement of Act.

3. This Act shall come into operation on the First Day of *May* One thousand eight hundred and fifty-five.

Exemption of Her Majesty's Ships.

4. This Act shall not, except as herein-after specially provided, apply to Ships belonging to Her Majesty.

5. This

Preliminary.

Division of Act.

5. This Act shall be divided into Eleven Parts:—
The First Part relating to the Board of Trade: its general Functions:
The Second Part to British Ships: their Ownership, Measurement, and Registry:
The Third Part to Masters and Seamen:
The Fourth Part to Safety and Prevention of Accidents:
The Fifth Part to Pilotage:
The Sixth Part to Lighthouses:
The Seventh Part to the Mercantile Marine Fund:
The Eighth Part to Wrecks, Casualties, and Salvage:
The Ninth Part to Liability of Shipowners:
The Tenth Part to legal Procedure:
The Eleventh Part to Miscellaneous Matters.

PART I.

THE BOARD OF TRADE: ITS GENERAL FUNCTIONS

Functions of Board of Trade.

Board of Trade to be Department to superintend Merchant Shipping.

6. The Board of Trade shall be the Department to undertake the general Superintendence of Matters relating to Merchant Ships and Seamen, and shall be authorized to carry into execution the Provisions of this Act, and of all other Acts relating to Merchant Ships and Seamen in force for the Time being, other than such Acts as relate to the Revenue.

Certificates and Documents purporting to be sealed or signed in a given Manner to be received in Evidence.

7. All Documents whatever purporting to be issued or written by or under the Direction of the Board of Trade, and purporting either to be sealed with the Seal of such Board, or to be signed by One of the Secretaries or Assistant Secretaries to such Board, shall be received in Evidence, and shall be deemed to be issued or written by or under the Direction of the said Board, without further Proof, unless the contrary be shown; and all Documents purporting to be Certificates issued by the Board of Trade in pursuance of this Act, and to be sealed with the Seal of such Board, or to be signed by One of the Officers of the Marine Department of such Board, shall be received in Evidence, and shall be deemed to be such Certificates, without further Proof, unless the contrary be shown.

Board of Trade to issue Forms of Instruments.

8. The Board of Trade may from Time to Time prepare and sanction Forms of the various Books, Instruments, and Papers required by this Act other than those required by the Second Part thereof, and may from Time to Time make such Alterations therein as it deems requisite; and shall, before finally issuing or altering any such Form, give such public Notice thereof as it deems necessary in order to prevent Inconvenience; and shall cause every such Form to be sealed with such Seal as aforesaid, or marked with some other distinguishing Mark, and to be supplied at the Custom Houses and Shipping Offices of the United Kingdom free of Charge, or at such moderate Prices as it may from Time to Time fix, or may license any Persons to print and sell the same; and every such Book, Instrument, and Paper as aforesaid shall be made in the Form issued by the Board of Trade, and sanctioned by it as the proper Form for the Time being; and no such Book, Instrument, or Paper as aforesaid, unless made in such Form, shall be admissible in Evidence in any Civil Proceeding on the Part of any Owner or Master of any Ship; and every such Book, Instrument, or Paper, if made in a Form purporting to be a proper Form, and to be sealed or marked as aforesaid, shall be taken to be made in the Form hereby required, unless the contrary is proved.

Certain Forms and Instruments to be exempt from Stamp Duty.

9. All Instruments used in carrying into effect the Second Part of this Act, if not already exempted from Stamp Duty, and all Instruments which by the Third, Fourth, Sixth, or Seventh Parts of this Act are required to be made in Forms sanctioned by the Board of Trade, if made in such Forms, and all Instruments used by or under the Direction of the Board of Trade in carrying such Parts of this Act into effect, shall be exempt from Stamp Duty.

Penalties for Forgery of Seal and fraudulent Alteration of Forms, and for not using Forms issued by Board of Trade.

10. Every Person who forges, assists in forging, or procures to be forged, such Seal or other distinguishing Mark as aforesaid, or who fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any Form issued by the Board of Trade, with the view of evading any of the Provisions of this Act or any Condition contained in such Form, shall for each Offence be deemed guilty of a Misdemeanor; and every Person who, in any Case in which a Form sanctioned by the Board of Trade is, by the Third Part of this Act required to be used, uses without reasonable Excuse any Form not purporting to be so sanctioned, or who prints, sells, or uses any Document purporting to be a Form so sanctioned knowing the same not to be so sanctioned for the Time being or not to have been prepared and issued by the Board of Trade, shall for each such Offence incur a Penalty not exceeding Ten Pounds.

Application of Monies and Fines paid to Board of Trade.

11. Subject to the Provisions hereinafter contained, all Fees and Payments (other than Fines) coming to the Hands of the Board of Trade under the Third and Fourth Parts of this Act, shall be carried to the Account of the Mercantile Marine Fund herein-after mentioned, and shall be dealt with as herein prescribed in that Behalf; and all Fines coming to the Hands of the Board of Trade under this Act shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Functions of Board of Trade.

Returns to Board of Trade.

12. All Consular Officers, and all Officers of Customs abroad, and all Local Marine Boards and Shipping Masters, shall make and send to the Board of Trade such Returns or Reports on any Matter relating to *British* Merchant Shipping or Seamen as such Board requires; and all Shipping Masters shall, whenever required by the Board of Trade, produce to such Board or to its Officers all Official Log Books and other Documents which, in pursuance of this Act, are delivered to them.

Officers of Board of Trade, Naval Officers, Consuls, the Registrar General of Seamen, Officers of Customs, and Shipping Masters, may inspect Documents and muster Crews.

13. Every Officer of the Board of Trade, and every Commissioned Officer of any of Her Majesty's Ships on Full Pay, and every *British* Consular Officer, and the Registrar General of Seamen and his Assistant, and every Chief Officer of Customs in any Place in Her Majesty's Dominions, and every Shipping Master, may, in Cases where he has Reason to suspect that the Provisions of this Act or the Laws for the Time being relating to Merchant Seamen and to Navigation are not complied with, exercise the following Powers; (that is to say,)

He may require the Owner, Master, or any of the Crew of any *British* Ship to produce any Official Log Books or other Documents relating to such Crew or any Member thereof in their respective Possession or Control:

He may require any such Master to produce a List of all Persons on board his Ship, and take Copies of such Official Log Books, or Documents, or of any Part thereof:

He may muster the Crew of any such Ship:

He may summon the Master to appear and give any Explanation concerning such Ship or her Crew or the said Official Log Books or Documents:

And if upon Requisition duly made by any Person so authorized in that Behalf as aforesaid, any Person refuses or neglects to produce any such Official Log Book or Document as he is herein-before required to produce, or to allow the same to be inspected or copied as aforesaid, or impedes any such Muster of a Crew as aforesaid, or refuses or neglects to give any Explanation which he is herein-before required to give, or knowingly misleads or deceives any Person herein-before authorized to demand any such Explanation, he shall for each such Offence incur a Penalty not exceeding Twenty Pounds.

Board of Trade may appoint Inspectors.

14. The Board of Trade may from Time to Time, whenever it seems expedient to them so to do, appoint any Person, as an Inspector, to report to them upon the following Matters; (that is to say,)

(1.) Upon the Nature and Causes of any Accident or Damage which any Ship has sustained or caused, or is alleged to have sustained or caused:

(2.) Whether the Provisions of this Act, or any Regulations made under or by virtue of this Act, have been complied with:

(3.) Whether the Hull and Machinery of any Steam Ship are sufficient and in good Condition.

Powers of Inspectors.

15. Every such Inspector as aforesaid shall have the following Powers; (that is to say,)

(1.) He may go on board any Ship, and may inspect the same or any Part thereof, or any of the Machinery, Boats, Equipments, or Articles on board thereof to which the Provisions of this Act apply, not unnecessarily detaining or delaying her from proceeding on any Voyage:

(2.) He may enter and inspect any Premises the Entry or Inspection of which appears to him to be requisite for the Purpose of the Report which he is directed to make:

(3.) He may, by Summons under his Hand, require the Attendance of all such Persons as he thinks fit to call before him and examine for such Purpose, and may require Answers or Returns to any Inquiries he thinks fit to make:

(4.) He may require and enforce the Production of all Books, Papers, or Documents which he considers important for such Purpose:

(5.) He may administer Oaths, or may, in lieu of requiring or administering an Oath, require every Person examined by him to make and subscribe a Declaration of the Truth of the Statements made by him in his Examination:

Witnesses to be allowed Expenses;

And every Witness so summoned as aforesaid shall be allowed such Expenses as would be allowed to any Witness attending on Subpœna to give Evidence before any Court of Record, or if in *Scotland*, to any Witness attending on Citation the Court of Justiciary; and in case of any Dispute as to the Amount of such Expenses the same shall be referred by the Inspector to One of the Masters of Her Majesty's Court of Queen's Bench in *England* or *Ireland*, or to the Queen's and Lord Treasurer's Remembrancer in *Scotland*, who, on a Request made to him for that Purpose under the Hand of the said Inspector, shall ascertain and certify the proper Amount of such Expenses; and every Person who refuses to attend as a Witness before any such Inspector, after having been required so to do in the Manner hereby directed and after having had a Tender made to him of the Expenses (if any) to which he is entitled as aforesaid, or who refuses or neglects to make any Answer, or to give any Return, or to produce any Document in his Possession, or to make or subscribe any Declarations which any such Inspector is hereby empowered to require, shall for each such Offence incur a Penalty not exceeding Ten Pounds.

Penalty for refusing to give Evidence.

Penalty for obstructing Inspectors in the Execution of their Duty.

16. Every Person who wilfully impedes any such Inspector appointed by the Board of Trade as aforesaid in the Execution of his Duty, whether on board any Ship or elsewhere, shall incur a Penalty not exceeding Ten Pounds, and may be seized and detained by such Inspector or other Person or by any Person or Persons whom he may call to his Assistance until such Offender can be conveniently taken before some Justice of the Peace or other Officer having proper Jurisdiction.

PART II.

BRITISH SHIPS: THEIR OWNERSHIP, MEASUREMENT, AND REGISTRY.

Application.

Application.

Application of Part II. of Act.

17. The Second Part of this Act shall apply to the whole of Her Majesty's Dominions.

Description and Ownership of British Ships.

Description and Ownership of British Ships.

Description and Ownership of British Ships.

18. No Ship shall be deemed to be a *British* Ship unless she belongs wholly to Owners of the following Description; that is to say,

(1.) Natural-born *British* Subjects:

Provided that no natural-born Subject who has taken the Oath of Allegiance to any Foreign Sovereign or State shall be entitled to be such Owner as aforesaid, unless he has subsequently to taking such last-mentioned Oath taken the Oath of Allegiance to Her Majesty, and is and continues to be during the whole Period of his so being an Owner resident in some Place within Her Majesty's Dominions, or if not so resident, Member of a *British* Factory, or Partner in a House actually carrying on Business in the United Kingdom or in some other Place within Her Majesty's Dominions:

(2.) Persons made Denizens by Letters of Denization, or naturalized by or pursuant to any Act of the Imperial Legislature, or by or pursuant to any Act or Ordinance of the proper legislative Authority in any *British* Possession:

Provided that such Persons are and continue to be during the whole Period of their so being Owners resident in some Place within Her Majesty's Dominions, or if not so resident Members of a *British* Factory, or Partners in a House actually carrying on Business in the United Kingdom or in some other Place within Her Majesty's Dominions, and have taken the Oath of Allegiance to Her Majesty subsequently to the Period of their being so made Denizens or naturalized:

(3.) Bodies Corporate established under, subject to the Laws of, and having their principal Place of Business in the United Kingdom or some *British* Possession.

British Ships with certain Exceptions must be registered.

19. Every *British* Ship must be registered in manner herein-after mentioned, except,

(1.) Ships duly registered before this Act comes into operation:

(2.) Ships not exceeding Fifteen Tons Burden employed solely in Navigation on the Rivers or Coasts of the United Kingdom, or on the Rivers or Coasts of some *British* Possession within which the Managing Owners of such Ships are resident:

(3.) Ships not exceeding Thirty Tons Burden, and not having a whole or fixed Deck, and employed solely in fishing or trading coastwise on the Shores of *Newfoundland* or Parts adjacent thereto, or in the Gulf of *St. Lawrence*, or on such Portion of the Coasts of *Canada*, *Nova Scotia*, or *New Brunswick* as lie bordering on such Gulf:

And no Ship hereby required to be registered shall, unless registered, be recognized as a *British* Ship; and no Officer of Customs shall grant a Clearance or Transire to any Ship hereby required to be registered for the Purpose of enabling her to proceed to Sea as a *British* Ship, unless the Master of such Ship, upon being required so to do, produces to him such Certificate of Registry as is herein-after mentioned; and if such Ship attempts proceed to Sea as a *British* Ship without a Clearance or Transire, such Officer may detain such Ship until such Certificate is produced to him.

Measurement of Tonnage.

Measurement of Tonnage.

Tonnage Deck; Feet; Decimals.

20. Throughout the following Rules the Tonnage Deck shall be taken to be the Upper Deck in Ships which have less than Three Decks, and to be the Second Deck from below in all other Ships; and in carrying such Rules into effect all Measurements shall be taken in Feet and Fractions of Feet, and all Fractions of Feet shall be expressed in Decimals.

RULE I.

For Ships to be registered, &c.

21. The Tonnage of every Ship to be registered, with the Exceptions mentioned in the next Section, shall previously to her being registered be ascertained by the following Rule, herein-after called Rule I.; and the Tonnage of every Ship to which such Rule can be applied, whether she is about to be registered or not, shall be ascertained by the same Rule:

Lengths.

(1.) Measure the Length of the Ship in a straight Line along the upper Side of the Tonnage Deck from the Inside of the inner Plank (average Thickness) at the Side of the Stem to the Inside of the Midship Stern Timber or Plank there, as the Case may be, (average Thickness,) deducting from this Length what is due to the Rake of the Bow in the Thickness of the Deck, and what is due to the Rake of the Stern Timber in the Thickness of the Deck, and also what is due to the Rake of the Stern Timber in One Third of the Round of the Beam; divide the Length so taken into the Number of equal Parts required by the following Table, according to the Class in such Table to which the Ship belongs:

TABLE.

Class 1. Ships of which the Tonnage Deck is according to the above Measurement 50 Feet long or under, into 4 equal Parts:

Measurement of Tonnage.

Class 2. Ships of which the Tonnage Deck is according to the above Measurement above 50 Feet long and not exceeding 120, into 6 equal Parts:

„ 3. Ships of which the Tonnage Deck is according to the above Measurement above 120 Feet long and not exceeding 180, into 8 equal Parts:

„ 4. Ships of which the Tonnage Deck is according to the above Measurement above 180 Feet long and not exceeding 225, into 10 equal Parts:

„ 5. Ships of which the Tonnage Deck is according to the above Measurement above 225 Feet long, into 12 equal Parts:

Transverse Areas.

(2.) Then, the Hold being first sufficiently cleared to admit of the required Depths and Breadths being properly taken, find the Transverse Area of such Ship at each Point of Division of the Length as follows:—Measure the Depth at each Point of Division, from a Point at a Distance of One Third of the Round of the Beam below such Deck, or, in case of a Break, below a Line stretched in continuation thereof, to the upper Side of the Floor Timber at the Inside of the Limber Strake, after deducting the average Thickness of the Ceiling which is between the Bilge Planks and Limber Strake; then, if the Depth at the Midship Division of the Length do not exceed Sixteen Feet, divide each Depth into Four equal Parts; then measure the inside horizontal Breadth at each of the Three Points of Division, and also at the upper and lower Points of the Depth, extending each Measurement to the average Thickness of that Part of the Ceiling which is between the Points of Measurement; number these Breadths from above (*i.e.* numbering the upper Breadth One, and so on down to the lowest Breadth); multiply the Second and Fourth by Four, and the Third by Two; add these Products together, and to the Sum add the First Breadth and the Fifth; multiply the Quantity thus obtained by One Third of the common Interval between the Breadths, and the Product shall be deemed the Transverse Area; but if the Midship Depth exceed Sixteen Feet, divide each Depth into Six equal Parts instead of Four, and measure as before directed the horizontal Breadths at the Five Points of Division, and also at the upper and lower Points of the Depth; number them from above as before; multiply the Second, Fourth, and Sixth by Four, and the Third and Fifth by Two; add these Products together, and to the Sum add the First Breadth and the Seventh; multiply the Quantity thus obtained by One Third of the common Interval between the Breadths, and the Product shall be deemed the Transverse Area.

Computation from Areas.

(3.) Having thus ascertained the Transverse Area at each Point of Division of the Length of the Ship as required by the above Table, proceed to ascertain the Register Tonnage of the Ship in the following Manner:—Number the Areas successively 1, 2, 3, *&c.*, No. 1. being at the extreme Limit of the Length at the Bow, and the last No. at the extreme Limit of the Length at the Stern; then, whether the Length be divided according to the Table into Four or Twelve Parts as in Classes 1 and 5, or any intermediate Number as in Classes 2, 3, and 4, multiply the Second and every even numbered Area by Four, and the Third and every odd numbered Area (except the First and Last) by Two; add these Products together, and to the Sum add the First and Last if they yield anything; multiply the Quantity thus obtained by One Third of the common Interval between the Areas, and the Product will be the Cubical Contents of the Space under the Tonnage Deck; divide this Product by One hundred, and the Quotient being the Tonnage under the Tonnage Deck shall be deemed to be the Register Tonnage of the Ship, subject to the Additions and Deductions herein-after mentioned.

Poop and any other closed-in Space.

(4.) If there be a Break, a Poop, or any other permanent closed-in Space on the Upper Deck, available for Cargo or Stores, or for the Berthing or Accommodation of Passengers or Crew, the Tonnage of such Space shall be ascertained as follows:—Measure the internal mean Length of such Space in Feet, and divide it into Two equal Parts; measure at the Middle of its Height Three inside Breadths, namely, one at each End and the other at the Middle of the Length; then to the Sum of the End Breadths add Four Times the Middle Breadth, and multiply the whole Sum by One Third of the common Interval between the Breadths; the Product will give the mean horizontal Area of such Space; then measure the mean Height, and multiply by it the mean horizontal Area; divide the Product by One hundred, and the Quotient shall be deemed to be the Tonnage of such Space, and shall be added to the Tonnage under the Tonnage Deck, ascertained as aforesaid, subject to the following Provisoes; first, that nothing shall be added for a closed-in Space solely appropriated to the berthing of the Crew, unless such Space exceeds One Twentieth of the remaining Tonnage of the Ship, and in case of such Excess the Excess only shall be added; and, secondly, that nothing shall be added in respect of any Building erected for the Shelter of Deck Passengers, and approved by the Board of Trade.

In case of Two or more Decks.

(5.) If the Ship has a Third Deck, commonly called a Spar Deck, the Tonnage of the Space between it and the Tonnage Deck shall be ascertained as follows:—Measure in Feet the inside Length of the Space at the Middle of its Height from the Plank at the Side of the Stem to the Lining on the Timbers at the Stern, and divide the Length into the same Number of equal Parts into which the Length of the Tonnage Deck is divided as above directed; measure (also at the Middle of its Height) the inside Breadth of the Space at each of the Points of Division, also the Breadth of

the

the Stem and the Breadth at the Stern; number them successively 1, 2, 3, *&c.*, commencing at the Stem; multiply the Second and all the other even numbered Breadths by Four, and the Third and all the other odd numbered Breadths (except the First and Last) by Two; to the Sum of these Products add the First and Last Breadths; multiply the whole Sum by One Third of the common Interval between the Breadths, and the Result will give in Superficial Feet the mean horizontal Area of such Space; measure the mean Height of such Space, and multiply by it the mean horizontal Area, and the Product will be the Cubical Contents of the Space; divide this Product by One hundred, and the Quotient shall be deemed to be the Tonnage of such Space, and shall be added to the other Tonnage of the Ship ascertained as aforesaid; and if the Ship has more than Three Decks, the Tonnage of each Space between Decks above the Tonnage Deck shall be severally ascertained in manner above described, and shall be added to the Tonnage of the Ship ascertained as aforesaid. *Measurement of Tonnage.*

RULE II.

22. Ships which, requiring to be measured for any Purpose other than Registry, have Cargo on board, and Ships which, requiring to be measured for the Purpose of Registry, cannot be measured by the Rule above given, shall be measured by the following Rule, herein-after called Rule II.: *For Ships not requiring Registry, &c.*

(1.) Measure the Length on the Upper Deck from the Outside of the outer Plank at the Stem to the Aftside of the Stern Post, deducting therefrom the Distance between the Aftside of the Stern Post and the Rabbet of the Stern Post at the Point where the Counter Plank crosses it; measure also the greatest Breadth of the Ship to the Outside of the outer Planking or Wales, and then, having first marked on the Outside of the Ship on both Sides thereof the Height of the Upper Deck at the Ship's Sides, girt the Ship at the greatest Breadth in a Direction perpendicular to the Keel from the Height so marked on the Outside of the Ship on the one Side to the Height so marked on the other Side by passing a Chain under the Keel; to Half the Girth thus taken add Half the main Breadth; square the Sum; multiply the Result by the Length of the Ship taken as aforesaid; then multiply this Product by the Factor ·0018 (Eighteen Ten-thousandths) in the Case of Ships built of Wood, and by ·0021 (Twenty-one Ten-thousandths) in the Case of Ships built of Iron, and the Product shall be deemed the Register Tonnage of the Ship subject to the Additions and Deductions herein-after mentioned. *Length.* *Breadth.* *Girting of the Ship.*

(2.) If there be a Break, a Poop, or other closed-in Space on the Upper Deck, the Tonnage of such Space shall be ascertained by multiplying together the mean Length, Breadth, and Depth of such Space, and dividing the Product by 100, and the Quotient so obtained shall be deemed to be the Tonnage of such Space, and shall, subject to the Deduction for a closed-in Space appropriated to the Crew as mentioned in Rule I., be added to the Tonnage of the Ship ascertained as aforesaid. *Poop and other closed-in Spaces on Upper Deck.*

RULE III.

23. In every Ship propelled by Steam or other Power requiring Engine Room, an Allowance shall be made for the Space occupied by the propelling Power, and the Amount so allowed shall be deducted from the gross Tonnage of the Ship ascertained as aforesaid, and the Remainder shall be deemed to be the Register Tonnage of such Ship; and such Deduction shall be estimated as follows; (that is to say,) *Allowance for Engine Room in Steamers.*

(*a.*) As regards Ships propelled by Paddle Wheels in which the Tonnage of the Space solely occupied by and necessary for the proper working of the Boilers and Machinery is above Twenty *per Cent.* and under Thirty *per Cent.* of the gross Tonnage of the Ship, such Deduction shall be Thirty-seven One-hundredths of such gross Tonnage; and in Ships propelled by Screws in which the Tonnage of such Space is above Thirteen *per Cent.* and under Twenty *per Cent.* of such gross Tonnage, such Deduction shall be Thirty-two One-hundredths of such gross Tonnage: *To be rateable in ordinary Steamers.*

(*b.*) As regards all other Ships, the Deduction shall, if the Commissioners of Customs and the Owner both agree thereto, be estimated in the same Manner; but either they or he may in their or his Discretion require the Space to be measured and the Deduction estimated accordingly; and whenever such Measurement is so required the Deduction shall consist of the Tonnage of the Space actually occupied by or required to be inclosed for the proper working of the Boilers and Machinery, with the Addition in the Case of Ships propelled by Paddle Wheels of One Half, and in the Case of Ships propelled by Screws of Three Fourths of the Tonnage of such Space; and the Measurement and Use of such Space shall be governed by the following Rules; (that is to say,) *May be measured where the Space is unusually large or small.*

(1.) Measure the mean Depth of the Space from its Crown to the Ceiling at the Limber Strake, measure also Three, or, if necessary, more than Three Breadths of the Space at the Middle of its Depth, taking One of such Measurements at each End, and another at the Middle of the Length; take the Mean of such Breadths; measure also the mean Length of the Space between the foremost and aftermost Bulkheads or Limits of its Length, excluding such Parts, if any, as are not actually occupied by or required for the proper working of the Machinery; multiply together these Three Dimensions of Length, Breadth, and Depth, and the Product will be the Cubical Contents of the Space below the Crown; then find the Cubical Contents of the Space or Spaces, if any, above the Crown aforesaid, which are framed in for the Machinery or for the Admission of Light and Air, by multiplying together the Length, Depth, and Breadth thereof; add such Contents to the Cubical Contents of the Space below the Crown; divide the Sum by 100; and the Result shall be deemed to be the Tonnage of the said Space: *Mode of Measurement.*

(2.) If

Measurement of Tonnage.

In case of separate Compartments.

(2.) If in any Ship in which the Space aforesaid is to be measured the Engines and Boilers are fitted in separate Compartments, the Contents of each shall be measured severally in like Manner, according to the above Rules, and the Sum of their several Results shall be deemed to be the Tonnage of the said Space:

Shaft Trunk of Screw Steamer.

(3.) In the Case of Screw Steamers in which the Space aforesaid is to be measured, the Contents of the Shaft Trunk shall be added to and deemed to form Part of such Space, and shall be ascertained by multiplying together the mean Length, Breadth, and Depth of the Trunk, and dividing the Product by 100:

Alteration of Engine Room.

(4.) If in any Ship in which the Space aforesaid is to be measured any Alteration be made in the Length or Capacity of such Space, or if any Cabins be fitted in such Space, such Ship shall be deemed to be a Ship not registered until Remeasurement:

Penalty for carrying Goods in such Space.

(5.) If in any Ship in which the Space aforesaid is to be measured any Goods or Stores are stowed or carried in such Space, the Master and Owner shall each be liable to a Penalty not exceeding One hundred Pounds.

RULE IV.

Open Ships how measured.

24. In ascertaining the Tonnage of open Ships the upper Edge of the upper Strake is to form the Boundary Line of Measurement, and the Depths shall be taken from an athwartship Line, extended from upper Edge to upper Edge of the said Strake at each Division of the Length.

Tonnage and Number of Certificate to be carved on Main Beam.

25. In every registered *British* Ship the Number denoting the Register Tonnage, ascertained as herein-before directed, and the Number of her Certificate of Registry, shall be deeply carved or otherwise permanently marked on her Main Beam, and shall be so continued; and if it at any Time cease to be so continued such Ship shall no longer be recognized as a *British* Ship.

Tonnage when once ascertained to be ever after deemed the Tonnage.

26. Whenever the Tonnage of any Ship has been ascertained and registered in accordance with the Provisions of this Act, the same shall thenceforth be deemed to be the Tonnage of such Ship, and be repeated in every subsequent Registry thereof, unless any Alteration is made in the Form or Capacity of such Ship, or unless it is discovered that the Tonnage of such Ship has been erroneously computed; and in either of such Cases such Ship shall be remeasured, and her Tonnage determined and registered according to the Rules herein-before contained in that Behalf.

Remeasurement of Ships already registered may be made, but not to be compulsory.

27. The Rules for the Measurement of Tonnage herein contained shall not make it necessary to alter the present registered Tonnage of any *British* Ship registered before this Act comes into operation; but if the Owner of any such Ship desires to have the same remeasured according to such Rules, he may apply to the Commissioners of Customs for the Purpose, and such Commissioners shall thereupon, and on Payment of such reasonable Charge for the Expenses of Remeasurement, not exceeding the Sum of Seven Shillings and Sixpence for each Transverse Section, as they may authorize, direct such Remeasurement to be made, and such Ship shall thereupon be remeasured according to such Rules as aforesaid, or according to such of them as may be applicable; and the Number denoting the Register Tonnage shall be altered accordingly.

Power to remeasure Engine Rooms improperly extended.

28. If it appears to the Commissioners of Customs that in any Steam Ship measured before this Act comes into operation Store Rooms or Coal Bunkers have been introduced into or thrown across the Engine Room, so that the Deduction from the Tonnage on account of the Engine Room is larger than it ought to be, the said Commissioners may, if they think fit, direct such Engine Room to be remeasured according to the Rules in force before this Act comes into operation, excluding the Space occupied by such Store Rooms or Coal Bunkers, or may, if the Owners so desire, cause the Ship to be remeasured according to the Rules herein-before contained, and subject to the Conditions contained in the last preceding Section; and after Remeasurement the said Commissioners shall cause the Ship to be registered anew, or the Registry thereof to be altered, as the Case may require.

Officers may be appointed and Regulations made for Measurement of Ships.

29. The Commissioners of Customs may, with the Sanction of the Treasury, appoint such Persons to superintend the Survey and Admeasurement of Ships as they think fit; and may, with the Approval of the Board of Trade, make such Regulations for that Purpose as may be necessary; and also, with the like Approval, make such Modifications and Alterations as from Time to Time become necessary in the Tonnage Rules hereby prescribed, in order to the more accurate and uniform Application thereof, and the effectual carrying out of the Principle of Admeasurement therein adopted.

Registry of British Ships.

Registry of British Ships.

Registrars of British Ships.

30. The following Persons are required to register *British* Ships, and shall be deemed Registrars for the Purposes of this Act; (that is to say,)

(1.) At any Port or other Place in the United Kingdom or *Isle of Man* approved by the Commissioners of Customs for the Registry of Ships, the Collector, Comptroller, or other principal Officer of Customs for the Time being:

(2.) In the Islands of *Guernsey* and *Jersey*, the principal Officers of Her Majesty's Customs, together with the Governor, Lieutenant Governor, or other Person administering the Government of such Islands respectively:

(3.) In *Malta*, *Gibraltar*, and *Heligoland*, the Governor, Lieutenant Governor, or other Person administering the Government of such Places respectively:

(4.) At

Registry of British Ships.

(4.) At any Port or Place so approved as aforesaid within the Limits of the Charter but not under the Government of the *East India* Company, and at which no Custom House is established, the Collector of Duties, together with the Governor, Lieutenant Governor, or other Person administering the Government:

(5.) At the Ports of *Calcutta*, *Madras*, and *Bombay*, the Master Attendants, and at any other Port or Place so approved as aforesaid within the Limits of the Charter and under the Government of the *East India* Company, the Collector of Duties, or any other Person of Six Years standing in the Civil Service of the said Company who is appointed by any of the Governments of the said Company to act for this Purpose:

(6.) At every other Port or Place so approved as aforesaid within Her Majesty's Dominions abroad, the Collector, Comptroller, or other principal Officer of Customs or of Navigation Laws, or if there is no such Officer resident at such Port or Place, the Governor, Lieutenant Governor, or other Person administering the Government of the Possession in which such Port or Place is situate.

Substitution of Governor abroad for Commissioners of Customs and of Consul for Justice.

31. The Governor, Lieutenant Governor, or other Person administering the Government in any *British* Possession where any Ship is registered under the Authority of this Act shall, with regard to the Performance of any Act or Thing relating to the Registry of a Ship or of any Interest therein, be considered in all respects as occupying the Place of the Commissioners of Customs; and any *British* Consular Officer shall, in any Place where there is no Justice of the Peace, be authorized to take any Declaration hereby required or permitted to be made in the Presence of a Justice of the Peace.

Register Book.

32. Every Registrar shall keep a Book, to be called "The Register Book," and enter therein the Particulars herein-after required to be registered.

Port of Registry of British Ship.

33. The Port or Place at which any *British* Ship is registered for the Time being shall be considered her Port of Registry or the Port to which she belongs.

Name of Ship.

34. The following Rules shall be observed with respect to the Names of *British* registered Ships; (that is to say,)

(1.) Before Registry the Name of each Ship and of the Port to which she belongs shall be painted on a conspicuous Part of her Stern on a dark Ground in White or Yellow Letters of a Length not less than Four Inches:

(2.) No Change shall be made in the Name of any registered Ship:

(3.) No Concealment, Absence, or avoidable Obliteration of the above Names shall be permitted, except for the Purpose of escaping Capture by an Enemy:

(4.) The Ship shall not be described by or with the Knowledge of the Owner or Master by any Name other than the One by which she is registered:

And for every Breach of the above Rules or any of them the Owner and Master shall each incur a Penalty not exceeding One hundred Pounds.

Application for Registry, by whom to be made.

35. Every Application for the Registry of a Ship shall in the Case of Individuals be made by the Person requiring to be registered as Owner, or by some One or more of such Persons if more than One, or by his or their duly authorized Agent, and in the Case of Bodies Corporate by their duly authorized Agent; the Authority of such Agent, if appointed by Individuals, to be testified by some Writing under the Hands of the Appointors, and if appointed by a Body Corporate, by some Instrument under the Common Seal of such Body Corporate.

Survey of Ship.

36. Before Registry, the Ship shall be surveyed by a Person duly appointed under this Act; and such Surveyor shall grant a Certificate in the Form marked A. in the Schedule hereto, specifying her Tonnage, Build, and such other Particulars descriptive of the Identity of the Ship as may from Time to Time be required by the Board of Trade; and such Certificate shall be delivered to the Registrar before Registry.

Rules as to Entries in Register Book.

37. The following Rules shall be observed with respect to Entries in the Register Book; (that is to say,)

(1.) The Property in a Ship shall be divided into Sixty-four Shares:

(2.) Subject to the Provisions with respect to joint Owners or Owners by Transmission herein-after contained, not more than Thirty-two Individuals shall be entitled to be registered at the same Time as Owners of any One Ship; but this Rule shall not affect the beneficial Title of any Number of Persons or of any Company represented by or claiming under or through any registered Owner or joint Owner:

(3.) No Person shall be entitled to be registered as Owner of any fractional Part of a Share in a Ship; but any Number of Persons, not exceeding Five, may be registered as joint Owners of a Ship or of a Share or Shares therein:

(4.) Joint Owners shall be considered as constituting One Person only as regards the foregoing Rule relating to the Number of Persons entitled to be registered as Owners, and shall not be entitled to dispose in severalty of any Interest in any Ship or in any Share or Shares therein in respect of which they are registered:

(5.) A Body Corporate may be registered as Owner by its Corporate Name.

Declaration of Ownership by individual Owner.

38. No Person shall be entitled to be registered as Owner of a Ship or any Share therein until he has made and subscribed a Declaration in the Form marked B. in the Schedule hereto, referring to the Ship as described in the Certificate of the Surveyor, and containing the following Particulars; (that is to say,)

Registry of British Ships.

(1.) A Statement of his Qualification to be an Owner of a Share in a *British* Ship:
(2.) A Statement of the Time when and the Place where such Ship was built, or (if the Ship is Foreign-built, and the Time and Place of building not known,) a Statement that she is Foreign-built, and that he does not know the Time or Place of her building; and, in addition thereto, in the Case of a Foreign Ship, a Statement of her Foreign Name, or (in the Case of a Ship condemned) a Statement of the Time, Place, and Court at and by which she was condemned:
(3.) A Statement of the Name of the Master:
(4.) A Statement of the Number of Shares in such Ship of which he is entitled to be registered as Owner:
(5.) A Denial that, to the best of his Knowledge and Belief, any unqualified Person or Body of Persons is entitled as Owner to any legal or beneficial Interest in such Ship or any Share therein:

The above Declaration of Ownership shall be made and subscribed in the Presence of the Registrar if the Declarant reside within Five Miles of the Custom House of the Port of Registry, but if beyond that Distance in the Presence of any Registrar or of any Justice of the Peace.

Declaration of Ownership by Body Corporate.

39. No Body Corporate shall be entitled to be registered as Owner of a Ship or of any Share therein until the Secretary or other duly appointed Public Officer of such Body Corporate has made and subscribed in the Presence of the Registrar of the Port of Registry a Declaration in the Form marked C. in the Schedule hereto, referring to the Ship as described in the Certificate of the Surveyor, and containing the following Particulars; (that is to say,)

(1.) A Statement of such Circumstances of the Constitution and Business of such Body Corporate as prove it to be qualified to own a *British* Ship:
(2.) A Statement of the Time when and the Place where such Ship was built, or (if the Ship is Foreign-built, and the Time and Place of building unknown,) a Statement that she is Foreign-built, and that he does not know the Time or Place of her building; and, in addition thereto, in the Case of a Foreign Ship, a Statement of her Foreign Name, or (in the Case of a Ship condemned) a Statement of the Time, Place, and Court at and by which she was condemned:
(3.) A Statement of the Name of the Master:
(4.) A Statement of the Number of Shares in such Ship of which such Body Corporate is Owner:
(5.) A Denial that, to the best of his Knowledge and Belief, any unqualified Person or Body of Persons is entitled as Owner to any legal or beneficial Interest in such Ship or any Share therein.

Evidence to be produced on Registry.

40. Upon the First Registry of a Ship there shall, in addition to the Declaration of Ownership, be produced the following Evidence; (that is to say,)

(1.) In the Case of a *British*-built Ship, a Certificate (which the Builder is hereby required to grant under his Hand) containing a true Account of the proper Denomination and of the Tonnage of such Ship as estimated by him, and of the Time when and of the Place where such Ship was built, together with the Name of the Party (if any) on whose Account he has built the same, and, if any Sale or Sales have taken place, the Bill or Bills of Sale under which the Ship or Share therein has become vested in the Party requiring to be registered as Owner:
(2.) In the Case of a Foreign-built Ship, the same Evidence as in the Case of a *British*-built Ship, unless the Person requiring to be registered as Owner, or, in the Case of a Body Corporate, the duly appointed Officer, declares that the Time or Place of her building is unknown, or that the Builder's Certificate cannot be procured, in which Case there shall be required only the Bill or Bills of Sale under which the Ship or Share therein became vested in the Party requiring to be registered as Owner thereof;
(3.) In the Case of a Ship condemned by any competent Court, an official Copy of the Condemnation of such Ship:

Penalty for false Certificate.

41. If any Builder wilfully makes a false Statement in any Certificate hereby required to be granted by him he shall for every such Offence incur a Penalty not exceeding One hundred Pounds.

Particulars of Entry in Register Book.

42. As soon as the foregoing Requisites to the due Registry of a Ship have been complied with, the Registrar shall enter in the Register Book the following Particulars relating to such Ship; (that is to say,)

(1.) The Name of the Ship and of the Port to which she belongs:
(2.) The Details as to her Tonnage, Build, and Description comprised in the Certificate herein-before directed to be given by the Surveyor:
(3.) The several Particulars as to her Origin stated in the Declaration or Declarations of Ownership:
(4.) The Names and Descriptions of her registered Owner or Owners, and if there is more than One such Owner, the Proportions in which they are interested in such Ship:

No Notice taken of Trusts.

43. No Notice of any Trust, express, implied, or constructive, shall be entered in the Register Book, or receivable by the Registrar; and, subject to any Rights and Powers appearing by the Register Book to be vested in any other Party, the registered Owner of any Ship or Share therein shall have Power absolutely to dispose in manner herein-after mentioned of such Ship or Share, and to give effectual Receipts for any Money paid or advanced by way of Consideration.

Certificate

Certificate of Registry.

Certificate of Registry.

44. Upon the Completion of the Registry of any Ship the Registrar shall grant a Certificate of Registry in the Form marked D. in the Schedule hereto, comprising the following Particulars; (that is to say,) Certificate of Registry to be granted.

(1.) The Name of the Ship and of the Port to which she belongs:

(2.) The Details as to her Tonnage, Build, and Description comprised in the Certificate herein-before directed to be given by the Surveyor:

(3.) The Name of her Master:

(4.) The several Particulars as to her Origin stated in the Declaration or Declarations of Ownership:

(5.) The Names and Descriptions of her registered Owner or Owners, and if there is more than One such Owner, the Proportions in which they are respectively interested, indorsed upon such Certificate.

45. Whenever any Change takes place in the registered Ownership of any Ship, then, if such Change occurs at a Time when the Ship is at her Port of Registry, the Master shall forthwith deliver the Certificate of Registry to the Registrar, and he shall indorse thereon a Memorandum of such Change; but if such Change occurs during the Absence of the Ship from her Port of Registry, then upon her first Return to such Port the Master shall deliver the Certificate of Registry to the Registrar, and he shall indorse thereon a like Memorandum of the Change; or if she previously arrives at any Port where there is a *British* Registrar, such Registrar shall, upon being advised by the Registrar of her Port of Registry of the Change having taken place, indorse a like Memorandum thereof on the Certificate of Registry, and may for that Purpose require the Certificate to be delivered to him, so that the Ship be not thereby detained; and any Master who fails to deliver to the Registrar the Certificate of Registry as herein-before required shall incur a Penalty not exceeding One hundred Pounds. Change of Owners to be indorsed on Certificate of Registry.

46. Whenever the Master of any *British* registered Ship is changed, the following Persons, that is to say, if such Change is made in consequence of the Sentence of any Naval Court, the presiding Officer of such Court, but if the Change takes place from any other Cause, the Registrar, or if there is no Registrar the *British* Consular Officer resident at the Port where such Change takes place, shall indorse on the Certificate of Registry a Memorandum of such Change, and subscribe his Name to such Indorsement, and forthwith report the Change of Master to the Commissioners of Customs in *London;* and the Officers of Customs at any Port situate within Her Majesty's Dominions may refuse to admit any Person to do any Act at such Port as Master of any *British* Ship, unless his Name is inserted in or indorsed upon the Certificate of Registry of such Ship as the last appointed Master thereof. Change of Master to be indorsed on Certificate of Registry.

47. The Registrar may, with the Sanction of the Commissioners of Customs, upon the Delivery up to him of the former Certificate of Registry, grant a new Certificate in the Place of the one so delivered up. Power to grant new Certificate.

48. In the event of the Certificate of Registry of any Ship being mislaid, lost, or destroyed, if such Event occurs at any Port in the United Kingdom, the Ship being registered in the United Kingdom, or at any Port in any *British* Possession, the Ship being registered in the same *British* Possession, then the Registrar of her Port of Registry shall grant a new Certificate of Registry in lieu of and as a Substitute for her original Certificate of Registry; but if such Event occurs elsewhere, the Master or some other Person having Knowledge of the Circumstances shall make a Declaration before the Registrar of any Port having a *British* Registrar at which such Ship is at the Time or first arrives after such Mislaying, Loss, or Destruction; and such Declaration shall state the Facts of the Case, and the Names and Descriptions of the registered Owners of such Ship, to the best of the Declarant's Knowledge and Belief; and the Registrar shall thereupon grant a Provisional Certificate as near to the Form appointed by this Act as Circumstances permit, and shall insert therein a Statement of the Circumstances under which such Provisional Certificate is granted. Provision in case of Loss of Certificate.

49. Every such Provisional Certificate shall, within Ten Days after the first subsequent arrival of the Ship at her Port of Discharge in the United Kingdom, if registered in the United Kingdom, or if registered elsewhere, at her Port of Discharge in the *British* Possession within which her Port of Registry is situate, be delivered up to the Registrar thereof, who shall thereupon grant a new one, as near to the Form appointed by this Act as Circumstances permit; and if the Master neglects to deliver up such Certificate within such Time he shall incur a Penalty not exceeding Fifty Pounds. Provisional Certificate to be delivered up.

50. The Certificate of Registry shall be used only for the lawful Navigation of the Ship, and shall not be subject to Detention by reason of any Title, Lien, Charge, or Interest whatsoever which any Owner, Mortgagee, or other Person may have or claim to have on or in the Ship described in such Certificate; and if any Person whatever, whether interested or not in the Ship, refuses on Request to deliver up such Certificate when in his Possession or under his Control to the Person for the Time being entitled to the Custody thereof for the Purposes of such lawful Navigation as aforesaid, or to any Registrar, Officer of the Customs, or other Person legally entitled to require such Delivery, it shall be lawful for any Justice, by Warrant under his Hand and Seal, or for any Court capable of taking cognizance of such Matter, to cause the Person so refusing to appear before him and to be examined touching such Refusal; and unless it is proved to the Satisfaction of such Justice or Court that there was Custody of Certificate. Delivery of Certificate may be required. Penalty for Detention.

Certificate of Registry.

was reasonable Cause for such Refusal the Offender shall incur a Penalty not exceeding One hundred Pounds; but if it is made to appear to such Justice or Court that the Certificate is lost, the Party complained of shall be discharged, and such Justice or Court shall thereupon certify that the Certificate of Registry is lost.

Mode of proceeding, if detaining Party abscond.

51. If the Person charged with such Detainer or Refusal is proved to have absconded, so that the Warrant of the Justice or Process of the Court cannot be served upon him, or if he persists in his Refusal to deliver the Certificate, such Justice or Court shall certify the Fact, and the same Proceedings may then be taken as in the Case of a Certificate of Registry mislaid, lost, or destroyed, or as near thereto as Circumstances permit.

Penalty for using improper Certificate.

52. If the Master or Owner of any Ship uses or attempts to use for the Navigation of such Ship a Certificate of Registry not legally granted in respect of such Ship, he shall be guilty of a Misdemeanor, and it shall be lawful for any Commissioned Officer on Full Pay in the Military or Naval Service of Her Majesty, or any *British* Officer of Customs, or any *British* Consular Officer, to seize and detain such Ship, and to bring her for Adjudication before the High Court of Admiralty in *England* or *Ireland* or any Court having Admiralty Jurisdiction in Her Majesty's Dominions; and if such Court is of opinion that such Use or Attempt at Use has taken place, it shall pronounce such Ship, with her Tackle, Apparel, and Furniture, to be forfeited to Her Majesty, and may award such Portion of the Proceeds arising from the Sale of such Ship as it may think just to the Officer so bringing in the same for Adjudication.

Certificate of Ship lost or ceasing to be British to be delivered up.

53. If any registered Ship is either actually or constructively lost, taken by the Enemy, burnt, or broken up, or if by reason of a Transfer to any Persons not qualified to be Owners of *British* Ships, or of any other Matter or Thing, any such Ship as aforesaid ceases to be a *British* Ship, every Person who at the Time of the Occurrence of any of the aforesaid Events owns such Ship or any Share therein shall, immediately upon obtaining Knowledge of any such Occurrence, if no Notice thereof has already been given to the Registrar at the Port of Registry of such Ship, give such Notice to him, and he shall make an Entry thereof in his Register Book; and, except in Cases where the Certificate of Registry is lost or destroyed, the Master of every Ship so circumstanced as aforesaid shall immediately, if such Event occurs in Port, but if the same occurs elsewhere, then within Ten Days after his Arrival in Port, deliver the Certificate of Registry of such Ship to the Registrar, or, if there be no Registrar, to the *British* Consular Officer at such Port, and such Registrar if he is not himself the Registrar of her Port of Registry, or such *British* Consular Officer, shall forthwith forward the Certificate so delivered to him to the Registrar of the Port of Registry of the Ship; and every Owner and Master who, without reasonable Cause, makes default in obeying the Provisions of this Section shall for each Offence incur a Penalty not exceeding One hundred Pounds.

Provisional Certificate for Ship becoming vested in British Owners at Foreign Port.

54. If any Ship becomes the Property of Persons qualified to be Owners of *British* Ships at any Foreign Port, the *British* Consular Officer resident at such Port may grant the Master of such Ship, upon his Application, a Provisional Certificate, stating—

The Name of the Ship;

The Time and Place of her Purchase, and the Names of her Purchasers;

The Name of her Master;

The best Particulars as to her Tonnage, Build, and Description that he is able to obtain;

And he shall forward a Copy of such Certificate, at the first convenient Opportunity, to the Commissioners of Customs in *London:* The Certificate so granted shall possess the same Force as a Certificate of Registry until the Expiration of Six Months, or until such earlier Time as the Ship arrives at some Port where there is a *British* Registrar; but upon the Expiration of such Period, or upon Arrival at such Port, shall be void to all Intents.

Transfers and Transmissions.

Transfers and Transmissions.

Transfer of Ships or Shares therein.

55. A registered Ship or any Share therein, when disposed of to Persons qualified to be Owners of *British* Ships, shall be transferred by Bill of Sale; and such Bill of Sale shall contain such Description of the Ship as is contained in the Certificate of the Surveyor, or such other Description as may be sufficient to identify the Ship to the Satisfaction of the Registrar, and shall be according to the Form marked E. in the Schedule hereto, or as near thereto as Circumstances permit, and shall be executed by the Transferrer in the Presence of and be attested by One or more Witnesses.

Declaration to be made by Transferree.

56. No individual shall be entitled to be registered as Transferree of a Ship or any Share therein until he has made a Declaration in the Form marked F. in the Schedule hereto, stating his Qualification to be registered as Owner of a Share in a *British* Ship, and containing a Denial similar to the Denial herein-before required to be contained in a Declaration of Ownership by an original Owner; and no Body Corporate shall be entitled to be registered as Transferree of a Ship or any Share therein until the Secretary or other duly appointed public Officer of such Body Corporate has made a Declaration in the Form marked G. in the Schedule hereto, stating the Name of such Body Corporate, and such Circumstances of its Constitution and Business as may prove it to be qualified to own a *British* Ship, and containing a Denial similar to the Denial herein-before required to be contained in a Declaration of Ownership made on behalf of a Body Corporate: In the Case of an Individual, the above Declaration shall

shall be made, if he reside within Five Miles of the Custom House of the Port of Registry, in the Presence of the Registrar, but if beyond that Distance in the Presence of any Registrar or of any Justice of the Peace; in the Case of a Body Corporate the Declaration shall be made in the Presence of the Registrar of the Port of Registry. *Transfers and Transmissions.*

57. Every Bill of Sale for the Transfer of any registered Ship, or of any Share therein, when duly executed, shall be produced to the Registrar of the Port at which the Ship is registered, together with the Declaration herein-before required to be made by a Transferee; and the Registrar shall thereupon enter in the Register Book the Name of the Transferree as Owner of the Ship or Share comprised in such Bill of Sale, and shall indorse on the Bill of Sale the Fact of such Entry having been made, with the Date and Hour thereof; and all Bills of Sale of any Ship or Shares in a Ship shall be entered in the Register Book in the Order of their Production to the Registrar. Registration of Transfer.

58. If the Property in any Ship or in any Share therein becomes transmitted in consequence of the Death or Bankruptcy or Insolvency of any registered Owner, or in consequence of the Marriage of any Female registered Owner, or by any lawful Means other than by a Transfer according to the Provisions of this Act, such Transmission shall be authenticated by a Declaration of the Person to whom such Property has been transmitted, made in the Form marked H. in the Schedule hereto, and containing the several Statements herein-before required to be contained in the Declaration of a Transferree, or as near thereto as Circumstances permit, and, in addition, a Statement describing the Manner in which and the Party to whom such Property has been transmitted; and such Declaration shall be made and subscribed if the Declarant resides at or within Five Miles of the Custom House of the Port of Registry in the Presence of the Registrar, but if beyond that Distance in the Presence of any Registrar or of any Justice of the Peace. Transmission of Shares by Death, Bankruptcy, or Marriage.

59. If such Transmission has taken place by virtue of the Bankruptcy or Insolvency of any registered Owner, the said Declaration shall be accompanied by such Evidence as may for the Time being be receivable in Courts of Justice as Proof of the Title of Parties claiming under any Bankruptcy or Insolvency; and if such Transmission has taken place by virtue of the Marriage of a Female Owner, the said Declaration shall be accompanied by a Copy of the Register of such Marriage or other legal Evidence of the Celebration thereof, and shall declare the Identity of the said Female Owner; and if such Transmission has taken place by virtue of any Testamentary Instrument or by Intestacy, then in *England*, *Wales*, and *Ireland* the said Declaration shall be accompanied by the Probate of the Will or the Letters of Administration or an official Extract therefrom, and in *Scotland* or in any *British* Possession by the Will or any Copy thereof that may be Evidence by the Laws of *Scotland* or of such Possession, or by Letters of Administration or any Copy thereof, or by such other Document as may by the Laws of *Scotland* or of such Possession be receivable in the Courts of Judicature thereof as Proof of the Person entitled upon an Intestacy. Proof of Transmission by Bankruptcy, Marriage, Will, or on Intestacy.

60. The Registrar, upon the Receipt of such Declaration so accompanied as aforesaid, shall enter the Name of the Person or Persons entitled under such Transmission in the Register Book as Owner or Owners of the Ship or Share therein in respect of which such Transmission has taken place; and such Persons, if more than One, shall, however numerous, be considered as One Person only as regards the Rule herein-before contained relating to the Number of Persons entitled to be registered as Owners. Registration of transmitted Share.

61. Of the Documents hereby required to be produced to the Registrar he shall retain in his Possession the following; that is to say, the Surveyor's Certificate, the Builder's Certificate, the Copy of the Condemnation, and all Declarations of Ownership. Registrar to retain certain Evidence.

62. Whenever any Property in a Ship or Share in a Ship becomes vested by Transmission on the Death of any Owner or on the Marriage of any Female Owner in any Person not qualified to be the Owner of *British* Ships, it shall be lawful, if such Ship is registered in *England* or *Ireland* for the Court of Chancery, if in *Scotland* for the Court of Session, or if in any *British* Possession for any Court possessing the principal Civil Jurisdiction within such Possession, upon an Application made by or on behalf of such unqualified Person, to order a Sale to be made of the Property so transmitted, and to direct the Proceeds of such Sale, after deducting the Expenses thereof, to be paid to the Person entitled under such Transmission, or otherwise as the Court may direct; and it shall be in the Discretion of any such Court as aforesaid to make or refuse any such Order for Sale, and to annex thereto any Terms or Conditions, and to require any Evidence in support of such Application it may think fit, and generally to act in the Premises in such Manner as the Justice of the Case requires. Unqualified Owner entitled by Transmission may apply to Court for Sale of Ship.

63. Every Order for a Sale made by such Court as aforesaid shall contain a Declaration vesting the Right to transfer the Ship or Share so to be sold in some Person or Persons named by the Court, and such Nominee or Nominees shall thereupon be entitled to transfer such Ship or Share in the same Manner, and to the same Extent, as if he or they were the registered Owner or Owners of the same; and every Registrar shall obey the Requisition of such Nominee or Nominees as aforesaid in respect of any Transfer to the same Extent as he would be compellable to obey the Requisition of any registered Owner or Owners of such Ship or Share. Order to be made by Court.

64. Every such Application as aforesaid for Sale shall be made within Four Weeks after the Occurrence of the Event on which such Transmission has taken place, or within such further Time as such Court as aforesaid may allow, such Time not in any Case to exceed the Space of One Year from the Date of such Limit of Time for Application.

Transfers and Transmissions.

such Occurrence as aforesaid; and in the Event of no such Application being made within such Period as aforesaid, or of such Court refusing to accede thereto, the Ship or Share so transmitted shall thereupon be forfeited in manner herein-after directed with respect to Interests acquired by unqualified Owners in Ships using a *British* Flag and assuming the *British* Character.

Power of Courts to prohibit Transfers.

65. It shall be lawful in *England* or *Ireland* for the Court of Chancery, in *Scotland* for the Court of Session, in any *British* Possession for any Court possessing the principal civil Jurisdiction within such Possession, without Prejudice to the Exercise of any other Power such Court may possess, upon the summary Application of any interested Person made either by Petition or otherwise, and either *ex parte* or upon Service of Notice on any other Person, as the Court may direct, to issue an Order prohibiting for a Time to be named in such Order any Dealing with such Ship or Share; and it shall be in the Discretion of such Court to make or refuse any such Order, and to annex thereto any Terms or Conditions it may think fit, and to discharge such Order when granted with or without Costs, and generally to act in the Premises in such Manner as the Justice of the Case requires; and every Registrar, without being made a Party to the Proceedings, upon being served with such Order, or an official Copy thereof, shall obey the same.

Mortgages.

Mortgages.

Mortgage of Ships and Shares therein.

66. A registered Ship or any Share therein may be made a Security for a Loan or other valuable Consideration; and the Instrument creating such Security, herein-after termed a "Mortgage," shall be in the Form marked I. in the Schedule hereto, or as near thereto as Circumstances permit; and on the Production of such Instrument the Registrar of the Port at which the Ship is registered shall record the same in the Register Book.

Mortgages to be registered in Order of Time of Production.

67. Every such Mortgage shall be recorded by the Registrar in the Order of Time in which the same is produced to him for that Purpose; and the Registrar shall, by Memorandum under his Hand, notify on the Instrument of Mortgage that the same has been recorded by him, stating the Date and Hour of such Record.

Entry of Discharge of Mortgage.

68. Whenever any registered Mortgage has been discharged, the Registrar shall, on the Production of the Mortgage Deed, with a Receipt for the Mortgage Money indorsed thereon, duly signed and attested, make an Entry in the Register Book to the Effect that such Mortgage has been discharged; and upon such Entry being made the Estate, if any, which passed to the Mortgagee shall vest in the same Person or Persons in whom the same would, having regard to intervening Acts and Circumstances, if any, have vested if no such Mortgage had ever been made.

Priority of Mortgages.

69. If there is more than One Mortgage registered of the same Ship or Share therein, the Mortgagees shall, notwithstanding any express, implied, or constructive Notice, be entitled in Priority one over the other according to the Date at which each Instrument is recorded in the Register Books, and not according to the Date of each Instrument itself.

Mortgagee not to be deemed Owner.

70. A Mortgagee shall not by reason of his Mortgage be deemed to be the Owner of a Ship or any Share therein, nor shall the Mortgagor be deemed to have ceased to be Owner of such mortgaged Ship or Share, except in so far as may be necessary for making such Ship or Share available as a Security for the Mortgage Debt.

Mortgagee to have Power of Sale.

71. Every registered Mortgagee shall have Power absolutely to dispose of the Ship or Share in respect of which he is registered, and to give effectual Receipts for the Purchase Money; but if there are more Persons than One registered as Mortgagees of the same Ship or Share, no subsequent Mortgagee shall, except under the Order of some Court capable of taking cognizance of such Matters, sell such Ship or Share without the Concurrence of every prior Mortgagee.

Rights of Mortgagee not affected by any Act of Bankruptcy of Mortgagor.

72. No registered Mortgage of any Ship or of any Share therein shall be affected by any Act of Bankruptcy committed by the Mortgagor after the Date of the Record of such Mortgage, notwithstanding such Mortgagor at the Time of his becoming bankrupt may have in his Possession and Disposition and be reputed Owner of such Ship or Share thereof; and such Mortgage shall be preferred to any Right, Claim, or Interest in such Ship or any Share thereof which may belong to the Assignees of such Bankrupt.

Transfer of Mortgages.

73. A registered Mortgage of any Ship or Share in a Ship may be transferred to any Person, and the Instrument creating such Transfer shall be in the Form marked K. in the Schedule hereto, and on the Production of such Instrument the Registrar shall enter in the Register Book the Name of the Transferree as Mortgagee of the Ship or Shares therein mentioned, and shall by Memorandum under his Hand record on the Instrument of Transfer that the same has been recorded by him, stating the Date and Hour of such Record.

Transmission of Interest of Mortgagee by Death, Bankruptcy, or Marriage.

74. If the Interest of any Mortgagee in any Ship or in any Share therein, becomes transmitted in consequence of Death, Bankruptcy, or Insolvency, or in consequence of the Marriage of any Female Mortgagee, or by any lawful Means other than by a Transfer according to the Provisions of this Act, such Transmission shall be authenticated by a Declaration of the Person to whom such Interest has been transmitted, made in the Form marked L. in the Schedule hereto, and containing a Statement describing the Manner in which and the Party to whom such Property has been transmitted; and such Declaration shall be made and subscribed, if the Declarant resides at or within Five Miles of the Custom House of the

Mortgages.

the Port of Registry, in the Presence of the Registrar, but if beyond that Distance in the Presence of any Registrar or of any Justice of the Peace, and shall be accompanied by such Evidence as is herein-before required to authenticate a corresponding Transmission of Property from one registered Owner to another.

Entry of transmitted Mortgage.

75. The Registrar, upon the Receipt of such Declaration and the Production of such Evidence as aforesaid, shall enter the Name of the Person or Persons entitled under such Transmission in the Register Book as Mortgagee or Mortgagees of the Ship or Share in respect of which such Transmission has taken place.

Certificates of Mortgage and Sale.

Certificates of Mortgage and Sale.

Powers of Mortgage and Sale may be conferred by Certificate.

76. Any registered Owner, if desirous of disposing by way of Mortgage or Sale of the Ship or Share in respect of which he is registered at any Place out of the Country or Possession in which the Port of Registry of such Ship is situate, may apply to the Registrar, who shall thereupon enable him to do so by granting such Certificates as are herein-after mentioned, to be called respectively Certificates of Mortgage or Certificates of Sale, according as they purport to give a Power to mortgage or a Power to sell.

Requisites for Certificates of Mortgage and Sale.

77. Previously to any Certificate of Mortgage or Sale being granted, the Applicant shall state to the Registrar, to be by him entered in the Register Book, the following Particulars; (that is to say,)

(1.) The Names of the Persons by whom the Power mentioned in such Certificate is to be exercised, and in the Case of a Mortgage the maximum Amount of Charge to be created, if it is intended to fix any such Maximum, and in the Case of a Sale the minimum Price at which a Sale is to be made, if it is intended to fix any such Minimum:

(2.) The specific Place or Places where such Power is to be exercised, or if no Place be specified, then that it may be exercised anywhere, subject to the Provisions herein-after contained:

(3.) The Limit of Time within which such Power may be exercised:

Restrictions on Certificates of Mortgage and Sale.

78. No Certificate of Mortgage or Sale shall be granted so as to authorize any Mortgage or Sale to be made—

At any Place within the United Kingdom, if the Port of Registry of the Ship be situate in the United Kingdom; or at any Place within the same *British* Possession if the Port of Registry is situate within a *British* Possession; or

By any Person not named in the Certificate.

Forms of Certificates of Mortgage and Sale.

79. Certificates of Mortgage and Sale shall be in the Forms marked respectively M. and N. in the Schedule hereto, and shall contain a Statement of the several Particulars herein-before directed to be entered in the Register Book, and in addition thereto an Enumeration of any registered Mortgages or Certificates of Mortgage or Sale affecting the Ships or Shares in respect of which such Certificates are given.

Rules as to Certificates of Mortgage.

80. The following Rules shall be observed as to Certificates of Mortgage; (that is to say,)

(1.) The Power shall be exercised in conformity with the Directions contained in the Certificate:

(2.) A Record of every Mortgage made thereunder shall be endorsed thereon by a Registrar or *British* Consular Officer:

(3.) No Mortgage *bonâ fide* made thereunder shall be impeached by reason of the Person by whom the Power was given dying before the making of such Mortgage:

(4.) Whenever the Certificate contains a Specification of the Place or Places at which, and a Limit of Time not exceeding Twelve Months within which, the Power is to be exercised, no Mortgage *bonâ fide* made to a Mortgagee without Notice shall be impeached by reason of the Bankruptcy or Insolvency of the Person by whom the Power was given:

(5.) Every Mortgage which is so registered as aforesaid on the Certificate shall have Priority over all Mortgages of the same Ship or Share created subsequently to the Date of the Entry of the Certificate in the Register Book; and if there be more Mortgages than One so indorsed the respective Mortgagees claiming thereunder shall, notwithstanding any express, implied, or constructive Notice, be entitled one before the other according to the Date at which a Record of each Instrument is indorsed on the Certificate, and not according to the Date of the Instrument creating the Mortgage:

(6.) Subject to the foregoing Rules every Mortgagee whose Mortgage is registered on the Certificate shall have the same Rights and Powers and be subject to the same Liabilities as he would have had and been subject to if his Mortgage had been registered in the Register Book instead of on the Certificate:

(7.) The Discharge of any Mortgage so registered on the Certificate may be indorsed thereon by any Registrar or *British* Consular Officer, upon the Production of such Evidence as is hereby required to be produced to the Registrar on the Entry of the Discharge of a Mortgage in the Register Book; and upon such Indorsement being made, the Estate, if any, which passed to the Mortgagee shall vest in the same Person or Persons in whom the same would, having regard to intervening Acts and Circumstances, if any, have vested if no such Mortgage had been made:

(8.) Upon the Delivery of any Certificate of Mortgage to the Registrar by whom it was granted he shall, after recording in the Register Book in such Manner as to preserve its Priority any unsatisfied

Certificates of Mortgage and Sale.

unsatisfied Mortgage registered thereon, cancel such Certificate, and enter the Fact of such Cancellation in the Register Book; and every Certificate so cancelled shall be void to all Intents.

Rules as to Certificates of Sale.

81. The following Rules shall be observed as to Certificates of Sale; (that is to say,)

(1.) No such Certificate shall be granted except for the Sale of an entire Ship:

(2.) The Power shall be exercised in conformity with the Directions contained in the Certificate:

(3.) No Sale *bonâ fide* made to a Purchaser for valuable Consideration shall be impeached by reason of the Person by whom the Power was given dying before the making of such Sale:

(4.) Whenever the Certificate contains a Specification of the Place or Places at which, and a Limit of Time not exceeding Twelve Months within which, the Power is to be exercised, no Sale *bonâ fide* made to a Purchaser for valuable Consideration without Notice shall be impeached by reason of the Bankruptcy or Insolvency of the Person by whom the Power was given:

(5.) Any Transfer made to a Person qualified to be the Owner of *British* Ships shall be by Bill of Sale in the Form herein-before mentioned, or as near thereto as Circumstances permit:

(6.) If the Ship is sold to a Party qualified to hold *British* Ships, the Ship shall be registered anew; but Notice of all Mortgages enumerated on the Certificate of Sale shall be entered in the Register Book:

(7.) Previously to such Registry anew there shall be produced to the Registrar required to make the same the Bill of Sale by which the Ship is transferred, the Certificate of Sale, and the Certificate of Registry of such Ship:

(8.) Such last-mentioned Registrar shall retain the Certificates of Sale and Registry, and after having indorsed on both of such Instruments an Entry of the Fact of a Sale having taken place, shall forward the said Certificates to the Registrar of the Port appearing on such Certificates to be the former Port of Registry of the Ship, and such last-mentioned Registrar shall thereupon make a Memorandum of the Sale in his Register Book, and the Registry of the Ship in such Book shall be considered as closed, except as far as relates to any unsatisfied Mortgages or existing Certificates of Mortgage entered therein:

(9.) On such Registry anew the Description of the Ship contained in her original Certificate of Registry may be transferred to the new Register Book, without her being re-surveyed, and the Declaration to be made by the Purchaser shall be the same as would be required to be made by an ordinary Transferree:

(10.) If the Ship is sold to a Party not qualified to be the Owner of a *British* Ship, the Bill of Sale by which the Ship is transferred, the Certificate of Sale, and the Certificate of Registry shall be produced to some Registrar or Consular Officer, who shall retain the Certificates of Sale and Registry, and, having indorsed thereon the Fact of such Ship having been sold to Persons not qualified to be Owners of *British* Ships, shall forward such Certificates to the Registrar of the Port appearing on the Certificate of Registry to be the Port of Registry of such Ship; and such last-mentioned Registrar shall thereupon make a Memorandum of the Sale in his Register Book, and the Registry of the Ship in such Book shall be considered as closed, except so far as relates to any unsatisfied Mortgages or existing Certificates of Mortgage entered therein:

(11.) If upon a Sale being made to an unqualified Person Default is made in the Production of such Certificates as are mentioned in the last Rule, such unqualified Person shall be considered by *British* Law as having acquired no Title to or Interest in the Ship; and further the Party upon whose Application such Certificate was granted, and the Persons exercising the Power, shall each incur a Penalty not exceeding One hundred Pounds:

(12.) If no Sale is made in conformity with the Certificate of Sale, such Certificate shall be delivered to the Registrar by whom the same was granted; and such Registrar shall thereupon cancel it, and enter the Fact of such Cancellation in the Register Book; and every Certificate so cancelled shall be void to all Intents.

Power of Commissioners of Customs in case of Loss of Certificate of Mortgage or Sale.

82. Upon Proof at any Time to the Satisfaction of the Commissioners of Customs that any Certificate of Mortgage or Sale is lost or so obliterated as to be useless, and that the Powers thereby given have never been exercised, or if they have been exercised then upon Proof of the several Matters and Things that have been done thereunder, it shall be lawful for the Registrar, with the Sanction of the said Commissioners, as Circumstances may require, either to issue a new Certificate, or to direct such Entries to be made in the Register Book, or such other Matter or Thing to be done as might have been made or done if no such Loss or Obliteration had taken place.

Revocation of Certificates of Mortgage and Sale.

83. The registered Owner for the Time being of any Ship or Share therein in respect of which a Certificate of Mortgage or Sale has been granted, specifying the Place or Places where the Power thereby given is to be exercised, may, by an Instrument under his Hand made in the Form O. in the Schedule hereto, or as near thereto, as Circumstances permit, authorize the Registrar by whom such Certificate was granted to give Notice to the Registrar or Consular Officer, Registrars or Consular Officers, at such Place or Places, that such Certificate is revoked; and Notice shall be given accordingly; and all Registrars or Consular Officers receiving such Notice shall record the same, and shall exhibit the same to all Persons who may apply to them for the Purpose of effecting or obtaining a Mortgage or Transfer under the said

said Certificate of Mortgage or Sale; and after such Notice has been so recorded the said Certificate shall, so far as concerns any Mortgage or Sale to be thereafter made at such Place be deemed to be revoked and of no Effect; and every Registrar or Consular Officer recording any such Notice shall thereupon state to the Registrar by whom the Certificate was granted, whether any previous Exercise of the Power to which such Certificate refers has taken place.

Certificates of Mortgage and Sale.

Registry anew, and Transfer of Registry.

Registry anew, and Transfer of Registry.

84. Whenever any registered Ship is so altered as not to correspond with the Particulars relating to her Tonnage or Description contained in the Register Book, then, if such Alteration is made at a Port where there is a Registrar, the Registrar of such Port, but if made elsewhere, the Registrar of the First Port having a Registrar at which the Ship arrives after her Alteration, shall, on Application made to him, and on the Receipt of a Certificate from the proper Surveyor specifying the Nature of such Alteration, either retain the old Certificate of Registry and grant a new Certificate of Registry containing a Description of the Ship as altered, or indorse on the existing Certificate a Memorandum of such Alteration, and subscribe his Name to such Indorsement; and the Registrar to whom such Application as aforesaid is made, if he is the Registrar of the Port of Registry of the Ship, shall himself enter in his Register Book the Particulars of the Alteration so made, and the Fact of such new Certificate having been granted or Indorsement having been made on the existing Certificate; but if he is not such last-mentioned Registrar, he shall forthwith report such Particulars and Facts as aforesaid, accompanied by the old Certificate of Registry in Cases where a new one has been granted, to the Registrar of the Port of Registry of the Ship, who shall retain such old Certificate (if any), and enter such Particulars and Facts in his Register Book accordingly.

Alteration in Ship to be registered.

85. When the Registrar to whom Application is made in respect of any such Alteration as aforesaid is the Registrar of the Port of Registry, he may, if he thinks fit, instead of registering such Alteration, require such Ship to be registered anew in manner herein-before directed on the first Registry of a Ship, and if he is not such Registrar as lastly herein-before mentioned he may nevertheless require such Ship to be registered anew, but he shall in such last-mentioned Case grant a Provisional Certificate or make a Provisional Indorsement of the Alteration made in manner herein-before directed in Cases where no Registry anew is required, taking care to add to such Certificate or Indorsement a Statement that the same is made provisionally, and to insert in his Report to the Registrar of the Port of Registry of the Ship a like Statement.

On Alteration Registry anew may be required.

86. Every such Provisional Certificate, or Certificate provisionally indorsed, shall, within Ten Days after the first subsequent Arrival of the Ship at her Port of Discharge in the United Kingdom, if registered in the United Kingdom, or, if registered elsewhere, at her Port of Discharge in the *British* Possession within which her Port of Registry is situate, be delivered up to the Registrar thereof, who shall thereupon cause such Ship to be registered anew in the same Manner in all respects as herein-before required on the first Registry of any Ship.

Grant of Provisional Certificate in respect of Alteration.

87. On Failure of such Registry anew of any Ship or Registry of Alteration of any Ship so altered as aforesaid, such Ship shall be deemed not duly registered, and shall no longer be recognized as a *British* Ship.

Consequence of Omission to register anew.

88. If upon any Change of Ownership in any Ship the Owner or Owners desire to have such Ship registered anew, although such Registry anew is not required by this Act, it shall be lawful for the Registrar of the Port at which such Ship is already registered, on the Delivery up to him of the existing Certificate of Registry, and on the other Requisites to Registry, or such of them as the Registrar thinks material, being duly complied with, to make such Registry anew, and grant a Certificate thereof.

On change of Owners, Registry anew may be granted, if required.

89. The Registry of any Ship may be transferred from one Port to another upon the Application of all Parties appearing on the Register to be interested in such Ship, whether as Owners or Mortgagees, such Application to be expressed by a Declaration in Writing made and subscribed, if the Party so required to make and subscribe the same resides at or within Five Miles of the Custom House of the Port from which such Ship is to be transferred, in the Presence of the Registrar of such Port, but if beyond that Distance in the Presence of any Registrar or of any Justice of the Peace.

Registry may be transferred from Port to Port.

90. Upon such Application being made as is herein-before mentioned, and upon the Delivery to him of the Certificate of Registry, the Registrar of the Port at which such Ship is already registered shall transmit to the Registrar of the Port at which such Ship is intended to be registered Notice of such Application having been made to him, together with a true Copy of all Particulars relating to such Ship, and the Names of all the Parties appearing by his Book to be interested as Owners or Mortgagees in such Ship; and such last-mentioned Registrar shall, upon the Receipt of such Notice, enter all such Particulars and Names in his Book of Registry, and grant a fresh Certificate of Registry, and thenceforth such Ship shall be considered as registered at and belonging to such last-mentioned Port, and the Name of such last-mentioned Port shall be substituted on the Stern of such Ship in lieu of the Name of the Port previously appearing thereon.

Manner of Transfer of Registry.

91. The

Transfer of Registry not to affect Rights of Owners.

91. The Transfer of the Registry of any Ship in manner aforesaid shall not in any way affect the Rights of the several Persons interested either as Owners or Mortgagees in such Ship, but such Rights shall in all respects be maintained and continue in the same Manner as if no such Transfer had been effected.

Registry, Miscellaneous.

Registry, Miscellaneous.

Inspection of Register Books.

92. Every Person may, upon Payment of a Fee to be fixed by the Commissioners of Customs not exceeding One Shilling, have Access to the Register Book for the Purpose of Inspection at any reasonable Time during the Hours of official Attendance of the Registrar.

Indemnity to Registrar.

93. No Registrar shall be liable to Damages or otherwise for any Loss accruing to any Person by reason of any Act done or Default made by him in his Character of Registrar, unless the same has happened through his Neglect or wilful Act.

Return to be made by Registrars to Commissioners of Customs.

94. Every Registrar in the United Kingdom shall at the Expiration of every Month, and every other Registrar shall without Delay, or at such stated Times as may be fixed by the Commissioners of Customs, transmit to the Custom House in *London* a full Return in such Form as they may direct of all Registries, Transfers, Transmissions, Mortgages, and other Dealings with Ships which have been registered by or communicated to them in their Character of Registrars, and the Names of the Persons who have been concerned in the same, and such other Particulars as may be directed by the said Commissioners.

Application of Fees.

95. All Fees authorized to be taken under the Second Part of this Act shall, if taken in any Part of the United Kingdom, be applied in Payment of the general Expenses of carrying into effect the Purposes of such Second Part, or otherwise as the Treasury may direct, but if taken elsewhere shall be disposed of in such Way as the Executive Government of the *British* Possession in which they are taken may direct.

Commissioners of Customs to provide, and with Consent of Board of Trade may alter Forms and issue Instructions.

96. The Commissioners of Customs shall cause the several Forms required or authorized to be used by the Second Part of this Act, and contained in the Schedule hereto, to be supplied to all Registrars within Her Majesty's Dominions for Distribution to the several Persons requiring to use the same, either free of Charge, or at such moderate Prices as they may from Time to Time direct, and the said Commissioners, with the Consent of the Board of Trade, may from Time to Time make such Alterations in the Forms contained in the Schedule hereto as it may deem requisite, but shall, before issuing any altered Form, give such public Notice thereof as may be necessary in order to prevent Inconvenience; and the said Commissioners may also, with such Consent as aforesaid, for the Purposes of carrying into effect the Provisions contained in the Second Part of this Act, give such Instructions as to the Manner of making Entries in the Register Book, as to the Execution and Attestation of Powers of Attorney, as to any Evidence to be required for identifying any Person, and generally as to any Act or Thing to be done in pursuance of the Second Part of this Act, as they may think fit.

Power to Registrar to dispense with Declarations and other Evidence.

97. Whenever in any Case in which under the Second Part of this Act any Person is required to make a Declaration on behalf of himself or of any Body Corporate, or any Evidence is required to be produced to the Registrar, it is shown to the Satisfaction of the Registrar that from any reasonable Cause such Person is unable to make the Declaration, or that such Evidence cannot be produced, it shall be lawful for the Registrar, with the Sanction of the Commissioners of Customs, and upon the Production of such other Evidence, and subject to such Terms as they may think fit, to dispense with any such Declaration or Evidence.

Power for Commissioners or Governor in special Cases to grant a Pass to a Ship not registered.

98. In Cases where it appears to the Commissioners of Customs, or to the Governor or other Person administering the Government of any *British* Possession, that by reason of special Circumstances it would be desirable that Permission should be granted to any *British* Ship to pass, without being previously registered, from one Port or Place in Her Majesty's Dominions to any other Port or Place within the same, it shall be lawful for such Commissioners or Governor or other Person to grant a Pass accordingly, and such Pass shall for the Time and within the Limits therein mentioned have the same Effect as a Certificate of Registry.

Provision for Cases of Infancy or other Incapacity.

99. If any Person interested in any Ship or any Share therein is, by reason of Infancy, Lunacy, or other Inability, incapable of making any Declaration or doing any Thing required or permitted by this Act to be made or done by such incapable Person in respect of Registry, then the Guardian or Committee, if any, of such incapable Person, or, if there be none, any Person appointed by any Court or Judge possessing Jurisdiction in respect of the Property of incapable Persons, upon the Petition of any Person on behalf of such incapable Person, or of any other Person interested in the making such Declaration or doing such Thing, may make such Declaration, or a Declaration as nearly corresponding thereto as Circumstances permit, and do such Thing in the Name and on behalf of such incapable Person; and all Acts done by such Substitute shall be as effectual as if done by the Person for whom he is substituted.

Liabilities of Owners.

100. Whenever any Person is beneficially interested, otherwise than by way of Mortgage, in any Ship or Share therein registered in the Name of some o her Person as Owner, the Person so interested shall, as well as the registered Owner, be subject to all pecuniary Penalties imposed by this or by any other Act on Owners of Ships or Shares therein, so nevertheless that Proceedings may be taken for the

Enforcement

Enforcement of any such pecuniary Penalties against both or either of the aforesaid Parties, with or without joining the other of them.

Forgery.

Forgery.

Punishment for Forgery.

101. Any Person who forges, assists in forging, or procures to be forged, fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any Register Book, Certificate of Surveyor, Certificate of Registry, Declaration of Ownership, Bill of Sale, Instrument of Mortgage, Certificate of Mortgage or Sale, or any Entry or Indorsement required by the Second Part of this Act to be made in or on any of the above Documents, shall for every such Offence be deemed to be guilty of Felony.

National Character.

National Character.

National Character of Ship to be declared before Clearance.

102. No Officer of Customs shall grant a Clearance or Transire for any Ship until the Master of such Ship has declared to such Officer the Name of the Nation to which he claims that she belongs, and such Officer shall thereupon inscribe such Name on the Clearance or Transire; and if any Ship attempts to proceed to Sea without such Clearance or Transire, any such Officer may detain her until such Declaration is made.

Penalties:

103. The Offences herein-after mentioned shall be punishable as follows; (that is to say,)

For unduly assuming a British Character.

(1.) If any Person uses the *British* Flag and assumes the *British* National Character on board any Ship owned in whole or in part by any Persons not entitled by Law to own *British* Ships, for the Purpose of making such Ship appear to be a *British* Ship, such Ship shall be forfeited to Her Majesty, unless such Assumption has been made for the Purpose of escaping Capture by an Enemy or by a Foreign Ship of War in exercise of some belligerent Right; and in any Proceeding for enforcing any such Forfeiture the Burden of proving a Title to use the *British* Flag and assume the *British* National Character shall lie upon the Person using and assuming the same:

For Concealment of British or Assumption of Foreign Character.

(2.) If the Master or Owner of any *British* Ship does or permits to be done any Matter or Thing, or carries or permits to be carried any Papers or Documents, with Intent to conceal the *British* Character of such Ship from any Person entitled by *British* Law to inquire into the same, or to assume a Foreign Character, or with Intent to deceive any such Person as lastly herein-before mentioned, such Ship shall be forfeited to Her Majesty; and the Master, if he commits or is privy to the Commission of the Offence, shall be guilty of a Misdemeanor:

For acquiring Ownership, if unqualified.

(3.) If any unqualified Person, except in the Case of such transmitted Interests as are herein-before mentioned, acquires as Owner any Interest, either legal or beneficial, in a Ship using a *British* Flag and assuming the *British* Character, such Interest shall be forfeited to Her Majesty:

For false Declaration of Ownership.

(4.) If any Person, on behalf of himself or any other Person or Body of Persons, wilfully makes a false Declaration touching the Qualification of himself or such other Person or Body of Persons to own *British* Ships or any Shares therein, the Declarant shall be guilty of a Misdemeanor; and the Ship or Share in respect of which such Declaration is made, if the same has not been forfeited under the foregoing Provision, shall, to the Extent of the Interest therein of the Person making the Declaration, and, unless it is shown that he had no Authority to make the same, of the Parties on behalf of whom such Declaration is made, be forfeited to Her Majesty:

And in order that the above Provisions as to Forfeitures may be carried into effect it shall be lawful for any Commissioned Officer on Full Pay in the Military or Naval Service of Her Majesty, or any *British* Officer of Customs, or any *British* Consular Officer, to seize and detain any Ship which has, either wholly or as to any Share therein, become subject to Forfeiture as aforesaid, and to bring her for Adjudication before the High Court of Admiralty in *England* or *Ireland*, or any Court having Admiralty Jurisdiction in Her Majesty's Dominions; and such Court may thereupon make such Order in the Case as it may think fit, and may award to the Officer bringing in the same for Adjudication such Portion of the Proceeds of the Sale of any forfeited Ship or Share as it may think right.

Officer not liable for any Seizure made on reasonable Grounds.

104. No such Officer as aforesaid shall be responsible, either civilly or criminally, to any Person whomsoever, in respect of the Seizure or Detention of any Ship that has been seized or detained by him in pursuance of the Provisions herein contained, notwithstanding that such Ship is not brought in for Adjudication, or, if so brought in, is declared not to be liable to Forfeiture, if it is shown to the Satisfaction of the Judge or Court before whom any Trial relating to such Ship or such Seizure or Detention is held that there were reasonable Grounds for such Seizure or Detention; but if no such Grounds are shown, such Judge or Court may award Payment of Costs and Damages to any Party aggrieved, and make such other Order in the Premises as it thinks just.

Penalty for carrying improper Colours.

105. If any Colours usually worn by Her Majesty's Ships, or any Colours resembling those of Her Majesty, or any distinctive National Colours, except the Red Ensign usually worn by Merchant Ships, or except the Union Jack with a White Border, or if the Pendant usually carried by Her Majesty's Ships or any Pendant in anywise resembling such Pendant, are or is hoisted on board any Ship or Boat belonging to any Subject of Her Majesty without Warrant for so doing from Her Majesty or from the Admiralty, the Master of such Ship or Boat, or the Owner thereof, if on board the same, and every other Person hoisting or joining or assisting in hoisting the same, shall for every such Offence incur a Penalty not exceeding Five Hundred Pounds; and it shall be lawful for any Officer on Full Pay in the Military or

National Character.

Naval Service of Her Majesty, or any *British* Officer of the Customs, or any *British* Consular Officer, to board any such Ship or Boat, and to take away any such Jack, Colours, or Pendant; and such Jack, Colours, or Pendant shall be forfeited to Her Majesty.

Effect of Declaration in the Act that a Ship shall not be recognized as a British Ship.

106. Whenever it is declared by this Act that a Ship belonging to any Person or Body Corporate qualified according to this Act to be Owners of *British* Ships shall not be recognized as a *British* Ship, such Ship shall not be entitled to any Benefits, Privileges, Advantages, or Protection usually enjoyed by *British* Ships, and shall not be entitled to use the *British* Flag or assume the *British* National Character; but, so far as regards the Payment of Dues, the Liability to Pains and Penalties, and the Punishment of Offences committed on board such Ship or by any Persons belonging to her, such Ship shall be dealt with in the same Manner in all respects as if she were a recognized *British* Ship.

Evidence.

Evidence.

Copies of Registers and Declarations to be admissible in Evidence, and to be primâ facie Proof of certain Things.

107. Every Register of or Declaration made in pursuance of the Second Part of this Act in respect of any *British* Ship may be proved in any Court of Justice, or before any Person having by Law or by Consent of Parties Authority to receive Evidence, either by the Production of the Original or by an examined Copy thereof, or by a Copy thereof purporting to be certified under the Hand of the Registrar or other Person having the Charge of the Original; which certified Copies he is hereby required to furnish to any Person applying at a reasonable Time for the same, upon Payment of One Shilling for each such certified Copy; and every such Register or Copy of a Register, and also every Certificate of Registry of any *British* Ship, purporting to be signed by the Registrar or other proper Officer, shall be received in Evidence in any Court of Justice or before any Person having by Law or by Consent of Parties Authority to receive Evidence as *primâ facie* Proof of all the Matters contained or recited in such Register when the Register or such Copy is produced, and of all the Matters contained in or indorsed on such Certificate of Registry, and purporting to be authenticated by the Signature of a Registrar, when such Certificate is produced.

Saving Clause.

Saving Clause.

Saving of 3 & 4 Vict. c. 56. relating to East Indian Ships.

108. Nothing in this Act contained shall repeal or affect an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, Chapter Fifty-six, intituled *An Act further to regulate the Trade of Ships built and trading within the Limits of the* East India *Company's Charter.*

PART III.

MASTERS AND SEAMEN.

Application.

Application.

Application of Part III. of Act.

109. The various Provisions of the Third Part of this Act shall have the following Applications, unless the Context or Subject Matter requires a different Application; (that is to say,)

Returns for certain Ships belonging to the United Kingdom.

So much of the Third Part of this Act as relates to the Delivery or Transmission of Lists of Crews to the Registrar General of Seamen shall apply to all Fishing Vessels belonging to the United Kingdom, whether employed exclusively on the Coasts of the United Kingdom or not; to all Ships belonging to the *Trinity House*, or the Commissioners of Northern Lighthouses, constituted as herein-after mentioned, or the Port of *Dublin* Corporation, and to all Pleasure Yachts, and to the Owners, Masters, and Crews of such Ships:

Returns and Wages of deceased Seamen, &c.

So much of the Third Part of this Act as relates to the Delivery and Transmission of Lists of Crews, and to the Wages and Effects of deceased Seamen and Apprentices, shall apply to all Sea-going *British* Ships, wherever registered, of which the Crews are discharged, or whose final Port of Destination is in the United Kingdom, and to the Owners, Masters, and Crews of such Ships:

Shipping and discharging Men in United Kingdom.

So much of the Third Part of this Act as relates to the Shipping and Discharge of Seamen in the United Kingdom shall apply to all Sea-going *British* Ships, wherever registered, and to the Owners, Masters, and Crews of such Ships:

Volunteering into the Navy.

So much of the Third Part of this Act as relates to Seamen volunteering into the Royal Navy shall apply to all Sea-going *British* Ships, wherever registered, and to the Owners, Masters, and Crews of such Ships, wherever the same may be:

Provisions applicable to Colonial Ships.

So much of the Third Part of this Act as relates to Rights to Wages and Remedies for the Recovery thereof; to the Shipping and Discharge of Seamen in Foreign Ports; to leaving Seamen abroad, and to the Relief of Seamen in Distress in Foreign Ports; to the Provisions, Health, and Accommodation of Seamen; to the Power of Seamen to make Complaints; to the Protection of Seamen from Imposition; to Discipline; to Naval Courts on the High Seas and abroad; and to Crimes committed abroad; shall apply to all Ships registered in any of Her Majesty's Dominions abroad, when such Ships are out of the Jurisdiction of their respective Governments, and to the Owners, Masters, and Crews of such Ships:

As to whole of Part III. of Act.

And the whole of the Third Part of this Act shall apply to all Sea-going Ships registered in the United Kingdom, (except such as are exclusively employed in fishing on the Coasts of the United Kingdom, and such as belong to the *Trinity House*, the Commissioners of Northern Lighthouses, or the

the Port of *Dublin* Corporation, and also except Pleasure Yachts,) and also to all Ships registered in any *British* Possession and employed in trading or going between any Place in the United Kingdom and any Place or Places not situate in the Possession in which such Ships are registered, and to the Owners, Masters, and Crews of such Ships respectively, wherever the same may be.

Local Marine Boards.

Local Marine Boards.

Constitution of Local Marine Boards.

110. There shall be Local Marine Boards for carrying into effect the Provisions of this Act under the Superintendence of the Board of Trade at those Seaports of the United Kingdom at which Local Marine Boards have heretofore been established, and at such other Places as the Board of Trade appoints for this Purpose; and each of such Local Marine Boards shall be constituted as follows; (that is to say,) the Mayor or Provost and the Stipendiary Magistrate or such of the Mayors or Provosts and Stipendiary Magistrates of the Place (if more than One) as the Board of Trade appoints shall be a Member or Members *ex officio;* the Board of Trade shall appoint Four Members from Persons residing or having Places of Business at the Port or within Seven Miles thereof; and the Owners of Foreign-going Ships and of Home Trade Passenger Ships registered at the Port shall elect Six Members; and such Elections as aforesaid shall take place on the Twenty-fifth Day of *January* One thousand eight hundred and fifty-seven, and on the Twenty-fifth Day of *January* in every Third succeeding Year, and such Appointments as aforesaid shall take place within One Month after such Elections; and upon the Conclusion of such Month and the Constitution of a new Board the Functions of the then existing Board shall cease, and the Board consisting of the Members then newly elected and appointed shall take its Place; and any occasional Vacancy caused in the Intervals between the General Elections and Appointments, by Death, Resignation, Disqualification, or otherwise, shall be filled up within One Month after it occurs; and every Person elected or appointed on an occasional Vacancy shall continue a Member until the next Constitution of a new Board; and the Mayor or Provost shall fix the Place and Mode of conducting all such Elections as aforesaid, and also on occasional Vacancies the Day of Election, and shall give at least Ten Days Notice thereof; and the Board of Trade shall have Power to decide any Questions raised concerning any such Elections.

Qualification of Voters for Members of Local Marine Boards.

111. Owners of Foreign-going Ships and of Home Trade Passenger Ships registered at any Seaport at which there is a Local Marine Board shall have Votes at the Election of Members of such Board as follows; (that is to say,) every registered Owner of not less than Two hundred and fifty Tons in the whole of such Shipping shall at every Election have One Vote for each Member for every Two hundred and fifty Tons owned by him, so that his Votes for any One Member do not exceed Ten: And for the Purpose of ascertaining the Qualification of such Electors the following Rules shall be observed; (that is to say,) in the Case of a Ship registered in the Name of One Person, such Person shall be deemed to be the Owner, and in the Case of a Ship registered in distinct and several Shares in the Names of more Persons than One, the Tonnage shall be apportioned among the Owners as nearly as may be in proportion to their respective Shares, and each of such Persons shall be deemed to be the Owner of the Tonnage so apportioned to him; and in the Case of a Ship or Shares of a Ship registered jointly without Severance of Interest in the Names of more Persons than One, the Tonnage shall, if it is sufficient, either alone or together with other Tonnage (if any) owned by such joint Owners, to give a Qualification to each of them, be apportioned equally between the joint Owners, and each of such joint Owners shall be deemed to be the Owner of the equal Share so apportioned to him, but if it is not so sufficient, the whole of such Tonnage shall be deemed to be owned by such One of the joint Owners resident or having a Place of Business at the Port or within Seven Miles thereof as is first named on the Register; and in making any such Apportionment as aforesaid any Portion may be struck off so as to obtain a divisible Amount; and the whole Amount of Tonnage so owned by each Person, whether in Ships or Shares of or Interests in Ships shall be added together, and, if sufficient, shall constitute his Qualification.

Lists of such Voters to be made.

112. The Collector or Comptroller of Customs in every Seaport of the United Kingdom at which there is a Local Marine Board shall, with the Assistance of the Registrar General of Seamen, on or before the Twenty-fifth Day of *December* in the Year One thousand eight hundred and fifty-six, and in every Third succeeding Year, make out an alphabetical List of the Persons entitled by virtue of this Act to vote at the Election of Members of such Local Marine Board, containing the Christian Name, Surname, and Residence of each such Person, and the Number of Votes to which he is entitled, and shall sign such List and cause a sufficient Number of Copies thereof to be printed, and to be fixed on or near the Doors of the Custom House at such Seaport for Two entire Weeks next after such List has been made, and shall keep true Copies of such List, and permit the same to be perused by any Person, without Payment of any Fee, at all reasonable Hours during such Two Weeks.

Revision of List of Voters.

113. The Mayor or Provost of every Seaport at which there is a Local Marine Board, or such of them, if more than One, as is or are for the Time being so appointed as aforesaid, shall at least Twenty Days before the Twenty-fifth Day of *January* in the Year One thousand eight hundred and fifty-seven, and in each succeeding Third Year, nominate Two Justices of the Peace to revise the said Lists; and such Justices shall, between the Eighth and Fifteenth Days of *January*, both inclusive, in the Year in which they are so nominated, revise the said List at the Custom House of the Port, or in some convenient Place near thereto, to be hired, if necessary, by the said Collector or Comptroller, and shall give Three clear

Local Marine Boards.

Days Notice of such Revision by advertising the same in some local Newspaper, and by affixing a Notice thereof on or near to the Doors of such Custom House, and shall make such Revision by inserting in such List the Name of every Person who claims to be inserted therein, and gives Proof satisfactory to the said Revisors of his Right to have his Name so inserted, and by striking out therefrom the Name of every Person to the Insertion of which an Objection is made by any other Person named in such List who gives Proof satisfactory to the said Revisors that the Name of the Person so objected to ought not to have been inserted therein; and the Decision of the said Revisors with respect to every such Claim or Objection shall be conclusive; and the said Revisors shall immediately after such Revision sign their Names at the Foot of the List so revised; and such List so revised shall be the Register of Voters at Elections of Members of the Local Marine Board of such Seaport for Three Years from the Twenty-fifth Day of *January* then next ensuing inclusive to the Twenty-fourth Day of *January* inclusive in the Third succeeding Year; and the said revised List, when so signed, shall be delivered to such Mayor or Provost as aforesaid of the Place, who shall, if necessary, cause a sufficient Number of Copies thereof to be printed, and shall cause a Copy to be delivered to every Voter applying for the same.

Registers to be produced.

114. The said Collector or Comptroller, if required, shall for the Assistance of the said Revisors in revising the said List produce to them the Books containing the Register of Ships registered at such Seaport; and the Registrar General of Seamen, if required, shall also produce or transmit to such Revisors such certified Extracts or Returns from the Books in his Custody as may be necessary for the same Purpose.

Expenses to be paid by Board of Trade.

115. The Two Justices aforesaid shall certify all Expenses properly incurred by any such Collector or Comptroller as aforesaid in making and printing the said List and in the Revision thereof, and the Board of Trade shall pay the same, and also all Expenses properly incurred by any such Mayor or Provost as aforesaid in printing the same or in Elections taking place under this Act; and the said Board may disallow any Items of any such Expenses as aforesaid which it deems to have been improperly incurred.

Persons on revised List qualified to vote.

116. Every Person whose Name appears on such revised List, and no other Person, shall be qualified to vote at the Election of Members of the Local Marine Board at such Seaport to be held on the Twenty-fifth day of *January* next after the Revision of such List, and at any occasional Election held at any Time between that Day and the next ordinary triennial Election of the Members of such Board.

Qualification of Members of Local Marine Boards.

117. Every Male Person who is according to such revised List of the Voters at any Seaport entitled to a Vote shall be qualified to be elected a Member of the Local Marine Board of such Seaport, and no other Person shall be so qualified; and if any Person elected as a Member after such Election ceases to be an Owner of such Quantity of Tonnage as would entitle him to a Vote, he shall no longer continue to act or be considered as a Member, and thereupon another Member shall be elected in his Place.

Error in Elections not to vitiate Acts done.

118. No Act of any Local Marine Board shall be vitiated or prejudiced by reason of any Irregularity in the Election of any of its Members, or of any Error in the List of Voters herein mentioned, or of any Irregularity in the making or revising of such List, or by reason of any Person who is not duly qualified as herein-before directed acting upon such Board.

Minutes and Business of Local Marine Boards.

119. Every Local Marine Board shall keep Minutes of its Proceedings, and the same shall be kept in such Mode (if any) as the Board of Trade prescribes; and such Minutes, and all Books or Documents used or kept by any Local Marine Board, or by any Examiners, Shipping Masters, or other Officers or Servants under the Control of any Local Marine Board, shall be open to the Inspection of the Board of Trade and its Officers; and every Local Marine Board shall make and send to the Board of Trade such Reports and Returns as it requires; but, subject as aforesaid, every Local Marine Board may regulate the Mode in which its Meetings are to be held and its Business conducted.

Board of Trade may assume Duties of Local Marine Board, &c.

120. If any Local Marine Board, by reason of any Election not taking place, or of the simultaneous Resignation or continued Non-attendance of all or the greater Part of the Members, or from any other Cause, fails to meet or to discharge its Duties, the Board of Trade may in its Discretion either take into its own Hands the Performance of the Duties of such Local Marine Board until the next triennial Appointment and Election thereof, or direct that a new Appointment and Election of such Local Marine Board shall take place immediately.

May alter Arrangements of Local Marine Boards.

121. If upon Complaint made to the Board of Trade it appears to such Board that any Appointments or Arrangements made by any Local Marine Board under the Powers hereby given to it are not such as to meet the Wants of the Port, or are in any respect unsatisfactory or improper, the Board of Trade may annul, alter, or rectify such Appointments or Arrangements in such Manner as, having regard to the Intentions of this Act and to the Wants of the Port, it deems to be expedient.

Shipping Offices.

Shipping Offices.

Local Marine Boards to establish Shipping Offices.

122. In every Seaport in the United Kingdom in which there is a Local Marine Board such Board shall establish a Shipping Office or Shipping Offices, and may for that Purpose, subject as herein mentioned, procure the requisite Premises, and appoint and from Time to Time remove and re-appoint Superintendents of such Offices, to be called Shipping Masters, with any necessary Deputies, Clerks, and Servants, and regulate the Mode of conducting Business at such Offices, and shall, subject as herein mentioned, have complete Control over the same; and every Act done by or before any Deputy duly appointed shall have the same Effect as if done by or before a Shipping Master.

123. The

Shipping Offices.

Board of Trade to have partial Control over Shipping Offices.

123. The Sanction of the Board of Trade shall be necessary so far as regards the Number of Persons so appointed by any such Local Marine Board, and the Amount of their Salaries and Wages and all other Expenses; and the Board of Trade shall have the immediate Control of such Shipping Offices, so far as regards the Receipt and Payment of Money thereat; and all Shipping Masters, Deputies, Clerks, and Servants so appointed as aforesaid shall before entering upon their Duties give such Security (if any) for the due Performance thereof as the Board of Trade requires; and if in any Case the Board of Trade has reason to believe that any Shipping Master, Deputy, Clerk, or Servant appointed by any Local Marine Board does not properly discharge his Duties, the Board of Trade may cause the Case to be investigated, and may, if it thinks fit so to do, remove him from his Office, and may provide for the proper Performance of his Duties until another Person is properly appointed in his Place.

Business of such Offices generally.

124. It shall be the general Business of Shipping Masters appointed as aforesaid—

To afford Facilities for engaging Seamen by keeping Registries of their Names and Characters;

To superintend and facilitate their Engagement and Discharge in manner herein-after mentioned;

To provide Means for securing the Presence on board at the proper Times of Men who are so engaged;

To facilitate the making of Apprenticeships to the Sea Service;

To perform such other Duties relating to Merchant Seamen and Merchant Ships as are hereby or may hereafter under the Powers herein contained be committed to them.

Fees to be paid upon Engagements and Discharges.

125. Such Fees, not exceeding the Sums specified in the Table marked P. in the Schedule hereto, as are from Time to Time fixed by the Board of Trade, shall be payable upon all Engagements and Discharges effected before Shipping Masters as herein-after mentioned, and the Board of Trade shall cause Scales of the Fees payable for the Time being to be prepared and to be conspicuously placed in the Shipping Offices; and all Shipping Masters, their Deputies, Clerks, and Servants, may refuse to proceed with any Engagement or Discharge unless the Fees payable thereon are first paid.

Masters to pay Fees, and to deduct Part from Wages.

126. Every Owner or Master of a Ship engaging or discharging any Seamen or Seaman in a Shipping Office or before a Shipping Master shall pay to the Shipping Master the whole of the Fees hereby made payable in respect of such Engagement or Discharge, and may, for the Purpose of in part reimbursing himself, deduct in respect of each such Engagement or Discharge from the Wages of all Persons (except Apprentices) so engaged or discharged, and retain, any Sums not exceeding the Sums specified in that Behalf in the Table marked Q. in the Schedule hereto: Provided that, if in any Cases the Sums which the Owner is so entitled to deduct exceed the Amount of the Fee payable by him, such Excess shall be paid by him to the Shipping Master in addition to such Fee.

Proviso as to Excess.

Penalty on Shipping Masters taking other Remuneration.

127. Any Shipping Master, Deputy Shipping Master, or any Clerk or Servant in any Shipping Office, who demands or receives any Remuneration whatever, either directly or indirectly, for hiring or supplying any Seaman for any Merchant Ship, excepting the lawful Fees payable under this Act, shall for every such Offence incur a Penalty not exceeding Twenty Pounds, and shall also be liable to be dismissed from his Office by the Board of Trade.

Business of Shipping Offices may be transacted at Custom Houses.

128. The Board of Trade may, with the Consent of the Commissioners of Customs, direct that at any Place in which no separate Shipping Office is established the whole or any Part of the Business of the Shipping Office shall be conducted at the Custom House, and thereupon the same shall be there conducted accordingly; and in respect of such Business such Custom House shall for all Purposes be deemed to be a Shipping Office, and the Officer of Customs there to whom such Business is committed shall for all Purposes be deemed to be a Shipping Master within the Meaning of this Act.

In London Sailors Homes may be Shipping Offices.

129. The Board of Trade may appoint any Superintendent of or other Person connected with any Sailors Home in the Port of *London* to be a Shipping Master, with any necessary Deputies, Clerks, and Servants, and may appoint any Office in any such Home to be a Shipping Office; and all Shipping Masters and Shipping Offices so appointed shall be subject to the immediate Control of the Board of Trade and not of the Local Marine Board of the Port.

Dispensation with Shipping Master's Superintendence.

130. The Board of Trade may from Time to Time dispense with the Transaction before a Shipping Master or in a Shipping Office of any Matters required by this Act to be so transacted; and thereupon such Matters shall, if otherwise duly transacted as required by Law, be as valid as if transacted before a Shipping Master or in a Shipping Office.

Examinations and Certificates of Masters and Mates.

Certificates of Masters and Mates.

Examinations to be instituted for Masters and Mates.

131. Examinations shall be instituted for Persons who intend to become Masters or Mates of Foreign-going Ships, or of Home Trade Passenger Ships, or who wish to procure Certificates of Competency herein-after mentioned; and, subject as herein mentioned, the Local Marine Boards shall provide for the Examinations at their respective Ports, and may appoint and from Time to Time remove and re-appoint Examiners to conduct the same, and may regulate the same; and any Members of the Local Marine Board of the Place where the Examination is held may be present and assist at any such Examination.

Powers of Board of Trade over Examinations.

132. The Board of Trade may from Time to Time lay down Rules as to the Conduct of such Examinations and as to the Qualifications of the Applicants, and such Rules shall be strictly adhered to by all Examiners; and no Examiner shall be appointed unless he possesses a Certificate of Qualification, to be from Time to Time granted or renewed by the Board of Trade; and the Sanction of the Board of Trade shall be necessary, so far as regards the Number of Examiners to be appointed, and the Amount of their Remuneration;

Certificates of Masters and Mates.

Remuneration; and the Board of Trade may at any Time depute any of its Officers to be present and assist at any Examination; and if it appears to the Board of Trade that the Examinations for any Two or more Ports can be conducted without Inconvenience by the same Examiners, it may require and authorize the Local Marine Boards of such Ports to act together as One Board in providing for and regulating Examinations and appointing and removing Examiners for such Ports.

Fees to be paid by Applicants for Examination.

133. All Applicants for Examination shall pay such Fees, not exceeding the Sums specified in the Table marked R. in the Schedule hereto, as the Board of Trade directs; and such Fees shall be paid to such Persons as the said Board appoints for that Purpose.

Certificates of Competency to be granted to those who pass.

134. Subject to the Proviso herein-after contained, the Board of Trade shall deliver to every Applicant who is duly reported by the Local Examiners to have passed the Examination satisfactorily, and to have given satisfactory Evidence of his Sobriety, Experience, Ability, and general good Conduct on board Ship, a Certificate (herein-after called a "Certificate of Competency") to the Effect that he is competent to act as Master, or as First, Second, or Only Mate of a Foreign-going Ship, or as Master or Mate of a Home Trade Passenger Ship, as the Case may be: Provided that in every Case in which the Board of Trade has Reason to believe such Report to have been unduly made, such Board may remit the Case either to the same or to any other Examiners, and may require a Re-examination of the Applicant, or a further Inquiry into his Testimonials and Character, before granting him a Certificate.

Certificates of Service to be delivered to Persons who served as Masters or Mates before 1851, and to certain Naval Officers; and Certificates of Service for Home Trade Passenger Ships to be delivered to Persons who have served as Masters or Mates in such Ships before 1st January 1854.

135. Certificates of Service, differing in Form from Certificates of Competency, shall be granted as follows; (that is to say),

(1.) Every Person who before the First Day of *January* One thousand eight hundred and fifty-one served as Master in the *British* Merchant Service, or who has attained or attains the Rank of Lieutenant, Master, Passed Mate, or Second Master, or any higher Rank in the Service of Her Majesty or of the *East India* Company, shall be entitled to a Certificate of Service as Master for Foreign-going Ships:

(2.) Every Person who before the First Day of *January* One thousand eight hundred and fifty-one served as Mate in the *British* Merchant Service shall be entitled to a Certificate of Service as Mate for Foreign-going Ships:

(3.) Every Person who before the First Day of *January* One thousand eight hundred and fifty-four has served as Master of a Home Trade Passenger Ship shall be entitled to a Certificate of Service as Master for Home Trade Passenger Ships:

(4.) Every Person who before the First Day of *January* One thousand eight hundred and fifty-four has served as Mate of a Home Trade Passenger Ship shall be entitled to a Certificate of Service as Mate for Home Trade Passenger Ships:

And each of such Certificates of Service shall contain Particulars of the Name, Place, and Time of Birth, and of the Length and Nature of the previous Service of the Person to whom the same is delivered; and the Board of Trade shall deliver such Certificates of Service to the various Persons so respectively entitled thereto, upon their proving themselves to have attained such Rank or to have served as aforesaid, and upon their giving a full and satisfactory Account of the Particulars aforesaid.

No Foreign-going Ship or Home Trade Passenger Ship to proceed to Sea without Certificates of the Master and Mates.

136. No Foreign-going Ship or Home Trade Passenger Ship shall go to Sea from any Port in the United Kingdom unless the Master thereof, and in the Case of a Foreign-going Ship the First and Second Mates or Only Mate (as the Case may be), and in the Case of a Home Trade Passenger Ship the First or Only Mate (as the Case may be), have obtained and possess valid Certificates either of Competency or Service appropriate to their several Stations in such Ship, or of a higher Grade; and no such Ship, if of One hundred Tons Burden or upwards, shall go to Sea as aforesaid, unless at least One Officer besides the Master has obtained and possesses a valid Certificate appropriate to the Grade of Only Mate therein or to a higher Grade; and every Person who, having been engaged to serve as Master or as First or Second or Only Mate of any Foreign-going Ship, or as Master or First or Only Mate of a Home Trade Passenger Ship, goes to Sea as aforesaid as such Master or Mate without being at the Time entitled to and possessed of such a Certificate as herein-before required, or who employs any Person as Master, or First, Second, or Only Mate of any Foreign-going Ship, or as Master or First or Only Mate of a Home Trade Passenger Ship, without ascertaining that he is at the Time entitled to and possessed of such Certificate, shall for each such Offence incur a Penalty not exceeding Fifty Pounds.

Certificates for Foreign-going Ships available for Home Trade Passenger Ships.

137. Every Certificate of Competency for a Foreign-going Ship shall be deemed to be of a higher Grade than the corresponding Certificate for a Home Trade Passenger Ship, and shall entitle the lawful Holder thereof to go to Sea in the corresponding Grade in such last-mentioned Ship; but no Certificate for a Home Trade Passenger Ship shall entitle the Holder to go to Sea as Master or Mate of a Foreign-going Ship.

The Registrar to record Grants, Cancellations, &c. of Certificates.

138. All Certificates, whether of Competency or Service, shall be made in Duplicate, and one Part shall be delivered to the Person entitled to the Certificate, and the other shall be kept and recorded by the Registrar General of Seamen or by such other Person as the Board of Trade appoints for that Purpose; and the Board of Trade shall give to such Registrar or such other Person immediate Notice of all Orders made by it for cancelling, suspending, altering, or otherwise affecting any Certificate in pursuance of the Powers herein contained; and the Registrar or such other Person as aforesaid shall thereupon

Certificates of Masters and Mates.

thereupon make a corresponding Entry in the Record of Certificates; and a Copy purporting to be certified by such Registrar or his Assistant or by such Person as aforesaid of any Certificate shall be *primâ facie* Evidence of such Certificate, and a Copy purporting to be so certified as aforesaid of any Entry made as aforesaid in respect of any Certificate shall be *primâ facie* Evidence of the Truth of the Matters stated in such Entry.

Duplicates, &c. Evidence.

In case of Loss a Copy to be granted.

139. Whenever any Master or Mate proves to the Satisfaction of the Board of Trade that he has, without Fault on his Part, lost or been deprived of any Certificate already granted to him, the Board of Trade shall, upon Payment of such Fee (if any) as it directs, cause a Copy of the Certificate to which by the Record so kept as aforesaid he appears to be entitled, to be made out and certified as aforesaid, and to be delivered to him; and any Copy which purports to be so made and certified as aforesaid shall have all the Effect of the Original.

Penalties for false Representations; for forging or altering or fradulently using or lending any Certificate.

140. Every Person who makes, or procures to be made, or assists in making, any false Representation for the Purpose of obtaining for himself or for any other Person a Certificate either of Competency or Service, or who forges, assists in forging, or procures to be forged, or fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any such Certificate or any official Copy of any such Certificate, or who fraudulently makes use of any such Certificate or any Copy of any such Certificate which is forged, altered, cancelled, suspended, or to which he is not justly entitled, or who fraudulently lends his Certificate to or allows the same to be used by any other Person, shall for each Offence be deemed guilty of a Misdemeanor.

Apprenticeships to Sea Service.

Apprenticeships to the Sea Service.

Shipping Masters to assist in binding Apprentices, and may receive Fees.

141. All Shipping Masters appointed under this Act shall, if applied to for the Purpose, give to any Board of Guardians, Overseers, or other Persons desirous of apprenticing Boys to the Sea Service, and to Masters and Owners of Ships requiring Apprentices, such Assistance as is in their Power for facilitating the making of such Apprenticeships, and may receive from Persons availing themselves of such Assistance such Fees as may be determined in that Behalf by the Board of Trade, with the Concurrence, so far as relates to Pauper Apprentices in *England*, of the Poor Law Board in *England*, and so far as relates to Pauper Apprentices in *Ireland*, of the Poor Law Commissioners in *Ireland*.

Indentures of Boys apprenticed to Sea Service by Guardians, &c., witnessed by Two Justices.

142. In the Case of every Boy bound Apprentice to the Sea Service by any Guardians or Overseers of the Poor, or other Persons having the Authority of Guardians of the Poor, the Indentures shall be executed by the Boy and the Person to whom he is bound in the Presence of and shall be attested by Two Justices of the Peace, who shall ascertain that the Boy has consented to be bound, and has attained the Age of Twelve Years, and is of sufficient Health and Strength, and that the Master to whom the Boy is to be bound is a proper Person for the Purpose.

Indentures of Apprenticeship to be exempt from Stamp Duty, and to be recorded.

143. All Indentures of Apprenticeship to the Sea Service shall be exempt from Stamp Duty; and all such Indentures shall be in Duplicate; and every Person to whom any Boy whatever is bound as an Apprentice to the Sea Service in the United Kingdom shall within Seven Days after the Execution of the Indentures take or transmit the same to the Registrar General of Seamen or to some Shipping Master; and the said Registrar or Shipping Master shall retain and record One Copy, and shall indorse on the other that the same has been recorded, and shall re-deliver the same to the Master of the Apprentice; and whenever any such Indenture is assigned or cancelled, and whenever any such Apprentice dies or deserts, the Master of the Apprentice shall, within Seven Days after such Assignment, Cancellation, Death, or Desertion, if the same happens within the United Kingdom, or if the same happens elsewhere, so soon afterwards as Circumstances permit, notify the same either to the said Registrar of Seamen, or to some Shipping Master, to be recorded; and every Person who fails to comply with the Provisions of this Section shall incur a Penalty not exceeding Ten Pounds.

Rules to govern Apprenticeship of Paupers in Great Britain and Ireland respectively.

144. Subject to the Provisions herein-before contained, all Apprenticeships to the Sea Service made by any Guardians or Overseers of the Poor, or Persons having the Authority of Guardians of the Poor, shall, if made in *Great Britain*, be made in the same Manner and be subject to the same Laws and Regulations as other Apprenticeships made by the same Persons, and if made in *Ireland* shall be subject to the following Rules; (that is to say,)

(1.) In every Union the Guardians of the Poor, or other Persons duly appointed to carry into execution the Acts for the Relief of the destitute Poor and having the Authority of Guardians of the Poor, may put out and bind as an Apprentice to the Sea Service any Boy who or whose Parent or Parents is or are receiving Relief in such Union, and who has attained the Age of Twelve Years, and is of sufficient Health and Strength, and who consents to be so bound:

(2.) If the Cost of relieving any such Boy is chargeable to an Electoral Division of a Union, then (except in Cases in which paid Officers act in Place of Guardians) he shall not be bound as aforesaid unless the Consent in Writing of the Guardians of such Electoral Division or of a Majority of the Guardians (if more than One) be first obtained, such Consent to be, when possible, indorsed upon the Indentures:

(3.) The Expense incurred in the Binding and Outfit of any such Apprentice shall be charged to the Union or Electoral Division (as the Case may be) to which the Boy or his Parent or Parents is or are chargeable at the Time of his being apprenticed:

(4.) All

Apprenticeships to Sea Service.

(4.) All Indentures made in any Union may be sued upon by the Guardians of the Union or Persons having the Authority of Guardians therein for the Time being, by their Name of Office, and Actions brought by them upon such Indentures shall not abate by reason of Death or Change in the Persons holding the Office; but no such Action shall be commenced without the Consent of the *Irish* Poor Law Commissioners:

(5.) The Amount of the Costs incurred in any such Action and not recovered from the Defendant therein, may be charged upon the Union or Electoral Division (as the Case may be) to which the Boy or his Parent or Parents was or were chargeable at the Time of his being apprenticed.

Apprentices and their Indentures to be brought before Shipping Master before each Voyage in a Foreign-going Ship.

145. The Master of every Foreign-going Ship shall, before carrying any Apprentice to Sea from any Place in the United Kingdom, cause such Apprentice to appear before the Shipping Master before whom the Crew is engaged, and shall produce to him the Indenture by which such Apprentice is bound, and the Assignment or Assignments thereof (if any); and the Name of such Apprentice, with the Date of the Indenture and of the Assignment or Assignments thereof (if any), and the Name of the Port or Ports at which the same have been registered, shall be entered on the Agreement; and for any Default in obeying the Provisions of this Section the Master shall for each Offence incur a Penalty not exceeding Five Pounds.

Engagement of Seamen.

Engagement of Seamen.

Persons licensed to procure Seamen.

146. The Board of Trade may grant to such Persons as it thinks fit Licences to engage or supply Seamen or Apprentices for Merchant Ships in the United Kingdom, to continue for such Periods, to be upon such Terms, and to be revocable upon such Conditions, as such Board thinks proper.

Penalties:

147. The following Offences shall be punishable as herein-after mentioned; (that is to say,)

for supplying Seamen without Licence;

(1.) If any Person not licensed as aforesaid, other than the Owner or Master or a Mate of the Ship, or some Person who is *bonâ fide* the Servant and in the constant Employ of the Owner, or a Shipping Master duly appointed as aforesaid, engages or supplies any Seaman or Apprentice to be entered on board any Ship in the United Kingdom, he shall for each Seaman or Apprentice so engaged or supplied incur a Penalty not exceeding Twenty Pounds:

for employing unlicensed Persons;

(2.) If any Person employs any unlicensed Person, other than Persons so excepted as aforesaid, for the Purpose of engaging or supplying any Seaman or Apprentice to be entered on board any Ship in the United Kingdom, he shall for each Seaman or Apprentice so engaged or supplied incur a Penalty not exceeding Twenty Pounds, and if licensed shall in addition forfeit his Licence:

for receiving Seamen illegally supplied:

(3.) If any Person knowingly receives or accepts to be entered on board any Ship any Seaman or Apprentice who has been engaged or supplied contrary to the Provisions of this Act, he shall for every Seaman or Apprentice so engaged or supplied incur a Penalty not exceeding Twenty Pounds.

For receiving Remuneration from Seamen for shipping them.

148. If any Person demands or receives, either directly or indirectly, from any Seaman or Apprentice, or from any Person seeking Employment as a Seaman or Apprentice, or from any Person on his Behalf, any Remuneration whatever, other than the Fees hereby authorized, for providing him with Employment, he shall for every such Offence incur a Penalty not exceeding Five Pounds.

Agreements to be made with Seamen, containing certain Particulars.

149. The Master of every Ship, except Ships of less than Eighty Tons registered Tonnage exclusively employed in trading between different Ports on the Coasts of the United Kingdom, shall enter into an Agreement with every Seaman whom he carries to Sea from any Port in the United Kingdom as One of his Crew in the Manner herein-after mentioned; and every such Agreement shall be in a Form sanctioned by the Board of Trade, and shall be dated at the Time of the first Signature thereof, and shall be signed by the Master before any Seaman signs the same, and shall contain the following Particulars as Terms thereof; (that is to say,)

(1.) The Nature, and, as far as practicable, the Duration of the intended Voyage or Engagement:
(2.) The Number and Description of the Crew, specifying how many are engaged as Sailors:
(3.) The Time at which each Seaman is to be on board or to begin Work:
(4.) The Capacity in which each Seaman is to serve:
(5.) The Amount of Wages which each Seaman is to receive:
(6.) A Scale of the Provisions which are to be furnished to each Seaman:
(7.) Any Regulations as to Conduct on board, and as to Fines, short Allowance of Provisions, or other lawful Punishments for Misconduct, which have been sanctioned by the Board of Trade as Regulations proper to be adopted, and which the Parties agree to adopt:

And every such Agreement shall be so framed as to admit of Stipulations, to be adopted at the Will of the Master and Seaman in each Case, as to Advance and Allotment of Wages, and may contain any other Stipulations which are not contrary to Law: Provided that if the Master of any Ship belonging to any *British* Possession has an Agreement with his Crew made in due Form according to the Law of the Possession to which such Ship belongs or in which her Crew were engaged, and engages single Seamen in the United Kingdom, such Seamen may sign the Agreement so made, and it shall not be necessary for them to sign an Agreement in the Form sanctioned by the Board of Trade.

Proviso as to Forms for Colonial Ships.

150. In

Engagement of Seamen.

Rules with respect to Agreements in the Case of Foreign-going Ships.

150. In the Case of all Foreign-going Ships, in whatever Part of Her Majesty's Dominions the same are registered, the following Rules shall be observed with respect to Agreements; (that is to say,)

(1.) Every Agreement made in the United Kingdom (except in such Cases of Agreements with Substitutes as are herein-after specially provided for) shall be signed by each Seaman in the Presence of a Shipping Master:

(2.) Such Shipping Master shall cause the Agreement to be read over and explained to each Seaman, or otherwise ascertain that each Seaman understands the same before he signs it, and shall attest each Signature:

To be in Duplicate;

(3.) When the Crew is first engaged the Agreement shall be signed in Duplicate, and one Part shall be retained by the Shipping Master, and the other Part shall contain a special Place or Form for the Descriptions and Signatures of Substitutes or Persons engaged subsequently to the First Departure of the Ship, and shall be delivered to the Master:

Provision for Substitutes.

(4.) In the Case of Substitutes engaged in the Place of Seamen who have duly signed the Agreement, and whose Services are lost within Twenty-four Hours of the Ship's putting to Sea by Death, Desertion, or other unforeseen Cause, the Engagement shall, when practicable, be made before some Shipping Master duly appointed in the Manner herein-before specified; and whenever such last-mentioned Engagement cannot be so made, the Master shall, before the Ship puts to Sea, if practicable, and if not, as soon afterwards as possible, cause the Agreement to be read over and explained to the Seamen; and the Seamen shall thereupon sign the same in the Presence of a Witness, who shall attest their Signatures.

Foreign-going Ships making short Voyages may have running Agreements.

151. In the Case of Foreign-going Ships making Voyages averaging less than Six Months in Duration, running Agreements with the Crew may be made to extend over Two or more Voyages, so that no such Agreement shall extend beyond the next following Thirtieth Day of *June* or Thirty-first Day of *December* or the First Arrival of the Ship at her Port of Destination in the United Kingdom after such Date, or the Discharge of Cargo consequent upon such Arrival; and every Person entering into such Agreement, whether engaged upon the First Commencement thereof or otherwise, shall enter into and sign the same in the Manner hereby required for other Foreign-going Ships; and every Person engaged thereunder, if discharged in the United Kingdom, shall be discharged in the Manner hereby required for the Discharge of Seamen belonging to other Foreign-going Ships.

Engagement and Discharge of Seamen in the meantime.

152. The Master of every Foreign-going Ship for which such a running Agreement as aforesaid is made shall, upon every Return to any Port in the United Kingdom before the final Termination of the Agreement, discharge or engage before the Shipping Master at such Port any Seaman whom he is required by Law so to discharge or engage, and shall upon every such Return indorse on the Agreement a Statement (as the Case may be) either that no such Discharges or Engagements have been made or are intended to be made before the Ship again leaves Port, or that all such Discharges or Engagements have been duly made as herein-before required, and shall deliver the Agreement so indorsed to the Shipping Master; and any Master who wilfully makes a false Statement in such Indorsement shall incur a Penalty not exceeding Twenty Pounds; and the Shipping Master shall also sign an Indorsement on the Agreement to the Effect that the Provisions of this Act relating to such Agreement have been complied with, and shall re-deliver the Agreement so indorsed to the Master.

Duplicates of running Agreements, how to be dealt with.

153. In Cases in which such running Agreements are made, the Duplicate Agreement retained by the Shipping Master upon the First Engagement of the Crew shall either be transmitted to the Registrar General of Seamen immediately, or be kept by the Shipping Master until the Expiration of the Agreement, as the Board of Trade directs.

Fees to be paid on such running Agreements.

154. For the Purpose of determining the Fees to be paid upon the Engagement and Discharge of Seamen belonging to Foreign-going Ships which have running Agreements as aforesaid, the Crew shall be considered to be engaged when the Agreement is first signed, and to be discharged when the Agreement finally terminates, and all intermediate Engagements and Discharges shall be considered to be Engagements and Discharges of single Seamen.

In Home Trade Ships Agreement to be entered into before a Shipping Master, &c.

155. In the Case of Home Trade Ships, Crews or single Seamen may, if the Master thinks fit, be engaged before a Shipping Master in the Manner herein-before directed with respect to Foreign-going Ships; and in every Case in which the Engagement is not so made, the Master shall before the Ship puts to Sea, if practicable, and if not, as soon afterwards as possible, cause the Agreement to be read over and explained to each Seaman, and the Seaman shall thereupon sign the same in the Presence of a Witness, who shall attest his Signature.

Special Agreements for Home Trade Ships belonging to same Owners.

156. In Cases where several Home Trade Ships belong to the same Owner, the Agreement with the Seamen may, notwithstanding anything herein contained, be made by the Owner instead of by the Master, and the Seamen may be engaged to serve in any Two or more of such Ships, provided that the Names of the Ships and the Nature of the Service are specified in the Agreement; but with the foregoing Exception all Provisions herein contained which relate to ordinary Agreements for Home Trade Ships shall be applicable to Agreements made in pursuance of this Section.

Penalty for shipping Seamen without

157. If in any Case a Master carries any Seaman to Sea without entering into an Agreement with him in the Form and Manner and at the Place and Time hereby in such Case required, the Master in the

Agreement duly executed.

the Case of a Foreign-going Ship, and the Master or Owner in the Case of a Home Trade Ship, shall for each such Offence incur a Penalty not exceeding Five Pounds.

Changes in Crew to be reported.

158. The Master of every Foreign-going Ship of which the Crew has been engaged before a Shipping Master shall before finally leaving the United Kingdom sign and send to the nearest Shipping Master a full and accurate Statement in a Form sanctioned by the Board of Trade of every Change which takes place in his Crew before finally leaving the United Kingdom, and in default shall for each Offence incur a Penalty not exceeding Five Pounds; and such Statement shall be admissible in Evidence, subject to all just Exceptions.

Seamen engaged in the Colonies to be shipped before some Shipping Master or Officer of Customs.

159. Every Master of a Ship who, if such Ship is registered in the United Kingdom engages any Seaman in any *British* Possession, or if such Ship belongs to any *British* Possession engages any Seaman in any *British* Possession other than that to which such Ship belongs, shall, if there is at the Place where such Seaman is engaged any official Shipping Master or other Officer duly appointed for the Purpose of shipping Seamen, engage such Seaman before such Shipping Master, and if there is no such Shipping Master or Officer, then before some Officer of Customs; and the same Rules, Qualifications, and Penalties as are herein-before specified with respect to the Engagement of Seamen before Shipping Masters in the United Kingdom shall apply to such Engagements in a *British* Possession; and upon every such Engagement such Shipping Master or Officer as aforesaid shall indorse upon the Agreement an Attestation to the Effect that the same has been signed in his Presence, and otherwise made as hereby required; and if in any Case such Attestation is not made, the Burden of proving that the Seaman was duly engaged as hereby required shall lie upon the Master.

Seamen engaged in Foreign Ports to be shipped with the Sanction and in the Presence of the Consul.

160. Every Master of a *British* Ship who engages any Seaman at any Place out of Her Majesty's Dominions in which there is a *British* Consular Officer shall, before carrying such Seaman to Sea, procure the Sanction of such Officer, and shall engage such Seaman before such Officer; and the same Rules as are herein-before contained with respect to the Engagement of Seamen before Shipping Masters in the United Kingdom shall apply to such Engagements made before Consular Officers; and upon every such Engagement the Consular Officer shall indorse upon the Agreement his Sanction thereof, and an Attestation to the Effect that the same has been signed in his Presence, and otherwise made as hereby required; and every Master who engages any Seaman in any Place in which there is a Consular Officer, otherwise than as herein-before required, shall incur a Penalty not exceeding Twenty Pounds; and if in any Case the Indorsement and Attestation hereby required is not made upon the Agreement, the Burden of proving the Engagement to have been made as herein-before required shall lie upon the Master.

Rules as to Production of Agreements and Certificates of Masters and Mates of Foreign-going Ships.

161. The following Rules shall be observed with respect to the Production of Agreements and Certificates of Competency or Service for Foreign-going Ships; (that is to say,)

(1.) The Master of every Foreign-going Ship shall, on signing the Agreement with his Crew, produce to the Shipping Master before whom the same is signed the Certificates of Competency or Service which the said Master and his First and Second Mate or Only Mate, as the Case may be, are hereby required to possess; and upon such Production being duly made, and the Agreement being duly executed as hereby required, the Shipping Master shall sign and give to the Master a Certificate to that Effect:

(2.) In the Case of running Agreements for Foreign-going Ships the Shipping Master shall, before the Second and every subsequent Voyage made after the First Commencement of the Agreement, sign and give to the Master, on his complying with the Provisions herein contained with respect to such Agreements, and producing to the Shipping Master the Certificate of Competency or Service of any First, Second, or only Mate then first engaged by him, a Certificate to that Effect:

(3.) The Master of every Foreign-going Ship shall, before proceeding to Sea, produce the Certificate so to be given to him by the Shipping Master as aforesaid to the Collector or Comptroller of Customs, and no Officer of Customs shall clear any such Ship Outwards without such Production; and if any such Ship attempts to go to Sea without a Clearance, any such Officer may detain her until such Certificate as aforesaid is produced:

(4.) The Master of every Foreign-going Ship shall, within Forty-eight Hours after the Ship's Arrival at her final Port of Destination in the United Kingdom, or upon the Discharge of the Crew, whichever first happens, deliver such Agreement to a Shipping Master at the Place; and such Shipping Master shall thereupon give to the Master a Certificate of such Delivery; and no Officer of Customs shall clear any Foreign-going Ship Inwards without the Production of such Certificate:

And if the Master of any Foreign-going Ship fails to deliver the Agreement to a Shipping Master at the Time and in the Manner hereby directed, he shall for every Default incur a Penalty not exceeding Five Pounds.

Rules as to production of Agreements

162. The following Rules shall be observed with respect to the Production of Agreements and Certificates of Competency or Service for Home Trade Ships; (that is to say,)

(1.) In the Case of Home Trade Ships of more than Eighty Tons Burden, no Agreement shall extend beyond the next following Thirtieth Day of *June* or Thirty-first Day of *December*, or the First Arrival

Engagement of Seamen.

and Certificates for Home Trade Ships.

Arrival of the Ship at her final Port of Destination in the United Kingdom after such Date, or the Discharge of Cargo consequent upon such Arrival:

(2.) The Master or Owner of every such Ship shall, within Twenty-one Days after the Thirtieth Day of *June* and the Thirty-first Day of *December* in every Year, transmit or deliver to some Shipping Master in the United Kingdom every Agreement made within the Six Calendar Months next preceding such Days respectively, and shall also in the Case of Home Trade Passenger Ships produce to the Shipping Master the Certificates of Competency or Service which the said Master, and his First or Only Mate, as the Case may be, are hereby required to possess:

(3.) The Shipping Master shall thereupon give to the Master or Owner a Certificate of such Delivery and Production; and no Officer of Customs shall grant a Clearance or Transire for any such Ship as last aforesaid without the Production of such Certificate; and if any such Ship attempts to ply or go to Sea without such Clearance or Transire, any such Officer may detain her until the said Certificate is produced:

And if the Agreement for any Home Trade Ship is not delivered or transmitted by the Master or Owner to a Shipping Master at the Time and in the Manner hereby directed, such Master or Owner shall for every Default incur a Penalty not exceeding Five Pounds.

Alterations to be void unless attested to have been made with the Consent of all Parties.

163. Every Erasure, Interlineation, or Alteration in any such Agreement with Seamen as is required by the Third Part of this Act (except Additions so made as herein-before directed for shipping Substitutes or Persons engaged subsequently to the First Departure of the Ship) shall be wholly inoperative, unless proved to have been made with the Consent of all the Persons interested in such Erasure, Interlineation, or Alteration by the written Attestation (if made in Her Majesty's Dominions) of some Shipping Master, Justice, Officer of Customs, or other public Functionary, or (if made out of Her Majesty's Dominions) of a *British* Consular Officer, or, where there is no such Officer, of Two respectable *British* Merchants.

Penalty for falsifying Agreement.

164. Every Person who fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, or makes, or assists in making, or procures to be made, any false Entry in, or delivers, assists in delivering, or procures to be delivered, a false Copy of any Agreement, shall for each such Offence be deemed guilty of a Misdemeanor.

Production of Agreement.

165. Any Seaman may bring forward Evidence to prove the Contents of any Agreement or otherwise to support his Case, without producing or giving Notice to produce the Agreement or any Copy thereof.

Copy of Agreement accessible to Crew.

166. The Master shall at the Commencement of every Voyage or Engagement cause a legible Copy of the Agreement (omitting the Signatures) to be placed or posted up in such Part of the Ship as to be accessible to the Crew, and in default shall for each Offence incur a Penalty not exceeding Five Pounds.

Seamen discharged before Voyage to have Compensation.

167. Any Seaman who has signed an Agreement, and is afterwards discharged before the Commencement of the Voyage, or before One Month's Wages are earned, without Fault on his Part justifying such Discharge and without his Consent, shall be entitled to receive from the Master or Owner, in addition to any Wages he may have earned, due Compensation for the Damage thereby caused to him, not exceeding One Month's Wages, and may, on adducing such Evidence as the Court hearing the Case deems satisfactory of his having been so improperly discharged as aforesaid, recover such Compensation as if it were Wages duly earned.

Allotment of Wages.

Allotment of Wages.

Regulations as to Allotment Notes.

168. All Stipulations for the Allotment of any Part of the Wages of a Seaman during his Absence which are made at the Commencement of the Voyage shall be inserted in the Agreement, and shall state the Amounts and Times of the Payments to be made; and all Allotment Notes shall be in Forms sanctioned by the Board of Trade.

Allotment Notes may be sued on summarily by certain Persons and under certain Conditions.

169. The Wife, or the Father or Mother, or the Grandfather or Grandmother, or any Child or Grandchild, or any Brother or Sister of any Seaman in whose Favour an Allotment Note of Part of the Wages of such Seaman is made, may, unless the Seaman is shown in manner herein-after mentioned to have forfeited or ceased to be entitled to the Wages out of which the Allotment is to be paid, and subject, as to the Wife, to the Provision herein-after contained, sue for and recover the Sums allotted by the Note when and as the same are made payable, with Costs, from the Owner or any Agent who has authorized the drawing of the Note, either in the County Court or in the summary Manner in which Seamen are by this Act enabled to sue for and recover Wages not exceeding Fifty Pounds; and in any such Proceeding it shall be sufficient for the Claimant to prove that he or she is the Person mentioned in the Note, and that the Note was given by the Owner or by the Master or some other authorized Agent; and the Seaman shall be presumed to be duly earning his Wages, unless the contrary is shown to the Satisfaction of the Court, either by the official Statement of the Change in the Crew caused by his Absence made and signed by the Master, as by this Act is required, or by a duly certified Copy of some Entry in the official Log Book to the Effect that he has left the Ship, or by a credible Letter from the Master of the Ship to the same Effect, or by such other Evidence, of whatever Description, as the Court in its absolute Discretion considers sufficient to show satisfactorily that the Seaman has ceased to be entitled to the Wages out of which the Allotment is to be paid: Provided that the Wife of any Seaman

who deserts her Children, or so misconducts herself as to be undeserving of Support from her Husband, shall thereupon forfeit all Right to further Payments of any Allotment of his Wages which has been made in her Favour.

Discharge and Payment of Wages.

Discharge and Payment of Wages.

170. In the Case of all *British* Foreign-going Ships, in whatever Part of Her Majesty's Dominions the same are registered, all Seamen discharged in the United Kingdom shall be discharged and receive their Wages in the Presence of a Shipping Master duly appointed under this Act, except in Cases where some competent Court otherwise directs; and any Master or Owner of any such Ship who discharges any Seaman belonging thereto, or, except as aforesaid, pays his Wages within the United Kingdom in any other Manner, shall incur a Penalty not exceeding Ten Pounds; and in the Case of Home Trade Ships Seamen may, if the Owner or Master so desires, be discharged and receive their Wages in like Manner.

Discharge from Foreign-going Ships to be made before Shipping Master.

Master to deliver Account of Wages.

171. Every Master shall, not less than Twenty-four Hours before paying off or discharging any Seaman, deliver to him, or, if he is to be discharged before a Shipping Master, to such Shipping Master, a full and true Account in a Form sanctioned by the Board of Trade of his Wages and of all Deductions to be made therefrom on any Account whatever, and in default shall for each Offence incur a Penalty not exceeding Five Pounds; and no Deduction from the Wages of any Seaman (except in respect of any Matter happening after such Delivery) shall be allowed unless it is included in the Account so delivered; and the Master shall during the Voyage enter the various Matters in respect of which such Deductions are made, with the Amounts of the respective Deductions, as they occur, in a Book to be kept for that Purpose, and shall, if required, produce such Book at the Time of the Payment of Wages, and also upon the Hearing before any competent Authority of any Complaint or Question relating to such Payments.

Masters to give Seamen Certificates of Discharge, and return Certificates of Competency, &c. to Mates.

172. Upon the Discharge of any Seaman, or upon Payment of his Wages, the Master shall sign and give him a Certificate of his Discharge, in a Form sanctioned by the Board of Trade, specifying the Period of his Service and the Time and Place of his Discharge; and if any Master fails to sign and give to any such Seaman such Certificate of Discharge he shall for each such Offence incur a Penalty not exceeding Ten Pounds; and the Master shall also, upon the Discharge of every Certificated Mate whose Certificate of Competency or Service has been delivered to and retained by him, return such Certificate, and shall in default incur a Penalty not exceeding Twenty Pounds.

Shipping Master may decide Questions which Parties refer to him.

173. Every Shipping Master shall hear and decide any Question whatever between a Master or Owner and any of his Crew which both Parties agree in Writing to submit to him; and every Award so made by him shall be binding on both Parties, and shall in any legal Proceeding which may be taken in the Matter before any Court of Justice be deemed to be conclusive as to the Rights of the Parties; and no such Submission or Award shall require a Stamp; and any Document purporting to be such Submission or Award shall be *primâ facie* Evidence thereof.

Master and others to produce Ship's Papers to Shipping Masters, and give Evidence.

174. In any Proceeding relating to the Wages, Claims, or Discharge of any Seaman carried on before any Shipping Master under the Provisions of this Act, such Shipping Master may call upon the Owner or his Agent, or upon the Master or any Mate or other Member of the Crew, to produce any Log Books, Papers, or other Documents in their respective Possession or Power relating to any Matter in question in such Proceeding, and may call before him and examine any of such Persons being then at or near the Place on any such Matter; and every Owner, Agent, Master, Mate, or other Member of the Crew who when called upon by the Shipping Master does not produce any such Paper or Document as aforesaid, if in his Possession or Power, or does not appear and give Evidence, shall, unless he shows some reasonable Excuse for such Default, for each such Offence incur a Penalty not exceeding Five Pounds.

Settlement of Wages.

175. The following Rules shall be observed with respect to the Settlement of Wages; (that is to say,)

Release to be signed before and attested by the Shipping Master; to be Discharge; and to be Evidence.

(1.) Upon the Completion before a Shipping Master of any Discharge and Settlement, the Master or Owner and each Seaman shall respectively in the Presence of the Shipping Master sign in a Form sanctioned by the Board of Trade a mutual Release of all Claims in respect of the past Voyage or Engagement, and the Shipping Master shall also sign and attest it, and shall retain and transmit it as herein directed:

(2.) Such Release so signed and attested shall operate as a mutual Discharge and Settlement of all Demands between the Parties thereto in respect of the past Voyage or Engagement:

(3.) A Copy of such Release certified under the Hand of such Shipping Master to be a true Copy shall be given by him to any Party thereto requiring the same; and such Copy shall be receivable in Evidence upon any future Question touching such Claims as aforesaid, and shall have all the Effect of the Original of which it purports to be a Copy:

No other Receipt to be a Discharge.

(4.) In Cases in which Discharge and Settlement before a Shipping Master are hereby required, no Payment, Receipt, Settlement, or Discharge otherwise made shall operate or be admitted as Evidence of the Release or Satisfaction of any Claim:

Voucher to be given to Master, and to be Evidence.

(5.) Upon any Payment being made by a Master before a Shipping Master, the Shipping Master shall, if required, sign and give to such Master a Statement of the whole Amount so paid; and such Statement shall as between the Master and his Employer be received as Evidence that he has made the Payments therein mentioned.

176. Upon

Discharge and Payment of Wages.

Master to make Reports of Character.

176. Upon every Discharge effected before a Shipping Master the Master shall make and sign in a Form sanctioned by the Board of Trade a Report of the Conduct, Character, and Qualifications of the Persons discharged, or may state in a Column to be left for that Purpose in the said Form that he declines to give any Opinion upon such Particulars or upon any of them; and the Shipping Master shall transmit the same to the Registrar General of Seamen, or to such other Person as the Board of Trade directs, to be recorded, and shall, if desired so to do by any Seaman, give to him or indorse on his Certificate of Discharge a Copy of so much of such Report as concerns him; and every Person who makes, assists in making, or procures to be made any false Certificate or Report of the Service, Qualifications, Conduct, or Character of any Seaman, knowing the same to be false, or who forges, assists in forging, or procures to be forged, or fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any such Certificate or Report, or who fraudulently makes use of any Certificate or Report or of any Copy of any Certificate or Report which is forged or altered or does not belong to him, shall for each such Offence be deemed guilty of a Misdemeanor.

Remittance of Wages and Savings Banks for Seamen.

Remittance of Wages and Savings Banks for Seamen.

Facilities may be given for remitting Seamen's Wages.

177. Facilities shall, if the Board of Trade so directs, be given for remitting the Wages and other Monies of Seamen and Apprentices to their Relatives or other Persons by means of Money Orders issued by Shipping Masters; and the Board of Trade may make Regulations concerning such Orders, and the Persons by or to whom, and the Mode and Time in and at which, the same are to be paid, and may from Time to Time repeal or alter any such Regulations; and all such Regulations, so long as they are in force, shall be binding upon all Persons interested or claiming to be interested in such Orders, as well as upon the Officers employed in issuing or paying the same; and no legal Proceeding shall be instituted against the Board of Trade, or against any Shipping Master or other public Officer employed about such Orders, on account of any such Regulations, or on account of any Act done or left undone in pursuance thereof, or on account of any Refusal, Neglect, or Omission to pay any such Money Order, unless such Refusal, Neglect, or Omission arise from Fraud or wilful Misbehaviour on the Part of the Person against whom Proceedings are instituted.

Power to pay when Order is lost.

178. The Board of Trade may, in any Case in which it thinks fit so to do, cause the Amount of any such Money Order as aforesaid to be paid to the Person to whom or in whose Favour the same may have been granted, or to his personal Representatives, Legatees, or next of Kin, notwithstanding that such Order may not be in his or their Possession; and in all such Cases from and after such Payment the Board of Trade and every Shipping Master or other Officer of the Board of Trade shall be freed from all Liability in respect of such Order.

Penalty for issuing Money Orders with fraudulent Intent.

179. Every Shipping Master or other public Officer who grants or issues any Money Order with a fraudulent Intent shall in *England* or *Ireland* be deemed guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be liable to be kept in Penal Servitude for a Term not exceeding Four Years.

Savings Banks for Seamen may be established.

180. The Commissioners for the Reduction of the National Debt, or the Comptroller General acting under them, may, on the Application and Recommendation of the Board of Trade, establish Savings Banks at such Ports and Places within the United Kingdom, either in the Shipping Offices established in such Ports or elsewhere, as may appear to be expedient, and may appoint Treasurers to receive from or on account of Seamen, or the Wives and Families of Seamen, desirous to become Depositors in such Savings Banks, Deposits to an Amount not exceeding One hundred and fifty Pounds in the whole in respect of any One Account, under such Regulations as may be prescribed by the said Commissioners or Comptroller General; and such Regulations shall be binding on all such Treasurers and Depositors; and the said Commissioners may remove such Treasurers, and appoint others in their Place; and all the Provisions of the Acts now in force relating to Savings Banks, except so far as relates to the annual Amount of Deposit, shall apply to all Savings Banks which may be established under the Authority of this Act, and to such Treasurers and Depositors as aforesaid.

Legal Rights to Wages.

Legal Rights to Wages.

Right to Wages, &c. when to begin.

181. A Seaman's Right to Wages and Provisions shall be taken to commence either at the Time at which he commences Work or at the Time specified in the Agreement for his Commencement of Work or Presence on board, whichever first happens.

Seamen not to give up certain Rights.

182. No Seaman shall by any Agreement forfeit his Lien upon the Ship, or be deprived of any Remedy for the Recovery of his Wages to which he would otherwise have been entitled; and every Stipulation in any Agreement inconsistent with any Provision of this Act, and every Stipulation by which any Seaman consents to abandon his Right to Wages in the Case of the Loss of the Ship, or to abandon any Right which he may have or obtain in the Nature of Salvage, shall be wholly inoperative.

Wages not to be dependent on the earning of Freight.

183. No Right to Wages shall be dependent on the earning of Freight; and every Seaman and Apprentice who would be entitled to demand and recover any Wages if the Ship in which he has served had earned Freight, shall, subject to all other Rules of Law and Conditions applicable to the Case, be entitled to claim and recover the same, notwithstanding that Freight has not been earned; but in all Cases

Legal Rights to Wages.

Cases of Wreck or Loss of the Ship, Proof that he has not exerted himself to the utmost to save the Ship, Cargo, and Stores, shall bar his Claim.

Payment of Wages in case of Death.

184. If any Seaman or Apprentice to whom Wages are due under the last preceding Enactment dies before the same are paid, they shall be paid and applied in the Manner herein-after specified with regard to the Wages of Seamen who die during a Voyage.

Rights to Wages in case of Termination of Service by Wreck or Illness.

185. In Cases where the Service of any Seaman terminates before the Period contemplated in the Agreement by reason of the Wreck or Loss of the Ship, and also in Cases where such Service terminates before such Period as aforesaid by reason of his being left on shore at any Place abroad under a Certificate of his Unfitness or Inability to proceed on the Voyage granted as herein-after mentioned, such Seaman shall be entitled to Wages for the Time of Service prior to such Termination as aforesaid, but not for any further Period.

Wages not to accrue during Refusal to work or Imprisonment.

186. No Seaman or Apprentice shall be entitled to Wages for any Period during which he unlawfully refuses or neglects to work when required, whether before or after the Time fixed by the Agreement for his neginning Work, nor, unless the Court hearing the Case otherwise directs, for any Period during which he is lawfully imprisoned for any Offence committed by him.

Period within which Wages are to be paid.

187. The Master or Owner of every Ship shall pay to every Seaman his Wages within the respective Periods following; (that is to say,) in the Case of a Home Trade Ship within Two Days after the Termination of the Agreement or at the Time when such Seaman is discharged, whichever first happens; and in the Case of all other Ships (except Ships employed in the Southern Whale Fishery or on other Voyages for which Seamen by the Terms of their Agreement are wholly compensated by Shares in the Profits of the Adventure) within Three Days after the Cargo has been delivered, or within Five Days after the Seaman's Discharge, whichever first happens; and in all Cases the Seaman shall at the Time of his Discharge be entitled to be paid on account a Sum equal to One Fourth Part of the Balance due to him; and every Master or Owner who neglects or refuses to make Payment in manner aforesaid, without sufficient Cause, shall pay to the Seaman a Sum not exceeding the Amount of Two Days Pay for each of the Days, not exceeding Ten Days, during which Payment is delayed beyond the respective Periods aforesaid, and such Sum shall be recoverable as Wages.

Mode of recovering Wages.

Mode of recovering Wages.

Seamen may sue for Wages in a summary Manner.

188. Any Seaman or Apprentice, or any Person duly authorized on his Behalf, may sue in a summary Manner before any Two Justices of the Peace acting in or near to the Place at which the Service has terminated, or at which the Seaman or Apprentice has been discharged, or at which any Person upon whom the Claim is made is or resides, or in *Scotland* either before any such Justices or before the Sheriff of the County within which any such Place is situated, for any Amount of Wages due to such Seaman or Apprentice not exceeding Fifty Pounds over and above the Costs of any Proceeding for the Recovery thereof, so soon as the same becomes payable; and every Order made by such Justices or Sheriff in the Matter shall be final.

Restrictions on Suits for Wages in Superior Courts.

189. No Suit or Proceeding for the Recovery of Wages under the Sum of Fifty Pounds shall be instituted by or on behalf of any Seaman or Apprentice in any Court of Admiralty or Vice-Admiralty, or in the Court of Session in *Scotland*, or in any Superior Court of Record in Her Majesty's Dominions, unless the Owner of the Ship is adjudged bankrupt or declared insolvent, or unless the Ship is under Arrest or is sold by the Authority of any such Court as aforesaid, or unless any Justices acting under the Authority of this Act refer the Case to be adjudged by such Court, or unless neither the Owner nor Master is or resides within Twenty Miles of the Place where the Seaman or Apprentice is discharged or put ashore.

No Seaman to sue for Wages abroad, except in Cases of Discharge or of Danger to Life.

190. No Seaman who is engaged for a Voyage or Engagement which is to terminate in the United Kingdom shall be entitled to sue in any Court abroad for Wages, unless he is discharged with such Sanction as herein required and with the written Consent of the Master, or proves such Ill-usage on the Part of the Master or by his Authority as to warrant reasonable Apprehension of Danger to the Life of such Seaman if he were to remain on board; but if any Seaman on his Return to the United Kingdom proves that the Master or Owner has been guilty of any Conduct or Default which but for this Enactment would have entitled the Seaman to sue for Wages before the Termination of the Voyage or Engagement, he shall be entitled to recover in addition to his Wages such Compensation not exceeding Twenty Pounds as the Court hearing the Case thinks reasonable.

Master to have same Remedies for Wages as Seamen.

191. Every Master of a Ship shall, so far as the Case permits, have the same Rights, Liens, and Remedies for the Recovery of his Wages which by this Act or by any Law or Custom any Seaman, not being a Master, has for the Recovery of his Wages; and if in any Proceeding in any Court of Admiralty or Vice-Admiralty touching the Claim of a Master to Wages any Right of Set-off or Counter-claim is set up, it shall be lawful for such Court to enter into and adjudicate upon all Questions and to settle all Accounts then arising or outstanding and unsettled between the Parties to the Proceeding, and to direct Payment of any Balance which is found to be due.

Relief to Seamen's Families out of Poor Rates.

Relief to Seamen's Families out of Poor Rates.

Relief to Seamen's Families

192. Whenever during the Absence of any Seaman on a Voyage his Wife, Children, and Step-children, or any of them, become or becomes chargeable to any Union or Parish in the United Kingdom, such Union

Union or Parish shall be entitled to be reimbursed out of the Wages of such Seaman earned during such Voyage any Sums properly expended during his Absence in the Maintenance of his said Relations, or any of them, so that such Sums do not exceed the following Proportions of his said Wages; (that is to say,)

to be chargeable on a certain Proportion of their Wages.

(1.) If only One of such Relations is chargeable, One Half of such Wages:

(2.) If Two or more of such Relations are chargeable, Two Thirds of such Wages:

But if during the Absence of the Seaman any Sums have been paid by the Owner to or on behalf of any such Relation as aforesaid, under an Allotment Note given by the Seaman in his, her, or their Favour, any such Claim for Reimbursement as aforesaid shall be limited to the Excess (if any) of the Proportion of the Wages herein-before mentioned over the Sums so paid.

Notice to be given to Owner, and Charge to be enforced on the Return of the Seaman.

193. For the Purpose of obtaining such Reimbursement as aforesaid, the Guardians of the Union or Parish, where the Relief of the Poor is administered by Guardians, and the Overseers of the Poor of any other Parish in *England*, and the Guardians or other Persons having the Authority of Guardians in any Union in *Ireland*, and the Inspector of the Poor in *Scotland*, may give to the Owner of the Ship in which the Seaman is serving a Notice in Writing stating the Proportion of the Seaman's Wages upon which it is intended to make the Claim, and requiring the Owner to retain such Proportion in his Hands for a Period to be therein mentioned, not exceeding Twenty-one Days from the Time of the Seaman's Return to his Port of Discharge, and also requiring such Owner immediately on such Return to give to such Guardians, Overseers, Persons, or Inspector Notice in Writing of such Return; and such Owner, after receiving such Notice as aforesaid, shall be bound to retain the said Proportion of Wages, and to give Notice of the Seaman's Return accordingly, and shall likewise give to the Seaman Notice of the intended Claim; and the said Guardians, Overseers, Persons, or Inspector may upon the Seaman's Return apply in a summary Way in *England* or *Ireland* to any Two Justices having Jurisdiction in such Union or Parish as aforesaid, and in *Scotland* to the Sheriff of the County, for an Order for such Reimbursement as aforesaid; and such Justices or Sheriff may hear the Case, and may make an Order for such Reimbursement to the whole Extent aforesaid, or to such lesser Amount as they or he may under the Circumstances think fit; and the Owner shall pay to such Guardians, Overseers, Persons, or Inspector, out of the Seaman's Wages, the Amount so ordered to be paid by way of Reimbursement, and shall pay the Remainder of the said Wages to the Seaman; and if no such Order as aforesaid is obtained within the Period mentioned in the Notice so to be given to the Owner as aforesaid, the Proportion of Wages so to be retained by him as aforesaid shall immediately on the Expiration of such Period, and without Deduction, be payable to the Seaman.

Wages and Effects of deceased Seamen.

Wages and Effects of deceased Seamen.

Masters to take charge of or sell Effects of deceased Seamen which are on board, and enter the same and Wages due in the official Log.

194. Whenever any Seaman or Apprentice belonging to or sent home in any *British* Ship, whether a Foreign-going Ship or a Home Trade Ship, employed on a Voyage which is to terminate in the United Kingdom, dies during such Voyage, the Master shall take charge of all Money, Clothes, and Effects which he leaves on board, and shall, if he thinks fit, cause all or any of the said Clothes and Effects to be sold by Auction at the Mast or other Public Auction, and shall thereupon sign an Entry in the official Log Book containing the following Particulars; (that is to say,)

(1.) A Statement of the Amount of the Money and a Description of the Effects so left by the Deceased:

(2.) In case of a Sale, a Description of each Article sold, and the Sum received for each:

(3.) A Statement of the Sum due to the Deceased as Wages, and the total Amount of the Deductions (if any) to be made therefrom:

And shall cause such Entry to be attested by a Mate and by One of the Crew.

Such Effects and Wages to be paid either to Consul or to Shipping Master, with full Accounts.

195. In the Cases provided for by the last preceding Section, the following Rules shall be observed; (that is to say,)

(1.) If the Ship proceeds at once to any Port in the United Kingdom without touching on the Way at any Foreign Port, the Master shall within Forty-eight Hours after his Arrival deliver any such Effects as aforesaid remaining unsold, and pay any Money which he has taken charge of or received from such Sale as aforesaid, and also the Balance of Wages due to the Deceased, to the Shipping Master at the Port of Destination in the United Kingdom:

(2.) If the Ship touches and remains for Forty-eight Hours at some Foreign Port or at some Port in Her Majesty's Dominions abroad before coming to any Port in the United Kingdom, the Master shall report the Case to the *British* Consular Officer or Officer of Customs there, as the Case may be, and shall give to such Officer any Information he requires as to the Destination of the Ship and probable Length of the Voyage; and such Officer may thereupon, if he considers it expedient so to do, require the said Effects, Money, and Wages to be delivered and paid to him, and shall upon such Delivery and Payment give to the Master a Receipt, and the Master shall within Forty-eight Hours after his Arrival at his Port of Destination in the United Kingdom produce the same to the Shipping Master there; and such Consular Officer or Officer of Customs shall in such Case indorse and certify upon the Agreement with the Crew such Particulars with respect to such Delivery and Payment as the Board of Trade requires:

(3.) If

Wages and Effects of deceased Seamen.

(3.) If such Officer as aforesaid does not require such Payment and Delivery to be made to him, the Master shall take charge of the said Effects, Money, and Wages, and shall within Forty-eight Hours after his Arrival at his Port of Destination in the United Kingdom deliver and pay the same to the Shipping Master there:

(4.) The Master shall in all Cases in which any Seaman or Apprentice dies during the Progress of a Voyage or Engagement give to the Board of Trade, or to such Officer or Shipping Master as aforesaid, an Account in such Form as they respectively require of the Effects, Money, and Wages so to be delivered and paid; and no Deductions claimed in such Account shall be allowed unless verified, if there is any official Log Book, by such Entry therein as herein-before required, and also by such other Vouchers (if any) as may be reasonably required by the Board of Trade, or by the Officer or Shipping Master to whom the Account is rendered:

(5.) Upon due Compliance with such of the Provisions of this Section as relate to Acts to be done at the Port of Destination in the United Kingdom, the Shipping Master shall grant to the Master a Certificate to that Effect, and no Officer of Customs shall clear Inwards any Foreign-going Ship without the Production of such Certificate.

Penalties for not taking charge of, remitting, or accounting for such Monies and Effects.

196. If any Master fails to take such Charge of the Money or other Effects of a Seaman or Apprentice dying during a Voyage, or to make such Entries in respect thereof, or to procure such Attestation to such Entries, or to make such Payment or Delivery of any Money, Wages, or Effects of any Seaman or Apprentice dying during a Voyage, or to give such Account in respect thereof as herein-before respectively directed, he shall be accountable for the Money, Wages, and Effects of the Seaman or Apprentice to the Board of Trade, and shall pay and deliver the same accordingly; and such Master shall in addition for every such Offence incur a Penalty not exceeding treble the Value of the Money or Effects not accounted for, or, if such Value is not ascertained, not exceeding Fifty Pounds; and if any such Money, Wages, or Effects are not duly paid, delivered, or accounted for by the Master, the Owner of the Ship shall pay, deliver, and account for the same, and such Money and Wages and the Value of such Effects shall be recoverable from him accordingly; and if he fails to account for and pay the same, he shall, in addition to his Liability for the said Money and Value, incur the same Penalty which is herein-before mentioned as incurred by the Master for the like Offence; and all Money, Wages, and Effects of any Seaman or Apprentice dying during a Voyage shall be recoverable in the same Courts and by the same Modes of proceeding by which Seamen are hereby enabled to recover Wages due to them.

Officers of Customs and Consuls to take charge of Effects left by Seamen abroad, and to remit the same and their Wages, to Board of Trade.

197. If any such Seaman or Apprentice as last aforesaid dies abroad at any Place either in or out of Her Majesty's Dominions leaving any Money or Effects not on board his Ship, the chief Officer of Customs or the *British* Consular Officer at or nearest to the Place, as the Case may be, shall claim and take charge of such Money and Effects; and such Officer shall, if he thinks fit, sell all or any of such Effects, or any Effects of any deceased Seaman or Apprentice delivered to him under the Provisions herein-before contained; and every such Officer shall, quarterly or at such other Times as the Board of Trade directs, remit to Her Majesty's Paymaster General all Monies belonging to or arising from the Sale of the Effects of or paid as the Wages of any deceased Seamen or Apprentices which have come to his Hands under the Provisions herein-before contained, and shall render such Accounts in respect thereof as the Board of Trade requires.

Wages, &c. of Seamen dying at home to be paid in certain Cases to Board of Trade.

198. Whenever any Seaman or Apprentice dies in the United Kingdom, and is at the Time of his Death entitled to claim from the Master or Owner of any Ship in which he has served any unpaid Wages or Effects, such Master or Owner shall pay and deliver or account for the same to the Shipping Master at the Port where the Seaman or Apprentice was discharged or was to have been discharged, or to the Board of Trade, or as it directs.

If less than 50*l.* Wages and Property of deceased Seamen may be paid over without Probate or Administration to the Persons entitled.

199. If the Money and Effects of any deceased Seaman or Apprentice paid, delivered, or remitted to the Board of Trade or its Agents, including the Monies received for any Part of the said Effects which have been sold either before Delivery to the Board of Trade or by its Direction, do not exceed in Value the Sum of Fifty Pounds, then, subject to the Provisions herein-after contained, and to all such Deductions for Expenses incurred in respect of the Seaman or Apprentice or of his said Money and Effects as the said Board thinks proper to allow, the said Board may, if it thinks fit so to do, pay and deliver the said Money and Effects either to any Claimants who can prove themselves to the Satisfaction of the said Board either to be his Widow or Children, or to be entitled to the Effects of the Deceased under his Will (if any), or under the Statutes for the Distribution of the Effects of Intestates, or under any other Statute, or at Common Law, or to be entitled to procure Probate or take out Letters of Administration or Confirmation, although no Probate or Letters of Administration or Confirmation have been taken out, and shall be thereby discharged from all further Liability in respect of the Money and Effects so paid and delivered, or may, if it thinks fit so to do, require Probate or Letters of Administration or Confirmation to be taken out, and thereupon pay and deliver the said Money and Effects to the legal personal Representatives of the Deceased; and all Claimants to whom such Money or Effects are so paid or delivered shall apply the same in due Course of Administration; and if such Money and Effects exceed in Value the Sum of Fifty Pounds, then, subject to the Provisions herein-after contained and to Deduction for Expenses, the Board of Trade shall pay and deliver the same to the legal personal Representatives of the Deceased.

200. In

200. In Cases where the deceased Seaman or Apprentice has left a Will, the Board of Trade shall have the following Powers; (that is to say,)

(1.) It may in its Discretion refuse to pay or deliver any such Wages or Effects as aforesaid to any Person claiming to be entitled thereto under a Will made on board Ship, unless such Will is in Writing, and is signed or acknowledged by the Testator in the Presence of the Master or First or Only Mate of the Ship, and is attested by such Master or Mate: Mode of Payment under Wills made by Seamen.

(2.) It may in its Discretion refuse to pay or deliver any such Wages or Effects as aforesaid to any Person not being related to the Testator by Blood or Marriage who claims to be entitled thereto under a Will made elsewhere than on board Ship, unless such Will is in Writing, and is signed or acknowledged by the Testator in the Presence of Two Witnesses, One of whom is some Shipping Master appointed under this Act, or some Minister or Officiating Minister or Curate of the Place in which the same is made, or, in a Place where there are no such Persons, some Justice of the Peace, or some *British* Consular Officer, or some Officer of Customs, and is attested by such Witnesses:

Whenever any Claim made under a Will is rejected by the Board of Trade on account of the said Will not being made and attested as herein-before required, the Wages and Effects of the Deceased shall be dealt with as if no Will had been made.

201. The following Rules shall be observed with respect to Creditors of deceased Seamen and Apprentices; (that is to say,) Provision for Payment of just Claims by Creditors, and for preventing fraudulent Claims.

(1.) No such Creditor shall be entitled to claim from the Board of Trade the Wages or Effects of any such Seaman or Apprentice or any Part thereof by virtue of Letters of Administration taken out by him, or by virtue of Confirmation in *Scotland* as Executor Creditor:

(2.) No such Creditor shall be entitled by any Means whatever to Payment of his Debt out of such Wages and Effects, if the Debt accrued more than Three Years before the Death of the Deceased, or if the Demand is not made within Two Years after such Death:

(3.) Subject as aforesaid, the Steps to be taken for procuring Payment of such Debt shall be as follows (that is to say): Every Person making a Demand as Creditor shall deliver to the Board of Trade an Account in Writing in such Form as it requires, subscribed with his Name, stating the Particulars of his Demand and the Place of his Abode, and verified by his Declaration made before a Justice:

(4.) If before such Demand is made any Claim to the Wages and Effects of the Deceased made by any Person interested therein as his Widow or Child, or under a Will or under the Statutes for the Distribution of the Effects of Intestates, or under any other Statute, or at Common Law, has been allowed, the Board of Trade shall give Notice to the Creditor of the Allowance of such Person's Claim, and the Creditor shall thereupon have the same Rights and Remedies against such Person as if he or she had received the said Wages and Effects as the legal personal Representative of the Deceased:

(5.) If no Claim by any such Person has been allowed, the Board of Trade shall proceed to investigate the Creditor's Account, and may for that Purpose require him to prove the same, and to produce all Books, Accounts, Vouchers, and Papers relating thereto; and if by such Means the Creditor duly satisfies the Board of Trade of the Justice of the Demand, either in the whole or in part, the same shall be allowed and paid accordingly, so far as the Assets in the Hands of the Board of Trade will extend for that Purpose, and such Payment shall discharge the Board of Trade from all further Liability in respect of the Money so paid; but if such Board is not so satisfied, or if such Books, Accounts, Vouchers, or Papers as aforesaid are not produced, and no sufficient Reason is assigned for not producing them, the Demand shall be disallowed:

(6.) In any Case whatever the Board of Trade may delay the Investigation of any Demand made by a Creditor for the Payment of his Debt for One Year from the Time of the first Delivery of the Demand; and if in the course of that Time a Claim to the Wages and Effects of the Deceased is made and substantiated as herein-before required by any Person interested therein as a Widow or Child, or under a Will, or under the Statutes for the Distribution of the Effects of Intestates, or under any other Statute, or at Common Law, the Board of Trade may pay and deliver the same to such Person; and thereupon the Creditor shall have the same Rights and Remedies against such Person as if he or she had received the same as the legal personal Representative of the Deceased.

202. In Cases of Wages or Effects of deceased Seamen or Apprentices received by the Board of Trade to which no Claim is substantiated within Six Years after the Receipt thereof by such Board, it shall be in the absolute Discretion of such Board, if any subsequent Claim is made, either to allow or to refuse the same; and, subject to the Provision herein-after contained, the Board of Trade shall from Time to Time pay any Monies arising from the unclaimed Wages and Effects of deceased Seamen, which in the Opinion of such Board it is not necessary to retain for the Purpose of satisfying Claims, into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury directs, and such Monies shall be carried to and form Part of the Consolidated Fund of the United Kingdom. Mode of dealing with unclaimed Wages of deceased Seamen.

 203. Every

Punishment for Forgery and false Representations in order to obtain Wages and Property of deceased Seamen.

203. Every Person who, for the Purpose of obtaining, either for himself or for another, any Money or Effects of any deceased Seamen or Apprentice, forges, assists in forging, or procures to be forged, or fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any Document purporting to show or assist in showing a Right to such Wages or Effects, and every Person who for the Purpose aforesaid makes use of any such forged or altered Document as aforesaid, or who for the Purpose aforesaid gives or makes or procures to be given or made, or assists in giving or making or procuring to be given or made, any false Evidence or Representation, knowing the same to be false, shall be punishable with Penal Servitude for a Term not exceeding Four Years, or with Imprisonment with or without Hard Labour for any Period not exceeding Two Years, or if summarily prosecuted and convicted, by Imprisonment, with or without Hard Labour, for any Period not exceeding Six Months.

Disposal of the Effects of Seamen discharged from the Navy.

204. In the Case of Seamen invalided or discharged from any of Her Majesty's Ships, and sent home in Merchant Ships, any Monies or Effects belonging to them which are paid, remitted, or delivered to the Board of Trade, or its Agents, under the Provisions herein-before contained, shall be paid over and disposed of in such Manner as the Accountant General of Her Majesty's Navy directs.

Leaving Seamen abroad.

Leaving Seamen abroad.

On Discharge of Seamen abroad, by Sale of Ship or otherwise, Certificates of Discharge to be given, and Seamen to be sent home at Expense of Owner.

205. Whenever any *British* Ship is transferred or disposed of at any Place out of Her Majesty's Dominions, and any Seaman or Apprentice belonging thereto does not in the Presence of some *British* Consular Officer, or, if there is no such Consular Officer there, in the Presence of One or more respectable *British* Merchants residing at the Place, and not interested in the said Ship, signify his Consent in Writing to complete the Voyage if continued, and whenever the Service of any Seaman or Apprentice belonging to any *British* Ship terminates at any Place out of Her Majesty's Dominions, the Master shall give to each such Seamen or Apprentice a Certificate of Discharge in the Form sanctioned by the Board of Trade as aforesaid, and in the Case of any Certificated Mate whose Certificate he has retained shall return such Certificate to him, and shall also, besides paying the Wages to which such Seaman or Apprentice is entitled, either provide him with adequate Employment on board some other *British* Ship bound to the Port in Her Majesty's Dominions at which he was originally shipped, or to such other Port in the United Kingdom as is agreed upon by him, or furnish the Means of sending him back to such Port, or provide him with a Passage home, or deposit with such Consular Officer or such Merchant or Merchants as aforesaid such a Sum of Money as is by such Officer or Merchants deemed sufficient to defray the Expenses of his Subsistence and Passage home; and such Consular Officer or Merchants shall indorse upon the Agreement of the Ship which the Seaman or Apprentice is leaving the Particulars of such Payment, Provision, or Deposit; and if the Master refuses or neglects to comply with the Requirements of this Section, such Expenses as last aforesaid, if defrayed by such Consular Officer or by any other Person, shall, unless such Seaman or Apprentice has been guilty of Barratry, be a Charge upon the Ship to which such Seaman or Apprentice belonged and upon the Owner for the Time being thereof, and may be recovered against such Owners, with Costs, at the Suit of the Consular Officer or other Person defraying such Expenses, or, in case the same has been allowed to the Consular Officer out of the Public Monies, as a Debt due to Her Majesty either by ordinary Process of Law, or in the Manner in which Seamen are hereby enabled to recover Wages; and such Expenses, if defrayed by the Seaman or Apprentice, shall be recoverable as Wages due to him.

Forcing Seamen on shore a Misdemeanor.

206. If the Master or any other Person belonging to any *British* Ship wrongfully forces on shore and leaves behind, or otherwise wilfully and wrongfully leaves behind, in any Place, on shore or at Sea, in or out of Her Majesty's Dominions, any Seaman or Apprentice belonging to such Ship before the Completion of the Voyage for which such Person was engaged or the Return of the Ship to the United Kingdom, he shall for each such Offence be deemed guilty of a Misdemeanor.

No Seamen to be discharged or left abroad without Certificate of some Functionary.

207. If the Master of any *British* Ship does any of the following Things; (that is to say,)

(1.) Discharges any Seaman or Apprentice in any Place situate in any *British* Possession abroad (except the Possession in which he was shipped), without previously obtaining the Sanction in Writing indorsed on the Agreement of some public Shipping Master or other Officer duly appointed by the local Government in that Behalf, or (in the Absence of any such Functionary) of the chief Officer of Customs resident at or near the Place where the Discharge takes place;

(2.) Discharges any Seaman or Apprentice at any Place out of Her Majesty's Dominions without previously obtaining the Sanction so indorsed as aforesaid of the British Consular Officer there, or (in his Absence) of Two respectable Merchants resident there;

(3.) Leaves behind any Seaman or Apprentice at any Place situate in any *British* Possession abroad on any Ground whatever, without previously obtaining a Certificate in Writing so indorsed as aforesaid from such Officer or Person as aforesaid, stating the Fact and the Cause thereof, whether such Cause be Unfitness or Inability to proceed to Sea, or Desertion or Disappearance;

(4.) Leaves behind any Seaman or Apprentice at any Place out of Her Majesty's Dominions, on shore or at Sea, on any Ground whatever, without previously obtaining the Certificate indorsed in manner

manner and to the Effect last aforesaid of the *British* Consular Officer there, or (in his Absence) of Two respectable Merchants, if there is any such at or near the Place where the Ship then is: *Leaving Seamen abroad.*

He shall for each such Default be deemed guilty of a Misdemeanor; and the said Functionaries shall and the said Merchants may examine into the Grounds of such proposed Discharge, or into the Allegation of such Unfitness, Inability, Desertion, or Disappearance as aforesaid, in a summary Way, and may for that Purpose, if they think fit so to do, administer Oaths, and may either grant or refuse such Sanction or Certificate as appears to them to be just.

Proof of such Certificate upon Master.

208. Upon the Trial of any Information, Indictment, or other Proceeding against any Person for discharging or leaving behind any Seaman or Apprentice, contrary to the Provisions of this Act, it shall lie upon such Person either to produce the Sanction or Certificate hereby required, or to prove that he had obtained the same previously to having discharged or left behind such Seaman or Apprentice, or that it was impracticable for him to obtain such Sanction or Certificate.

Wages to be paid when Seamen are left behind on Ground of Inability.

209. Every Master of any *British* Ship who leaves any Seaman or Apprentice on shore at any Place abroad in or out of Her Majesty's Dominions, under a Certificate of his Unfitness or Inability to proceed on the Voyage, shall deliver to One of the Functionaries aforesaid or (in the Absence of such Functionaries) to the Merchants by whom such Certificate is signed, or, if there be but One respectable Merchant resident at such Place, to him, a full and true Account of the Wages due to such Seaman or Apprentice, such Account when delivered to a Consular Officer to be in Duplicate, and shall pay the same either in Money or by a Bill drawn upon the Owner; and in the Case of every Bill so drawn, such Functionary, Merchants or Merchant as aforesaid, shall by Indorsement certify thereon that the same is drawn for Money due on account of a Seaman's Wages, and shall also indorse the Amount for which such Bill is drawn, with such further Particulars in respect of the Case as the Board of Trade requires, upon the Agreement of the Ship; and every such Master as aforesaid who refuses or neglects to deliver a full Account of such Wages, and pay the Amount thereof in Money or by Bill, as herein-before required, shall for every such Offence or Default be liable, in addition to the Payment of the Wages, to a Penalty not exceeding Ten Pounds; and every such Master who delivers a false Account of such Wages shall for every such Offence, in addition to the Payment of the Wages, incur a Penalty not exceeding Twenty Pounds.

Such Wages to be treated as Money due to the Seamen, subject to Payment of Expense of their Subsistence and Passage home.

210. Every such Payment as last aforesaid, whether by Bill or in Money, shall, if made in any *British* Possession, be made to the Seaman or Apprentice himself, and, if made out of Her Majesty's Dominions, to the Consular Officer, who shall, if satisfied with the Account, indorse on One of the Duplicates thereof a Receipt for the Amount paid or Bill delivered, and shall return the same to the Master; and the Master shall, within Forty-eight Hours after his Return to his Port of Destination in the United Kingdom, deliver the same to the Shipping Master there; and the Consular Officer shall retain the other Duplicate of the said Account, and shall, if the Seaman or Apprentice subsequently obtains Employment at or otherwise quits the Port, deduct out of the Sum received by him as aforesaid any Expenses which have been incurred by him in respect of the Subsistence of the Seaman or Apprentice under the Provisions herein contained, except such as the Master or Owner of the Ship is hereby required to pay, and shall pay the Remainder to the Seaman or Apprentice, and shall also deliver to him an Account of the Sums so received and expended on his Behalf; and shall, if the Seaman or Apprentice dies before his Ship quits the Port, deal with the same in the Manner herein-after specified in that Behalf, and shall, if the Seaman or Apprentice is sent home at the public Expense under the Provisions herein contained, account for the Amount received to the Board of Trade; and such Amount shall, after deducting any Expenses which have been duly incurred in respect of such Seaman or Apprentice, except such as the Master or Owner of the Ship is hereby required to pay, be dealt with as Wages to which he is entitled, and shall be paid accordingly.

Distressed Seamen found abroad may be relieved and sent home at the public Expense.

211. The Governors, Consular Officers, and other Officers of Her Majesty in Foreign Countries shall, and in Places where there are no such Governors or Officers any Two Resident *British* Merchants may, provide for the Subsistence of all Seamen or Apprentices, being Subjects of Her Majesty, who have been shipwrecked, discharged, or left behind at any Place abroad, whether from any Ship employed in the Merchant Service or from any of Her Majesty's Ships, or who have been engaged by any Person acting either as Principal or Agent to serve in any Ship belonging to any Foreign Power or to the Subject of any Foreign State, and who are in Distress in any Place abroad, until such Time as they are able to provide them with a Passage home, and for that Purpose shall cause such Seamen or Apprentices to be put on board some Ship belonging to any Subject of Her Majesty bound to any Port of the United Kingdom, or to the *British* Possession to which they belong, (as the Case requires,) which is in want of Men to make up its Complement, and in default of any such Ship shall provide them with a Passage home as soon as possible in some Ship belonging to a Subject of Her Majesty so bound as aforesaid, and shall indorse on the Agreement of any Ship on board of which any Seaman or Apprentice is so taken or sent the Name of every Person so sent on board thereof, with such Particulars concerning the Case as the Board of Trade requires, and shall be allowed for the Subsistence of any such Seaman or Apprentice such Sum *per Diem* as the Board of Trade from Time to Time appoints; and the Amount due in respect of such Allowance shall be paid out of any Monies applicable to the Relief of distressed *British* Seamen,

Leaving Seamen abroad.

Masters of British Ships compelled to take them.

and granted by Parliament for the Purpose, on the Production of the Bills of the Disbursements, with the proper Vouchers.

212. The Master of every *British* Ship so bound as aforesaid shall receive and afford a Passage and Subsistence to all Seamen or Apprentices whom he is required to take on board his Ship under the Provisions herein-before contained, not exceeding One for every Fifty Tons Burden, and shall during the Passage provide every such Seaman or Apprentice with a proper Berth or Sleeping Place effectually protected against Sea and Weather; and on the Production of a Certificate signed by any Governor, Consular Officer, or Merchants by whose Directions any such Seaman or Apprentice was received on board, specifying the Number and Names of such Seamen or Apprentices, and the Time when each of them respectively was received on board, and on a Declaration made by such Person before a Justice, and verified by the Registrar General of Seamen, stating the Number of Days during which each Seaman or Apprentice received Subsistence and was provided for as aforesaid on board his Ship, and stating also the Number of Men and Boys forming the Complement of his Crew, and the Number of Seamen and Apprentices employed on board his Ship during such Time, and every Variation (if any) of such Number, such Person shall be entitled to be paid out of the said Monies applicable to the Relief of distressed *British* Seamen, in respect of the Subsistence and Passage of every Seaman or Apprentice so conveyed, subsisted, and provided for by him exceeding the Number (if any) wanted to make up the Complement of his Crew, such Sum *per Diem* as the Board of Trade from Time to Time appoints; and if any Person having Charge of any such Ship fails or refuses to receive on board his Ship, or to give a Passage home, or Subsistence to, or to provide for any such Seaman or Apprentice as aforesaid, contrary to the Provisions of this Act, he shall incur a Penalty not exceeding One hundred Pounds for each Seaman or Apprentice with respect to whom he makes such Default or Refusal.

Power to sue for the Amount advanced for the Relief of Seamen left abroad.

213. If any Seaman or Apprentice belonging to any *British* Ship is discharged or left behind at any Place out of the United Kingdom, without full Compliance on the Part of the Master with all the Provisions in that Behalf in this Act contained, and becomes distressed and is relieved under the Provisions of this Act, or if any Subject of Her Majesty, after having been engaged by any Person (whether acting as Principal or Agent) to serve in any Ship belonging to any Foreign Power, or to the Subject of any Foreign Power, becomes distressed and is relieved as aforesaid, the Wages (if any) due to such Seaman or Apprentice, and all Expenses incurred for his Subsistence, necessary Clothing, Conveyance home, and Burial, in case he should die abroad before reaching Home, shall be a Charge upon the Ship, whether *British* or Foreign, to which he so belonged as aforesaid; and the Board of Trade may in the Name of Her Majesty (besides suing for any Penalties which may have been incurred) sue for and recover the said Wages and Expenses, with Costs, either from the Master of such Ship as aforesaid, or from the Person who is Owner thereof for the Time being, or, in the Case of such Engagement as aforesaid for Service in a Foreign Ship, from such Master or Owner, or from the Person by whom such Engagement was so made as aforesaid; and such Sums shall be recoverable either in the same Manner as other Debts due to Her Majesty, or in the same Manner and by the same Form and Process in which Wages due to the Seaman would be recoverable by him; and in any Proceedings for that Purpose Production of the Account (if any) to be furnished as herein-before is provided in such Cases, together with Proof of Payment by the Board of Trade or by the Paymaster General of the Charges incurred on account of any such Seaman, Apprentice, or other Person, shall be sufficient Evidence that he was relieved, conveyed home, or buried (as the Case may be) at Her Majesty's Expense.

Volunteering into the Navy.

Volunteering into the Navy.

Seamen allowed to leave their Ships in order to enter the Navy.

214. Any Seaman may leave his Ship for the Purpose of forthwith entering into the Naval Service of Her Majesty, and such leaving his Ship shall not be deemed a Desertion therefrom, and shall not render him liable to any Punishment or Forfeiture whatever; and all Stipulations introduced into any Agreement whereby any Seaman is declared to incur any Forfeiture or be exposed to any Loss in case he enters into Her Majesty's Naval Service shall be void, and every Master or Owner who causes any such Stipulation to be so introduced shall incur a Penalty not exceeding Twenty Pounds.

Clothes to be delivered at once.

Wages to be given to the Queen's Officer on account of the Seamen.

215. Whenever any Seaman, without having previously committed any Act amounting to and treated by the Master as Desertion, leaves his Ship in order to enter into the Naval Service of Her Majesty and is received into such Service, the Master shall deliver to him his Clothes and Effects on board such Ship, and shall pay the proportionate Amount of his Wages down to the Time of such Entry, subject to all just Deductions, as follows; (that is to say,) the Master of the said Ship shall pay the same to the Officer authorized to receive such Seaman into Her Majesty's Service, either in Money or by Bill drawn upon the Owner and payable at Sight to the Order of the Accountant General of the Navy; and the Receipt of such Officer shall be a Discharge for the Money or Bill so given; and such Bill shall be exempt from Stamp Duty; and if such Wages are paid in Money, such Money shall be credited in the Muster Book of the Ship to the Account of the said Seaman; and if such Wages are paid by Bill, such Bill shall be noted in the said Muster Book and shall be sent to the said Accountant General, who shall present the same or cause the same to be presented for Payment, and shall credit the Produce thereof to the Account of the said Seaman; and such Money or Produce (as the Case may be) shall not be paid to the said Seaman until the Time at which he would have been entitled to receive the same if he had remained in the

Volunteering into the Navy.

the Service of the Ship which he had so quitted as aforesaid; and if any such Bill is not duly paid when presented, the said Accountant General or the Seaman on whose Behalf the same is given may sue thereon or may recover the Wages due by all or any of the Means by which Wages due to Merchant Seamen are recoverable; and if upon any Seaman leaving his Ship in the Manner and for the Purpose aforesaid, the Master fails to deliver his Clothes and Effects, or to pay his Wages as herein-before required, he shall, in addition to his Liability to pay and deliver the same, incur a Penalty not exceeding Twenty Pounds; provided that no Officer who receives any such Bill as aforesaid shall be subject to any Liability in respect thereof, except for the safe Custody thereof until sent to the said Accountant General as aforesaid.

Repayment to Owner of Advance paid and not duly earned.

216. If upon any Seaman leaving his Ship for the Purpose of entering the Naval Service of Her Majesty, the Owner or Master of such Ship shows to the Satisfaction of the Admiralty that he has paid or properly rendered himself liable to pay an Advance of Wages to or on account of such Seaman, and that such Seaman has not at the Time of quitting his Ship duly earned such Advance by Service therein, and, in the Case of such Liability as aforesaid, if such Owner or Master actually satisfies the same, it shall be lawful for the Admiralty to pay to such Owner or Master so much of such Advance as has not been duly earned, and to deduct the Sum so paid from the Wages of the Seaman earned or to be earned in the Naval Service of Her Majesty.

If new Seamen are engaged, the Owner may apply for Repayment of any extra Expense he has been put to.

217. If, in consequence of any Seaman so leaving his Ship without the Consent of the Master or Owner thereof, it becomes necessary for the Safety and proper Navigation of the said Ship to engage a Substitute or Substitutes, and if the Wages or other Remuneration paid to such Substitute or Substitutes for subsequent Service exceed the Wages or Remuneration which would have been payable to the said Seaman under his Agreement for similar Service, the Master or Owner of the said Ship may apply to the Registrar of the High Court of Admiralty in *England* for a Certificate authorizing the Repayment of such Excess; and such Application shall be in such Form, and shall be accompanied by such Documents, and by such Statements, whether on Oath or otherwise, as the Judge of the said Court from Time to Time directs.

Application how to be decided on, and Amount of Repayment how to be ascertained.

218. The said Registrar shall, upon receiving any such Application as aforesaid, give Notice thereof in Writing, and of the Sum claimed, to the Secretary to the Admiralty, and shall proceed to examine the said Application, and may call upon the Registrar General of Seamen to produce any Papers in his Possession relating thereto, and may call for further Evidence; and if the whole of the Claim appears to him to be just, he shall give a Certificate accordingly; but if he considers that such Claim or any Part thereof is not just, he shall give Notice of such his Opinion in Writing under his Hand to the Person making the said Application or his Attorney or Agent; and if within Sixteen Days from the giving of such Notice such Person does not leave or cause to be left at the Office of the Registrar of the said Court a written Notice demanding that the said Application shall be referred to the Judge of the said Court, then the said Registrar shall finally decide thereon, and certify accordingly; but if such Notice is left as aforesaid, then the said Application shall stand referred to the said Judge in his Chambers, and his Decision thereon shall be final, and the said Registrar shall certify the same accordingly; and the said Registrar and Judge respectively shall in every Proceeding under this Act have full Power to administer Oaths, and to exercise all the ordinary Powers of the Court, as in any other Proceeding within its Jurisdiction; and the said Registrar or Judge (as the Case may be) may, if he thinks fit, allow for the Costs of any Proceeding under this Act any Sum not exceeding Five Pounds for each Seaman so quitting his Ship as aforesaid; and such Sum shall be added to the Sum allowed, and shall be certified by the said Registrar accordingly.

Accountant General to pay Sums when ascertained.

219. Every Certificate so given shall be sent by Post or otherwise to the Person making the Application, his Attorney or Agent, and a Copy thereof shall be sent to the Accountant General of the Navy; and such Accountant General shall, upon Delivery to him of the said original Certificate, together with a Receipt in Writing purporting to be a Receipt from the Master or Owner making the Application, pay to the Person delivering the same out of the Monies applicable to the Naval Service of Her Majesty, and granted by Parliament for the Purpose, the Amount mentioned in such Certificate; and such Certificate and Receipt shall absolutely discharge the said Accountant General and Her Majesty from all Liability in respect of the Monies so paid or of the said Application.

Penalty for Forgery and false Representations in support of such Applications.

220. Every Person who, in making or supporting any such Application as aforesaid to the Registrar of the High Court of Admiralty, forges, assists in forging, or procures to be forged, or fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any Document, and every Person who in making or supporting any such Application presents or makes use of any such forged or altered Document, or who in making or supporting any such Application makes or gives, or assists in making or giving, or procures to be made or given, any false Evidence or Representation, knowing the same to be false, shall be deemed guilty of a Misdemeanor.

Provisions, Health, and Accommodation.

Provisions, Health, and Accommodation.

Survey of Provisions

221. Any Three or more of the Crew of any *British* Ship may complain to any Officer in command of any of Her Majesty's Ships, or any *British* Consular Officer, or any Shipping Master, or any Chief Officer of Customs, that the Provisions or Water for the Use of the Crew are at any Time of bad Quality,

and Water on Complaint made.

Quality, unfit for Use, or deficient in Quantity; and such Officer may thereupon examine the said Provisions or Water, or cause them to be examined; and if on Examination such Provisions or Water are found to be of bad Quality and unfit for Use, or to be deficient in Quantity, the Person making such Examination shall signify the same in Writing to the Master of the Ship; and if such Master does not thereupon provide other proper Provisions or Water in lieu of any so signified to be of a bad Quality and unfit for Use, or does not procure the requisite Quantity of any so signified to be insufficient in Quantity, or uses any Provisions or Water which have been so signified as aforesaid to be of a bad Quality and unfit for Use, he shall in every such Case incur a Penalty not exceeding Twenty Pounds; and upon every such Examination as aforesaid the Officers making or directing the same shall enter a Statement of the Result of the Examination in the Official Log, and shall send a Report thereof to the Board of Trade, and such Report, if produced out of the Custody of such Board or its Officers, shall be received in Evidence in any legal Proceeding.

Forfeiture for frivolous Complaint.

222. If the Officer to whom any such Complaint as last aforesaid is made certifies in such Statement as aforesaid that there was no reasonable Ground for such Complaint, each of the Parties so complaining shall be liable to forfeit to the Owner out of his Wages a Sum not exceeding One Week's Wages.

Allowance for short or bad Provisions.

223. In the following Cases, (that is to say,)

(1.) If during a Voyage the Allowance of any of the Provisions which any Seaman has by his Agreement stipulated for is reduced (except in accordance with any Regulations for Reduction by way of Punishment contained in the Agreement, and also except for any Time during which such Seaman wilfully and without sufficient Cause refuses or neglects to perform his Duty, or is lawfully under Confinement for Misconduct, either on board or on shore);

(2.) If it is shown that any of such Provisions are or have during the Voyage been bad in Quality and unfit for Use;

The Seamen shall receive by way of Compensation for such Reduction or bad Quality, according to the Time of its Continuance, the following Sums, to be paid to him in addition to and to be recoverable as Wages; (that is to say,)

(1.) If his Allowance is reduced by any Quantity not exceeding One Third of the Quantity specified in the Agreement, a Sum not exceeding Fourpence a Day:

(2.) If his Allowance is reduced by more than One Third of such Quantity, Eightpence a Day:

(3.) In respect of such bad Quality as aforesaid, a Sum not exceeding One Shilling a Day:

But if it is shown to the Satisfaction of the Court before which the Case is tried that any Provisions the Allowance of which has been reduced could not be procured or supplied in proper Quantities, and that proper and equivalent Substitutes were supplied in lieu thereof, the Court shall take such Circumstances into consideration, and shall modify or refuse Compensation as the Justice of the Case may require.

Medicines, Lime, or Lemon Juice, Sugar, and Vinegar to be provided and kept on board certain Ships.

224. The following Rules shall be observed with respect to Medicines, Medical Stores, and Anti-scorbutics; (that is to say,)

(1.) The Board of Trade shall from Time to Time issue and cause to be published a Scale of Medicines and Medical Stores suitable to Accidents and Diseases arising on Sea Voyages:

(2.) The Owner of every Ship navigating between the United Kingdom and any Place out of the same shall provide and cause to be constantly kept on board such Ship a Supply of such Medicines and Medical Stores in accordance with the said Scale:

(3.) The Master or Owner of every Foreign-going Ship (except those bound to *European* Ports or to Ports in the *Mediterranean Sea*, and also except such Ships or Classes of Ships bound to Ports on the Eastern Coast of *America* North of the Thirty-fifth Degree of North Latitude and to any Islands or Places in the *Atlantic Ocean* North of the same Limit, as the Board of Trade may from Time to Time exempt from this Enactment,) shall also provide and cause to be kept on board such Ship a sufficient Quantity of Lime or Lemon Juice, or of such Articles as the Board of Trade sanctions as Substitutes for Lime or Lemon Juice, and also of Sugar and Vinegar:

(4.) The Master of every such Ship as last aforesaid shall serve out the Lime or Lemon Juice or other such Articles as aforesaid and Sugar and Vinegar to the Crew, whenever they have consumed Salt Provisions for Ten Days, and so long afterwards as such Consumption continues, the Lime or Lemon Juice and Sugar daily at the Rate of Half an Ounce each *per* Day and the Vinegar weekly at the Rate of Half a Pint *per* Week, to each Member of the Crew:

And if in any such Ship as aforesaid such Medicines, Medical Stores, Lime or Lemon Juice or other Articles, Sugar and Vinegar, as are herein-before required, are not provided and kept on board as herein-before required, the Master or Owner shall incur a Penalty not exceeding Twenty Pounds; and if the Master of any such Ship as aforesaid neglects to serve out the Lime or Lemon Juice or other Articles, Sugar or Vinegar, in the Case and Manner herein-before directed, he shall for each such Offence incur a Penalty not exceeding Five Pounds; and if any Master is convicted in either of the last-mentioned Penalties, and it appears that the Offence is owing to the Act or Default of the Owner, such Master may recover the Amount of such Penalty and the Costs incurred by him from the Owner.

Masters to keep Weights

225. Every Master shall keep on board proper Weights and Measures for the Purpose of determining the Quantities of the several Provisions and Articles served out, and shall allow the same to be used at the Time of

of serving out such Provisions and Articles in the Presence of a Witness whenever any Dispute arises about such Quantities, and in default shall for every Offence incur a Penalty not exceeding Ten Pounds. and Measures on board.

226. Any Local Marine Board may, upon being required by the Board of Trade so to do, appoint and remove a Medical Inspector of Ships for the Port, and may fix his Remuneration, such Remuneration to be subject to the Control of the Board of Trade; and at Ports where there are no Local Marine Boards the Board of Trade may appoint and remove such Inspectors, and fix their Remuneration; and it shall be the Duty of such Inspectors to inspect the Medicines, Medical Stores, Lime or Lemon Juice, or other Articles, Sugar and Vinegar, required to be kept on board any such Ships as aforesaid; and such Inspection, if made at Places where there are Local Marine Boards, shall be made under their Direction, and also in any special Cases under the Direction of the Board of Trade, and if made at Places where there are no Local Marine Boards, shall be made under the Direction of the Board of Trade; and such Medical Inspectors shall for the Purposes of such Inspection have the same Powers as the Inspectors appointed by the Board of Trade under the First Part of this Act; but every such Inspector, if required by timely Notice in Writing from the Master, Owner, or Consignee, shall make his Inspection Three Days at least before the Ship proceeds to Sea, and if the Result of the Inspection is satisfactory shall not again make Inspection before the Commencement of the Voyage, unless he has Reason to suspect that some of the Articles inspected have been subsequently removed, injured, or destroyed; and whenever any such Medical Inspector is of opinion that in any Ship hereby required to carry such Articles as aforesaid the same or any of them are deficient in Quantity or Quality, or are placed in improper Vessels, he shall signify the same in Writing to the Chief Officer of Customs of the Port where such Ship is lying, and also to the Master, Owner, or Consignee thereof, and thereupon the Master of such Ship, before proceeding to Sea, shall produce to such Chief Officer of Customs a Certificate under the Hand of such Medical Inspector or of some other Medical Inspector, to the Effect that such Deficiency has been supplied or remedied, or that such improper Vessels have been replaced by proper Vessels, as the Case may require; and such Chief Officer of Customs shall not grant a Clearance for such Ship without the Production of such Certificate, and if such Ship attempts to go to Sea without a Clearance, may detain her until such Certificate is produced; and if such Ship proceeds to Sea without the Production of such Certificate, the Owner, Master, or Consignee thereof shall incur a Penalty not exceeding Twenty Pounds. Board of Trade and Local Boards may appoint Inspectors of Medicines, who are to see that Ships are properly provided.

227. Any Person who sells or supplies any Medicines, Medical Stores, Lime or Lemon Juice, of bad Quality, for the Use of any Ship, shall for each such Offence incur a Penalty not exceeding Twenty Pounds. Penalty for selling bad Drugs for Ships.

228. The following Rules shall be observed with respect to Expenses attendant on Illness and Death; (that is to say,) Expense of Medical Attendance and Subsistence in case of Illness, and of Burial in case of Death, how to be defrayed.

(1.) If the Master or any Seaman or Apprentice receives any Hurt or Injury in the Service of the Ship to which he belongs, the Expense of providing the necessary Surgical and Medical Advice, with Attendance and Medicines, and of his Subsistence until he is cured, or dies, or is brought back to some Port in the United Kingdom, if shipped in the United Kingdom, or if shipped in some *British* Possession to some Port in such Possession, and of his Conveyance to such Port, and the Expense (if any) of his Burial, shall be defrayed by the Owner of such Ship, without any Deduction on that Account from the Wages of such Master, Seaman, or Apprentice:

(2.) If the Master or any Seaman or Apprentice is on account of any Illness temporarily removed from his Ship for the Purpose of preventing Infection, or otherwise for the Convenience of the Ship, and subsequently returns to his Duty, the Expense of such Removal and of providing the necessary Advice with Attendance and Medicines and of his Subsistence whilst away from the Ship, shall be defrayed in like Manner:

(3.) The Expense of all Medicines and Surgical or Medical Advice and Attendance given to any Master, Seaman, or Apprentice whilst on board his Ship shall be defrayed in like Manner:

(4.) In all other Cases any reasonable Expenses duly incurred by the Owner for any Seaman in respect of Illness, and also any reasonable Expenses duly incurred by the Owner in respect of the Burial of any Seaman or Apprentice who dies whilst on Service, shall, if duly proved, be deducted from the Wages of such Seaman or Apprentice.

229. If any such Expenses in respect of the Illness, Injury, or Hurt of any Seaman or Apprentice, as are to be borne by the Owner, are paid by any Consular Officer or other Person on behalf of Her Majesty, or if any other Expenses in respect of the Illness, Injury, or Hurt of any Seaman or Apprentice whose Wages are not accounted for to such Officer under the Provisions herein-before contained in that Behalf are so paid, such Expenses shall be repaid to such Officer or other Person by the Master of the Ship, and if not so repaid, the Amount thereof, with Costs, shall be a Charge upon the Ship, and be recoverable from the said Master or from the Owner of the Ship for the Time being as a Debt due to Her Majesty, and shall be recoverable either by ordinary Process of Law or in the Manner in which Seamen are hereby enabled to recover Wages; and in any Proceeding for the Recovery thereof the Production of a Certificate of the Facts, signed by such Officer or other Person, together with such Vouchers (if any) as the Case requires, shall be sufficient Proof that the said Expenses were duly paid by such Consular Officer or other Person as aforesaid. Expenses, if paid by Consul, to be recoverable from Owner.

230. Every

Certain Ships to carry Medical Practitioners.

230. Every Foreign-going Ship having One hundred Persons or upwards on board shall carry on board as Part of her Complement some Person duly authorized by Law to practise as Physician, Surgeon, or Apothecary; and in default the Owner shall for every Voyage of any such Ship made without such Medical Practitioner incur a Penalty not exceeding One hundred Pounds: Provided that nothing herein contained shall in anywise affect any Provision contained in the "Passengers Act, 1852," concerning the Carriage of Medical Practitioners by the Class of Ships therein named Passenger Ships, nor shall any such Passenger Ship, if not thereby required to carry a Medical Practitioner, be hereby required to do so.

Place appropriated to Seamen to have a certain Space for each Man; and to be properly constructed and kept clear.

231. The following Rules shall be observed with respect to Accommodation on board; (that is to say,)

1. Every Place in any Ship occupied by Seamen or Apprentices, and appropriated to their Use, shall have for every such Seaman or Apprentice, if they sleep in Hammocks, a Space of not less than Nine Superficial Feet, and if they do not sleep in Hammocks, a Space of not less than Twelve Superficial Feet, measured on the Deck or Floor of such Place:

(2.) Every such Place shall either be Six Feet in Height from Deck to Deck, or shall have for every Seaman and Apprentice, if they sleep in Hammocks, a Space of not less than Fifty-four Cubic Feet, and if they do not sleep in Hammocks, a Space of not less than Seventy-two Cubic Feet:

(3.) Every such Place shall be kept free from Stores or Goods of any kind, not being the personal Property of the Crew in use during the Voyage:

(4.) Every such Place shall be properly caulked, and in all other respects securely and properly constructed and well ventilated:

And if any such Place in any Ship is not in the whole sufficiently large to give such Space for each Seaman and Apprentice as herein-before required, or is not properly caulked and in all other respects securely and properly constructed and well ventilated, the Owner shall for every such Failure to comply with the Provisions of this Section incur a Penalty not exceeding Twenty Pounds; and if any such Space as aforesaid is not kept free from Goods and Stores as aforesaid, the Master shall for every such Failure to comply with the Provisions of this Section incur a Penalty not exceeding Ten Pounds.

Power of making Complaint.

Power of making Complaint.

Seamen to be allowed to go ashore to make Complaint to a Justice.

232. If any Seaman or Apprentice whilst on board any Ship states to the Master that he desires to make Complaint to a Justice of the Peace, or Consular Officer, or Naval Officer in command of any of Her Majesty's Ships, against the Master or any of the Crew, the said Master shall, if the Ship is then at a Place where there is a Justice or any such Officer as aforesaid, so soon as the Service of the Ship will permit, and if the Ship is not then at such a Place, so soon after her first Arrival at such a Place as the Service of the Ship will permit, allow such Seaman or Apprentice to go ashore or send him ashore in proper Custody so that he may be enabled to make such Complaint, and shall, in default, incur a Penalty not exceeding Ten Pounds.

Protection of Seamen from Imposition.

Protection of Seamen from Imposition.

Sale of and Charge upon Wages to be invalid.

233. No Wages due or accruing to any Seaman or Apprentice shall be subject to Attachment or Arrestment from any Court; and every Payment of Wages to a Seaman or Apprentice shall be valid in Law, notwithstanding any previous Sale or Assignment of such Wages, or of any Attachment, Incumbrance, or Arrestment thereon; and no Assignment or Sale of such Wages or of Salvage made prior to the accruing thereof shall bind the Party making the same; and no Power of Attorney or Authority for the Receipt of any such Wages or Salvage shall be irrevocable.

As to Recovery of Debts.

234. No Debt exceeding in Amount Five Shillings, incurred by any Seaman after he has engaged to serve, shall be recoverable until the Service agreed for is concluded.

Penalty for Overcharges by Lodging-house Keepers.

235. If any Person demands or receives from any Seaman or Apprentice to the Sea Service Payment in respect of his Board or Lodging in the House of such Person for a longer Period than such Seaman or Apprentice has actually resided or boarded therein, he shall incur a Penalty not exceeding Ten Pounds.

Penalty for detaining Sea men's Effects.

236. If any Person receives or takes into his Possession or under his Control, any Monies, Documents, or Effects of any Seaman or Apprentice to the Sea Service, and does not return the same or pay the Value thereof when required by such Seaman or Apprentice, subject to such Deduction as may be justly due to him from such Seaman or Apprentice in respect of Board or Lodging or otherwise, or absconds therewith, he shall incur a Penalty not exceeding Ten Pounds, and any Two Justices may, besides inflicting such Penalty, by summary Order direct the Amount or Value of such Monies, Documents, or Effects, subject to such Deduction as aforesaid, to be forthwith paid to such Seaman or Apprentice.

Persons not to go on board before the final Arrival of Ship without Permission.

237. Every Person who, not being in Her Majesty's Service, and not being duly authorized by Law for the Purpose, goes on board any Ship about to arrive at the Place of her Destination, before her actual Arrival in Dock or at the Place of her Discharge, without the Permission of the Master, shall for every such Offence incur a Penalty not exceeding Twenty Pounds; and the Master or Person in charge of such Ship may take any such Person so going on board as aforesaid into Custody, and deliver him

Protection of Seamen from Imposition.

him up forthwith to any Constable or Peace Officer, to be by him taken before a Justice or Justices or the Sheriff of the County in *Scotland*, and to be dealt with according to the Provisions of this Act.

Penalty for Solicitations by Lodging-house Keepers.

238. If, within Twenty-four Hours after the Arrival of any Ship at any Port in the United Kingdom, any Person then being on board such Ship solicits any Seaman to become a Lodger at the House of any Person letting Lodgings for Hire, or takes out of such Ship any Effects of any Seaman, except under his personal Direction and with the Permission of the Master, he shall for every such Offence incur a Penalty not exceeding Five Pounds.

Discipline.

Discipline.

Misconduct endangering Ship or Life or Limb a Misdemeanor.

239. Any Master of or any Seaman or Apprentice belonging to any *British* Ship who by wilful Breach of Duty, or by Neglect of Duty, or by reason of Drunkenness, does any Act tending to the immediate Loss, Destruction, or serious Damage of such Ship, or tending immediately to endanger the Life or Limb of any Person belonging to or on board of such Ship, or who by wilful Breach of Duty, or by Neglect of Duty, or by reason of Drunkenness, refuses or omits to do any lawful Act proper and requisite to be done by him for preserving such Ship from immediate Loss, Destruction, or serious Damage, or for preserving any Person belonging to or on board of such Ship from immediate Danger to Life or Limb, shall for every such Offence be deemed guilty of a Misdemeanor.

Power of Admiralty Courts to remove Master.

240. Any Court having Admiralty Jurisdiction in any of Her Majesty's Dominions may, upon Application by the Owner of any Ship being within the Jurisdiction of such Court, or by the Part Owner or Consignee, or by the Agent of the Owner, or by any certificated Mate, or by One Third or more of the Crew of such Ship, and upon Proof on Oath to the Satisfaction of such Court that the Removal of the Master of such Ship is necessary, remove him accordingly; and may also, with the Consent of the Owner or his Agent, or the Consignee of the Ship, or if there is no Owner or Agent of the Owner or Consignee of the Ship within the Jurisdiction of the Court, then without such Consent, appoint a new Master in his Stead; and may also make such Order, and may require such Security in respect of Costs in the Matter, as it thinks fit.

Power to investigate Cases of alleged Incompetency and Misconduct.

241. If the Board of Trade or any Local Marine Board has reason to believe that any Master or Mate is from Incompetency or Misconduct unfit to discharge his Duties, the Board of Trade may either institute an Investigation or may direct the Local Marine Board at or nearest to the Place at which it may be convenient for the Parties and Witnesses to attend to institute the same, and thereupon such Persons as the Board of Trade may appoint for the Purpose, or, as the Case may be, the Local Marine Board, shall, with the Assistance of a local Stipendiary Magistrate (if any), and if there is no such Magistrate of a competent legal Assistant to be appointed by the Board of Trade, conduct the Investigation, and may summon the Master or Mate to appear, and shall give him full Opportunity of making a Defence either in person or otherwise, and shall for the Purpose of such Investigation have all the Powers given by the First Part of this Act to Inspectors appointed by the Board of Trade, and may make such Order with respect to the Costs of such Investigation as they may deem just; and shall on the Conclusion of the Investigation make a Report upon the Case to the Board of Trade; and in Cases where there is no Local Marine Board before which the Parties and Witnesses can conveniently attend, or where such Local Marine Board is unwilling to institute the Investigation, the Board of Trade may direct the same to be instituted before Two Justices or a Stipendiary Magistrate; and thereupon such Investigation shall be conducted, and the Results thereof reported, in the same Manner and with the same Powers in and with which formal Investigations into Wrecks and Casualties are directed to be conducted, and the Results thereof reported, under the Provisions contained in the Eighth Part of this Act, save only that, if the Board of Trade so directs, the Person bringing the Charge of Incompetency or Misconduct to the Notice of the Board of Trade shall be deemed to be the Party having the Conduct of the Case.

Board of Trade may cancel or suspend Certificates in certain Cases.

242. The Board of Trade may suspend or cancel the Certificate (whether of Competency or Service) of any Master or Mate in the following Cases; (that is to say,)

(1.) If upon any Investigation made in pursuance of the last preceding Section, he is reported to be incompetent, or to have been guilty of any gross Act of Misconduct, Drunkenness, or Tyranny:

(2.) If upon any Investigation conducted under the Provisions contained in the Eighth Part of this Act, or upon any Investigation made by a Naval Court constituted as herein-after mentioned, it is reported that the Loss or Abandonment of or serious Damage to any Ship or Loss of Life has been caused by his wrongful Act or Default:

(3.) If he is superseded by the Order of any Admiralty Court or of any Naval Court constituted as herein-after mentioned:

(4.) If he is shown to have been convicted of any Offence:

(5.) If upon any Investigation made by any Court or Tribunal authorized or hereafter to be authorized by the Legislative Authority in any *British* Possession to make Inquiry into Charges of Incompetency or Misconduct on the Part of Masters or Mates of Ships, or as to Shipwrecks or other Casualties affecting Ships, a Report is made by such Court or Tribunal to the Effect that he has been guilty of any gross Act of Misconduct, Drunkenness, or Tyranny, or that the Loss or

Discipline.

Abandonment of or serious Damage to any Ship or Loss of Life has been caused by his wrongful Act or Default, and such Report is confirmed by the Governor or Person administering the Government of such Possession:

And every Master or Mate whose Certificate is cancelled or suspended shall deliver it to the Board of Trade or as it directs, and in default shall for each Offence incur a Penalty not exceeding Fifty Pounds; and the Board of Trade may at any subsequent Time grant to any Person whose Certificate has been cancelled a new Certificate of the same or of any lower Grade.

Offences of Seamen and Apprentices and their Punishments.

243. Whenever any Seaman who has been lawfully engaged or any Apprentice to the Sea Service commits any of the following Offences he shall be liable to be punished summarily as follows; (that is to say,)

Desertion:

(1.) For Desertion he shall be liable to Imprisonment for any Period not exceeding Twelve Weeks, with or without Hard Labour, and also to forfeit all or any Part of the Clothes and Effects he leaves on board, and all or any Part of the Wages or Emoluments which he has then earned, and also, if such Desertion takes place abroad, at the Discretion of the Court, to forfeit all or any Part of the Wages or Emoluments he may earn in any other Ship in which he may be employed until his next Return to the United Kingdom, and to satisfy any Excess of Wages paid by the Master or Owner of the Ship from which he deserts to any Substitute engaged in his Place at a higher Rate of Wages than the Rate stipulated to be paid to him:

Neglecting or refusing to join, or to proceed to Sea, Absence within 24 Hours before sailing, and Absence without Leave:

(2.) For neglecting or refusing, without reasonable Cause, to join his Ship, or to proceed to Sea in his Ship, or for Absence without Leave at any Time within Twenty-four Hours of the Ship's sailing from any Port either at the Commencement or during the Progress of any Voyage, or for Absence at any Time without Leave and without sufficient Reason from his Ship or from his Duty not amounting to Desertion or not treated as such by the Master, he shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, and also, at the Discretion of the Court, to forfeit out of his Wages a Sum not exceeding the Amount of Two Days Pay, and in addition for every Twenty-four Hours of Absence either a Sum not exceeding Six Days Pay, or any Expenses which have been properly incurred in hiring a Substitute:

Quitting without Leave before Ship is secured:

(3.) For quitting the Ship without Leave after her Arrival at her Port of Delivery and before she is placed in Security, he shall be liable to forfeit out of his Wages a Sum not exceeding One Month's Pay:

Act of Disobedience:

(4.) For wilful Disobedience to any lawful Command he shall be liable to Imprisonment for any Period not exceeding Four Weeks, with or without Hard Labour, and also, at the Discretion of the Court, to forfeit out of his Wages a Sum not exceeding Two Days Pay:

Continued Disobedience:

(5.) For continued wilful Disobedience to lawful Commands, or continued wilful Neglect of Duty, he shall be liable to Imprisonment for any Period not exceeding Twelve Weeks, with or without Hard Labour, and also, at the Discretion of the Court, to forfeit for every Twenty-four Hours Continuance of such Disobedience or Neglect either a Sum not exceeding Six Days Pay, or any Expenses which have been properly incurred in hiring a Substitute:

Assault on Officers:

(6.) For assaulting any Master or Mate he shall be liable to Imprisonment for any Period not exceeding Twelve Weeks, with or without Hard Labour:

Combining to disobey:

(7.) For combining with any other or others of the Crew to disobey lawful Commands, or to neglect Duty, or to impede the Navigation of the Ship or the Progress of the Voyage, he shall be liable to Imprisonment for any Period not exceeding Twelve Weeks, with or without Hard Labour:

Wilful Damage and Embezzlement:

(8.) For wilfully damaging the Ship, or embezzling or wilfully damaging any of her Stores or Cargo, he shall be liable to forfeit out of his Wages a Sum equal in Amount to the Loss thereby sustained, and also, at the Discretion of the Court, to Imprisonment for any Period not exceeding Twelve Weeks, with or without Hard Labour:

Act of Smuggling causing Loss to Owner.

(9.) For any Act of Smuggling of which he is convicted, and whereby Loss or Damage is occasioned to the Master or Owner, he shall be liable to pay to such Master or Owner such a Sum as is sufficient to reimburse the Master or Owner for such Loss or Damage; and the whole or a proportionate Part of his Wages may be retained in satisfaction or on account of such Liability, without Prejudice to any further Remedy.

Entry of Offences to be made in official Log, and to be read over or a Copy given to the Offender, and his Reply, if any, to be also entered.

244. Upon the Commission of any of the Offences enumerated in the last preceding Section an Entry thereof shall be made in the official Log Book, and shall be signed by the Master and also by the Mate or One of the Crew; and the Offender, if still in the Ship, shall before the next subsequent Arrival of the Ship at any Port, or if she is at the Time in Port, before her Departure therefrom, either be furnished with a Copy of such Entry or have the same read over distinctly and audibly to him, and may thereupon make such Reply thereto as he thinks fit; and a Statement that a Copy of the said Entry has been so furnished, or that the same has been so read over as aforesaid, and the Reply (if any) made by the Offender, shall likewise be entered and signed in manner aforesaid; and in any subsequent legal Proceeding the Entries herein-before required shall, if practicable, be produced or proved, and in default of

of such Production or Proof the Court hearing the Case may, at its Discretion, refuse to receive Evidence of the Offence. *Discipline.*

Seamen, &c. to be subject to Penalties for Breach of Discipline.

245. Every seafaring Person whom the Master of any Ship is, under the Authority of this Act or of any other Act of Parliament compelled to take on board and convey, and every Person who goes to Sea in any Ship without the Consent of the Master or Owner or other Person entitled to give such Consent, shall, so long as he remains in such Ship, be subject to the same Laws and Regulations for preserving Discipline, and to the same Penalties and Punishments for Offences constituting or tending to a Breach of Discipline, to which he would be subject if he were a Member of the Crew and had signed the Agreement.

Master or Owner may apprehend Deserters without Warrant.

246. Whenever, either at the Commencement or during the Progress of any Voyage, any Seaman or Apprentice neglects or refuses to join or deserts from or refuses to proceed to Sea in any Ship in which he is duly engaged to serve, or is found otherwise absenting himself therefrom without Leave, the Master, or any Mate, or the Owner, Ship's Husband, or Consignee, may, in any Place in Her Majesty's Dominions, with or without the Assistance of the local Police Officers or Constables, who are hereby directed to give the same, if required, and also at any Place out of Her Majesty's Dominions, if and so far as the Laws in force at such Place will permit, apprehend him without first procuring a Warrant; and may thereupon in any Case, and shall in case he so requires and it is practicable, convey him before some Court capable of taking cognizance of the Matter, to be dealt with according to Law; and may, for the Purpose of conveying him before such Court, detain him in Custody for a Period not exceeding Twenty-four Hours or such shorter Time as may be necessary, or may, if he does not so require, or if there is no such Court at or near the Place, at once convey him on board; and if any such Apprehension appears to the Court before which the Case is brought to have been made on improper or on insufficient Grounds, the Master, Mate, Owner, Ship's Husband, or Consignee who makes the same or causes the same to be made shall incur a Penalty not exceeding Twenty Pounds; but such Penalty, if inflicted, shall be a Bar to any Action for false Imprisonment in respect of such Apprehension.

Deserters may be sent on board in lieu of being imprisoned.

247. Whenever any Seaman or Apprentice is brought before any Court on the Ground of his having neglected or refused to join or to proceed to Sea in any Ship in which he is engaged to serve, or of having deserted or otherwise absented himself therefrom without Leave, such Court may, if the Master or the Owner or his Agent so requires, instead of committing the Offender to Prison, cause him to be conveyed on board for the Purpose of proceeding on the Voyage, or deliver him to the Master or any Mate of the Ship, or the Owner or his Agent, to be by them so conveyed, and may in such Case order any Costs and Expenses properly incurred by or on behalf of the Master or Owner by reason of the Offence to be paid by the Offender, and, if necessary to be deducted from any Wages which he has then earned, or which by virtue of his then existing Engagement he may afterwards earn.

Seamen imprisoned for Desertion or Breach of Discipline may be sent on board before Termination of Sentence.

248. If any Seaman or Apprentice is imprisoned on the Ground of his having neglected or refused to join or to proceed to Sea in any Ship in which he is engaged to serve, or of having deserted or otherwise absented himself therefrom without Leave, or of his having committed any other Breach of Discipline, and if during such Imprisonment and before his Engagement is at an end his Services are required on board his Ship, any Justice may, at the Request of the Master or of the Owner or his Agent, cause such Seaman or Apprentice to be conveyed on board his said Ship for the Purpose of proceeding on the Voyage, or to be delivered to the Master or any Mate of the Ship or to the Owner or his Agent, to be by them so conveyed, notwithstanding that the Termination of the Period for which he was sentenced to Imprisonment has not arrived.

Entries and Certificates of Desertion abroad to be copied, sent home, and admitted in Evidence.

249. In all Cases of Desertion from any Ship in any Place abroad the Master shall produce the Entry of such Desertion in the official Log Book to the Person or Persons hereby required to indorse on the Agreement a Certificate of such Desertion; and such Person or Persons shall thereupon make and certify a Copy of such Entry and also a Copy of the said Certificate of Desertion; and if such Person is a public Functionary he shall, and in other Cases the said Master shall forthwith transmit such Copies to the Registrar General of Seamen in *England;* and the said Registrar shall, if required, cause the same to be produced in any legal Proceeding; and such Copies, if purporting to be so made and certified as aforesaid, and certified to have come from the Custody of the said Registrar, shall in any legal Proceeding relating to such Desertion be received as Evidence of the Entries therein appearing.

Facilities for proving Desertion, so far as concerns Forfeiture of Wages.

250. Whenever a Question arises whether the Wages of any Seaman or Apprentice are forfeited for Desertion, it shall be sufficient for the Party insisting on the Forfeiture to show that such Seaman or Apprentice was duly engaged in or that he belonged to the Ship from which he is alleged to have deserted, and that he quitted such Ship before the Completion of the Voyage or Engagement, or if such Voyage was to terminate in the United Kingdom and the Ship has not returned, that he is absent from her, and that an Entry of the Desertion has been duly made in the official Log Book; and thereupon the Desertion shall, so far as relates to any Forfeiture of Wages or Emoluments under the Provisions herein-before contained, be deemed to be proved, unless the Seaman or Apprentice can produce a proper Certificate of Discharge, or can otherwise show to the Satisfaction of the Court that he had sufficient Reasons for leaving his Ship.

Costs of procuring Imprisonment may to

251. Whenever in any Proceeding relating to Seamen's Wages it is shown that any Seaman or Apprentice has in the course of the Voyage been convicted of any Offence by any competent Tribunal and

the Extent of 3*l.* be deducted from Wages.

and rightfully punished therefor by Imprisonment or otherwise, the Court hearing the Case may direct a Part of the Wages due to such Seaman, not exceeding Three Pounds, to be applied in reimbursing any Costs properly incurred by the Master in procuring such Conviction and Punishment.

Amount of Forfeiture how to be ascertained when Seamen contract for the Voyage.

252. Whenever any Seaman contracts for Wages by the Voyage or by the Run or by the Share, and not by the Month or other stated Period of Time, the Amount of Forfeiture to be incurred under this Act shall be taken to be an Amount bearing the same Proportion to the whole Wages or Share as a Calendar Month or other the Period herein-before mentioned in fixing the Amount of such Forfeiture (as the Case may be) bears to the whole Time spent in the Voyage; and if the whole Time spent in the Voyage does not exceed the Period for which the Pay is to be forfeited, the Forfeiture shall extend to the whole Wages or Share.

Application of Forfeitures.

253. All Clothes, Effects, Wages, and Emoluments which under the Provisions herein-before contained are forfeited for Desertion shall be applied in the first instance in or towards the Reimbursement of the Expenses occasioned by such Desertion to the Master or Owner of the Ship from which the Desertion has taken place; and may, if earned subsequently to the Desertion, be recovered by such Master, or by the Owner or his Agent, in the same Manner as the Deserter might have recovered the same if they had not been forfeited; and in any legal Proceeding relating to such Wages the Court may order the same to be paid accordingly; and subject to such Reimbursement the same shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom; and in all other Cases of Forfeiture of Wages under the Provisions herein-before contained the Forfeiture shall, in the Absence of any specific Directions to the contrary, be for the Benefit of the Master or Owner by whom the Wages are payable.

Questions of Forfeitures may be decided in Suits for Wages.

254. Any Question concerning the Forfeiture of or Deductions from the Wages of any Seaman or Apprentice may be determined in any Proceeding lawfully instituted with respect to such Wages, notwithstanding that the Offence in respect of which such Question arises, though hereby made punishable by Imprisonment as well as Forfeiture, has not been made the Subject of any Criminal Proceeding.

Penalty for false Statement as to last Ship or Name.

255. If any Seaman on or before being engaged wilfully and fraudulently makes a false Statement of the Name of his last Ship or last alleged Ship, or wilfully and fraudulently makes a false Statement of his own Name, he shall incur a Penalty not exceeding Five Pounds; and such Penalty may be deducted from any Wages he may earn by virtue of such Engagement as aforesaid, and shall, subject to Reimbursement of the Loss and Expenses (if any) occasioned by any previous Desertion, be paid and applied in the same Manner as other Penalties payable under this Act.

Fines to be deducted from Wages, and paid to Shipping Master.

256. Whenever any Seaman commits an Act of Misconduct for which his Agreement imposes a Fine, and which it is intended to punish by enforcing such Fine, an Entry thereof shall be made in the Official Log Book, and a Copy of such Entry shall be furnished or the same shall be read over to the Offender, and an Entry of such reading over, and of the Reply (if any) made by the Offender, shall be made, in the Manner and subject to the Conditions herein-before specified with respect to the Offences against Discipline specified in and punishable under this Act; and such Fine shall be deducted and paid over as follows; (that is to say,) if the Offender is discharged in the United Kingdom, and the Offence and such Entries in respect thereof as aforesaid are proved, in the Case of a Foreign-going Ship to the Satisfaction of the Shipping Master before whom the Offender is discharged, and in the Case of a Home Trade Ship to the Satisfaction of the Shipping Master at or nearest to the Place at which the Crew is discharged, the Master or Owner shall deduct such Fine from the Wages of the Offender, and pay the same over to such Shipping Master; and if before the final Discharge of the Crew in the United Kingdom any such Offender as aforesaid enters into any of Her Majesty's Ships, or is discharged abroad, and the Offence and such Entries as aforesaid are proved to the Satisfaction of the Officer in command of the Ship into which he so enters, or of the Consular Officer, Officer of Customs, or other Person by whose Sanction he is so discharged, the Fine shall thereupon be deducted as aforesaid, and an Entry of such Deduction shall then be made in the Official Log Book (if any) and signed by such Officer or other Person; and on the Return of the Ship to the United Kingdom the Master or Owner shall pay over such Fine, in the Case of Foreign-going Ships, to the Shipping Master before whom the Crew is discharged, and in the Case of Home Trade Ships to the Shipping Master at or nearest to the Place at which the Crew is discharged; and if any Master or Owner neglects or refuses to pay over any such Fine in manner aforesaid, he shall for each such Offence incur a Penalty not exceeding Six Times the Amount of the Fine retained by him: Provided that no Act of Misconduct for which any such Fine as aforesaid has been inflicted and paid shall be otherwise punished under the Provisions of this Act.

Penalty for enticing to desert, and harbouring Deserters.

257. Every Person who by any Means whatever persuades or attempts to persuade any Seaman or Apprentice to neglect or refuse to join or to proceed to Sea in or to desert from his Ship, or otherwise to absent himself from his Duty, shall for each such Offence in respect of each such Seaman or Apprentice incur a Penalty not exceeding Ten Pounds; and every Person who wilfully harbours or secretes any Seaman or Apprentice who has deserted from his Ship, or who has wilfully neglected or refused to join or has deserted from his Ship, knowing or having Reason to believe such Seaman or Apprentice to have so done, shall for every such Seaman or Apprentice so harboured or secreted incur a Penalty not exceeding Twenty Pounds.

258. Any

Discipline.

Penalty for obtaining Passage surreptitiously.

258. Any Person who secretes himself and goes to Sea in any Ship without the Consent of either the Owner, Consignee, or Master, or of a Mate, or of any Person in charge of such Ship, or of any other Person entitled to give such Consent, shall incur a Penalty not exceeding Twenty Pounds, or be liable to Imprisonment with or without Hard Labour for any Period not exceeding Four Weeks.

On Change of Masters, Documents hereby required to be handed over to Successor.

259. If during the Progress of a Voyage the Master is superseded or for any other Reason quits the Ship and is succeeded in the Command by some other Person, he shall deliver to his Successor the various Documents relating to the Navigation of the Ship and to the Crew thereof which are in his Custody, and shall in default incur a Penalty not exceeding One hundred Pounds; and such Successor shall immediately on assuming the Command of the Ship enter in the Official Log a List of the Documents so delivered to him.

Naval Courts.

Naval Courts on the High Seas and abroad.

Naval Courts may be summoned for hearing Complaints, and investigating Wrecks on the High Seas or abroad.

260. Any Officer in command of any Ship of Her Majesty on any Foreign Station, or, in the Absence of such Officer, any Consular Officer, may summon a Court, to be termed a "Naval Court," in the following Cases; (that is to say,)

(1.) Whenever a Complaint which appears to such Officer to require immediate Investigation is made to him by the Master of any *British* Ship, or by any certificated Mate, or by One or more of the Seamen belonging to any such Ship:

(2.) Whenever the Interest of the Owner of any *British* Ship or of the Cargo of any such Ship appears to such Officer to require it:

(3.) Whenever any *British* Ship is wrecked or abandoned or otherwise lost at or near the Place where such Officer may be, or whenever the Crew or Part of the Crew of any *British* Ship which has been wrecked, abandoned, or lost abroad, arrives at such Place.

Constitution of such Courts.

261. Every such Naval Court as aforesaid shall consist of not more than Five and not less than Three Members, of whom, if possible, One shall be an Officer in the Naval Service of Her Majesty not below the Rank of Lieutenant, One a Consular Officer, and One a Master of a *British* Merchant Ship, and the rest shall be either Officers in the Naval Service of Her Majesty, Masters of *British* Merchant Ships, or *British* Merchants; and such Court may include the Naval or Consular Officer summoning the same, but shall not include the Master or Consignee of the Ship to which the Parties complaining or complained against may belong; and the Naval or Consular Officer in such Court, if there is only One such Officer in the Court, or, if there is more than One, the Naval or Consular Officer who, according to any Regulations for settling their respective Ranks for the Time being in force, is of the highest Rank, shall be the President of such Court.

General Functions and Mode of Action of such Courts.

262. Every such Naval Court shall hear and investigate the Complaint brought before it, or the Cause of the Wreck or Abandonment, (as the Case may be,) and may for that Purpose summon and compel the Attendance of Parties and Witnesses, and administer Oaths, and order the Production of Documents, and shall conduct the Investigation in such Manner as to give any Person against whom any Charge is made an Opportunity of making a Defence.

Powers of such Courts:

263. Every such Naval Court may, after hearing the Case, exercise the following Powers; (that is to say,)

To supersede the Master:

(1.) It may, if unanimous that the Safety of the Ship or Crew, or the Interest of the Owner, absolutely requires it, supersede the Master, and may appoint another Person to act in his Stead; but no such Appointment shall be made without the Consent of the Consignee of the Ship, if then at the Place:

To discharge a Seaman:

(2.) It may discharge any Seaman from his Ship:

To forfeit Wages:

(3.) It may order the Wages of any Seaman so discharged or any Part of such Wages to be forfeited, and may direct the same either to be retained by way of Compensation to the Owner, or to be paid into the Receipt of Her Majesty's Exchequer in the same Manner as other Penalties and Forfeitures under this Act:

To decide Disputes as to Wages, &c.:

(4.) It may decide any Questions as to Wages, or Fines, or Forfeitures, arising between any of the Parties to the Proceedings:

To direct Costs of Imprisonment to be paid out of Wages:

(5.) It may direct that all or any of the Costs incurred by the Master or Owner of any Ship in procuring the Imprisonment of any Seaman or Apprentice in a Foreign Port, or in his Maintenance whilst so imprisoned, shall be paid out of and deducted from the Wages of such Seaman or Apprentice, whether then or subsequently earned:

To send home Offenders for Trial:

(6.) It may exercise the same Powers with regard to Persons charged before it with the Commission of Offences at Sea or abroad as are by this Act given to *British* Consular Officers:

To order Payment of Costs, &c.

(7.) It may order the Costs of the Proceeding before it (if any), or any Portion thereof, to be paid by any of the Parties thereto, and may order any Person making a frivolous or vexatious Complaint to pay Compensation for any Loss or Delay caused thereby; and any Cost or Compensation so ordered shall be paid by such Person accordingly, and may be recovered in the same Manner in which the Wages of Seamen are recoverable, or may, if the Case admits, be deducted from his Wages:

Naval Courts.

And all Orders duly made by any such Court under the Powers hereby given to it shall in any subsequent legal Proceedings be deemed conclusive as to the Rights of the Parties.

Orders to be entered in Official Log.

264. All Orders made by any such Naval Court shall, whenever practicable, be entered in the Official Log Book of the Ship to which the Parties to the Proceedings before it belong, and shall be signed by the President of the Court.

Report to be made of Proceedings of Naval Courts.

265. Every such Naval Court shall make a Report to the Board of Trade, containing the following Particulars; (that is to say,)

(1.) A Statement of the Proceedings, with the Order made by the Court, and a Report of the Evidence:

(2.) An Account of the Wages of any Seaman or Apprentice who is discharged from his Ship by such Court:

(3.) If summoned in order to inquire into a Case of Wreck or Abandonment, a Statement of the Opinion of the Court as to the Cause of such Wreck or Abandonment, with such Remarks on the Conduct of the Master and Crew as the Circumstances require:

And every such Report shall be signed by the President of the Court; and every Document purporting to be such a Report and to be so signed as aforesaid shall, if produced out of the Custody of some Officer of the Board of Trade, be deemed to be such Report, unless the contrary is proved, and shall be received in Evidence, subject to all just Exceptions.

Penalty for preventing Complaint or obstructing Investigation.

266. Any Person who wilfully and without due Cause prevents or obstructs the making of any such Complaint as last aforesaid, or the Conduct of any Case or Investigation by any Naval Court, shall for each such Offence incur a Penalty not exceeding Fifty Pounds, or be liable to Imprisonment with or without Hard Labour for any Period not exceeding Twelve Weeks.

Crimes committed abroad.

Crimes committed on the High Seas and abroad.

Offences committed by British Seamen at Foreign Ports to be within Admiralty Jurisdiction.

267. All Offences against Property or Person committed in or at any Place either ashore or afloat out of Her Majesty's Dominions by any Master, Seaman, or Apprentice who at the Time when the Offence is committed is or within Three Months previously has been employed in any *British* Ship shall be deemed to be Offences of the same Nature respectively, and be liable to the same Punishments respectively, and be inquired of, heard, tried, determined, and adjudged in the same Manner and by the same Courts and in the same Places as if such Offences had been committed within the Jurisdiction of the Admiralty of *England;* and the Costs and Expenses of the Prosecution of any such Offence may be directed to be paid as in the Case of Costs and Expenses of Prosecutions for Offences committed within the Jurisdiction of the Admiralty of *England.*

Conveyance of Offenders and Witnesses to United Kingdom or some British Possession.

268. The following Rules shall be observed with respect to Offences committed on the High Seas or abroad; (that is to say,)

(1.) Whenever any Complaint is made to any *British* Consular Officer of any of the Offences mentioned in the last preceding Section, or of any Offence on the High Seas having been committed by any Master, Seaman, or Apprentice belonging to any *British* Ship, such Consular Officer may inquire into the Case upon Oath, and may if the Case so requires take any Steps in his Power for the Purpose of placing the Offender under necessary Restraint and of sending him as soon as practicable in safe Custody to the United Kingdom, or to any *British* Possession in which there is a Court capable of taking cognizance of the Offence, in any Ship belonging to Her Majesty or to any of Her Subjects, to be there proceeded against according to Law:

(2.) For the Purpose aforesaid such Consular Officer may order the Master of any Ship belonging to any Subject of Her Majesty bound to the United Kingdom or to such *British* Possession as aforesaid to receive and afford a Passage and Subsistence during the Voyage to any such Offender as aforesaid, and to the Witnesses, so that such Master be not required to receive more than One Offender for every One hundred Tons of his Ship's registered Tonnage, or more than One Witness for every Fifty Tons of such Tonnage; and such Consular Officer shall indorse upon the Agreement of the Ship such Particulars with respect to any Offenders or Witnesses sent in her as the Board of Trade requires:

(3.) Every such Master shall on his Ship's Arrival in the United Kingdom, or in such *British* Possession as aforesaid, give every Offender so committed to his Charge into the Custody of some Police Officer or Constable, who shall take the Offender before a Justice of the Peace or other Magistrate by Law empowered to deal with the Matter, and such Justice or Magistrate shall deal with the Matter as in Cases of Offences committed upon the High Seas:

And any such Master as aforesaid who, when required by any *British* Consular Officer to receive and afford a Passage and Subsistence to any Offender or Witness, does not receive him and afford such Passage and Subsistence to him, or who does not deliver any Offender committed to his Charge into the Custody of some Police Officer or Constable as herein-before directed, shall for each such Offence incur a Penalty not exceeding Fifty Pounds; and the Expense of imprisoning any such Offender and of conveying him and the Witnesses to the United Kingdom or to such *British* Possession as aforesaid in any Manner other than in the Ship to which they respectively belong, shall be Part of the Costs of the Prosecution, or be paid as Costs incurred on account of seafaring Subjects of Her Majesty left in Distress in Foreign Parts.

269. Whenever

Crimes committed abroad.

Inquiry into Cause of Death on board.

269. Whenever any Case of Death happens on board any Foreign-going Ship, the Shipping Master shall on the Arrival of such Ship at the Port where the Crew is discharged inquire into the Cause of such Death, and shall make on the List of the Crew delivered to him as herein required an Indorsement to the Effect either that the Statement of the Cause of Death therein contained is in his Opinion true or otherwise, as the Result of the Inquiry requires; and every such Shipping Master shall for the Purpose of such Inquiry have the Powers hereby given to Inspectors appointed by the Board of Trade under the First Part of this Act; and if in the course of such Inquiry it appears to him that any such Death as aforesaid has been caused by Violence or other improper Means, he shall either report the Matter to the Board of Trade, or, if the Emergency of the Case so requires, shall take immediate Steps for bringing the Offender or Offenders to Justice.

Depositions to be received in Evidence when Witness cannot be produced.

270. Whenever in the course of any legal Proceedings instituted in any Part of Her Majesty's Dominions before any Judge or Magistrate, or before any Person authorized by Law or by Consent of Parties to receive Evidence, the Testimony of any Witness is required in relation to the Subject Matter of such Proceeding, then upon due Proof, if such Proceeding is instituted in the United Kingdom, that such Witness cannot be found in that Kingdom, or if in any *British* Possession, that he cannot be found in the same Possession, any Deposition that such Witness may have previously made on Oath in relation to the same Subject Matter before any Justice or Magistrate in Her Majesty's Dominions, or any *British* Consular Officer elsewhere, shall be admissible in Evidence subject to the following Restrictions; (that is to say,)

(1.) If such Deposition was made in the United Kingdom, it shall not be admissible in any Proceeding instituted in the United Kingdom:

(2.) If such a Deposition was made in any *British* Possession, it shall not be admissible in any Proceeding instituted in the same *British* Possession:

(3.) If the Proceeding is Criminal it shall not be admissible unless it was made in the Presence of the Person accused:

Every Deposition so made as aforesaid shall be authenticated by the Signature of the Judge, Magistrate, or Consular Officer, before whom the same is made; and such Judge, Magistrate, or Consular Officer shall, when the same is taken in a Criminal Matter, certify, if the Fact is so, and that the accused was present at the taking thereof, but it shall not be necessary in any Case to prove the Signature or official Character of the Person appearing to have signed any such Deposition; and in any Criminal Proceeding such Certificate as aforesaid shall, unless the contrary is proved, be sufficient Evidence of the accused having been present in manner thereby certified; but nothing herein contained shall affect any Case in which Depositions taken in any Proceeding are rendered admissible in Evidence by any Act of Parliament, or by any Act or Ordinance of the Legislature of any Colony, so far as regards such Colony, or to interfere with the Power of any Colonial Legislature to make such Depositions admissible in Evidence, or to interfere with the Practice of any Court in which Depositions not authenticated as herein-before mentioned are admissible.

Registration of and Returns respecting Seamen.

Registration and Returns respecting Seamen.

Establishment of Register Office.

271. There shall be in the Port of *London* an Office, to be called the "General Register and Record Office of Seamen," and the Board of Trade shall have Control over the same, and may appoint and from Time to Time remove a Registrar General, and such Assistants, Clerks, and Servants as may be necessary, and may from Time to Time, with the Consent of the Treasury, regulate their Salaries and Allowances; and such Salaries and Allowances, and all other necessary Expenses, shall be paid by the Treasury out of any Monies to be granted by Parliament for that Purpose; and the Board of Trade may direct the Business of the Register Office at any of the Outports to be transacted at the Shipping Office, or with the Consent of the Commissioners of Customs, at the Custom House of the Port, and may appoint the Shipping Master, or, with such Consent as aforesaid, some Officer of Customs, to conduct the same; and such Business shall thereupon be conducted accordingly, but shall in all Cases be subject to the immediate Control of the Board of Trade.

Register of Seamen to be kept.

272. The said Registrar General of Seamen shall by means of the Agreements, Lists, and other Papers to be transmitted to him as herein directed, or by such other Means as are in his Power, keep a Register of all Persons who serve in Ships subject to the Provisions of this Act.

Lists to be made for all Ships, containing certain Particulars.

273. Every Master of every Foreign-going Ship of which the Crew is discharged in the United Kingdom, in whatever Part of Her Majesty's Dominions the same is registered, and of every Home Trade Ship, shall make out and sign a List in a Form sanctioned by the Board of Trade, containing the following Particulars; (that is to say,)

(1.) The Number and Date of the Ship's Register and her registered Tonnage:

(2.) The Length and general Nature of the Voyage or Employment:

(3.) The Christian Names, Surnames, Ages, and Places of Birth of all the Crew, including the Master and Apprentices; their Qualities on board, their last Ships or other Employments, and the Dates and Places of their joining the Ship:

(4.) The Names of any Members of the Crew who have died or otherwise ceased to belong to the Ship, with the Times, Places, Causes, and Circumstances thereof:

(5.) The

Registration and Returns respecting Seamen.

(5.) The Names of any Members of the Crew who have been maimed or hurt, with the Times, Places, Causes, and Circumstances thereof:

(6.) The Wages due to any of the Crew who have died, at the Times of their respective Deaths:

(7.) The Clothes and other Effects belonging to any of the Crew who have died, with a Statement of the Manner in which they have been dealt with, and the Money for which any of them have been sold:

(8.) The Name, Age, and Sex of every Person, not being one of the Crew, who dies on board, with the Date and the Cause thereof:

(9.) Every Birth which happens on board, with the Date thereof, the Sex of the Infant, and the Names of the Parents:

(10.) Every Marriage which takes place on board, with the Date thereof, and the Names and Ages of the Parties.

Lists for Foreign-going Ships to be delivered to Shipping Master on Arrival.

274. In the Case of Foreign-going Ships, the Master shall, within Forty-eight Hours after the Ship's Arrival at her final Port of Destination in the United Kingdom, or upon the Discharge of the Crew, whichever first happens, deliver to the Shipping Master before whom the Crew is discharged such List as herein-before required, and if he fails so to do shall for every Default incur a Penalty not exceeding Five Pounds; and such Shipping Master shall thereupon give to the Master a Certificate of such Delivery; and no Officer of Customs shall clear Inwards any Foreign-going Ship without the Production of such Certificate, and any such Officer may detain any such Ship until the same is produced.

Lists to be delivered by Home Trade Ships half-yearly.

275. The Master or Owner of every Home Trade Ship shall, within Twenty-one Days after the Thirtieth Day of *June* and the Thirty-first Day of *December* in every Year, transmit or deliver to some Shipping Master in the United Kingdom such List as herein-before required for the preceding Half Year, and shall in default incur a Penalty not exceeding Five Pounds; and such Shipping Master shall give to the Master or Owner a Certificate of such Transmission or Delivery; and no Officer of Customs shall grant a Clearance or Transire for any Home Trade Ship without the Production of such Certificate, and any such Officer may detain any such Ship until the same is produced.

Lists to be sent home in case of Transfer of Ship and in case of Loss.

276. If any Ship ceases by reason of Transfer of Ownership or Change of Employment to fall within the Definition of a Foreign-going or of a Home Trade Ship, the Master or Owner thereof shall, if such Ship is then in the United Kingdom, within One Month, and if she is elsewhere, within Six Months, deliver or transmit to the Shipping Master at the Port to which the Ship has belonged such List as herein-before mentioned, duly made out to the Time at which she ceased to be a Foreign-going or Home Trade Ship, and in default shall for each Offence incur a Penalty not exceeding Ten Pounds; and if any Ship is lost or abandoned, the Master or Owner thereof shall, if practicable, and as soon as possible, deliver or transmit to the Shipping Master at the Port to which the Ship belonged such List as herein-before mentioned duly made out to the Time of such Loss or Abandonment, and in default shall for each Offence incur a Penalty not exceeding Ten Pounds.

Shipping Masters and other Officers to transmit Documents to Registrar.

Registrar to permit Inspection, to produce Originals, and give Copies.

277. All Shipping Masters and Officers of Customs shall take charge of all Documents which are delivered or transmitted to or retained by them in pursuance of this Act, and shall keep them for such Time (if any) as may be necessary for the Purpose of settling any Business arising at the Place where such Documents come into their Hands, or for any other proper Purpose, and shall, if required, produce them for any of such Purposes, and shall then transmit them to the Registrar General of Seamen, to be by him recorded and preserved; and the said Registrar shall, on Payment of a moderate Fee to be fixed by the Board of Trade, or without Payment of any Fee if the Board of Trade so directs, allow any Person to inspect the same; and in Cases in which the Production of the Original of any such Document in any Court of Justice or elsewhere is essential, shall produce the same, and in other Cases shall make and deliver to any Person requiring it a certified Copy of any such Document or of any Part thereof; and every Copy purporting to be so made and certified shall be received in Evidence, and shall have all the Effect of the Original of which it purports to be a Copy.

Officers of Customs to make Returns to Registrar.

278. The Collector or Comptroller of Customs at every Port in the United Kingdom shall on or before the First Day of *February* and the First Day of *August* in every Year transmit to the Registrar General of Seamen a List of all Ships registered in such Port, and also of all Ships whose Registers have been transferred or cancelled in such Port since the last preceding Return.

Agreements, Indentures, and Assignments, on Arrival at a Foreign Port to be deposited with the Consul, and at a Colony with the Officers of Customs.

279. The following Rules shall be observed with respect to the Delivery of Documents to *British* Consular Officers; (that is to say,)

(1.) Whenever any Ship, in whatever Part of Her Majesty's Dominions the same is registered, (except Ships whose Business for the Time being is to carry Passengers,) arrives at any Foreign Port where there is a *British* Consular Officer, or at any Port in any *British* Possession abroad, and remains thereat for Forty-eight Hours, the Master shall, within Forty-eight Hours of the Ship's Arrival, deliver to such Consular Officer, or to the Chief Officer of Customs, (as the Case may be,) the Agreement with the Crew, and also all Indentures and Assignments of Apprenticeships, or, in the Case of a Ship belonging to a *British* Possession, such of the said Documents as such Ship is provided with:

(2.) Such Officer shall keep such Documents during the Ship's Stay in such Port, and, in Cases where any Indorsements upon the Agreement are hereby required, shall duly make the same, and shall return

Registration and Returns respecting Seamen.

return the said Documents to the Master a reasonable Time before his Departure, with a Certificate indorsed on the Agreement, stating when the same were respectively delivered and returned:

(3.) If it appears that the required Forms have been neglected, or that the existing Laws have been transgressed, such Officer shall make an Indorsement to that Effect on the Agreement, and forthwith transmit a Copy of such Indorsement, with the fullest Information he can collect regarding such Neglect or Transgression, to the Registrar General of Seamen:

And if any Master fails to deliver any such Document as aforesaid he shall for every such Default incur a Penalty not exceeding Twenty Pounds; and in any Prosecution for such Penalty it shall lie upon the Master either to produce the Certificate of the Consular Officer or Officer of Customs herein-before required, or to prove that he duly obtained the same, or that it was impracticable for him so to do.

Official Logs.

Official Logs.

Official Logs to be kept in Forms sanctioned by Board of Trade.

280. The Board of Trade shall sanction Forms of Official Log Books, which may be different for different Classes of Ships, so that each such Form contains Blanks for the Entries herein-after required; and an Official Log of every Ship (except Ships employed exclusively in trading between Ports on the Coasts of the United Kingdom) shall be kept in the appropriate sanctioned Form; and such Official Log may, at the Discretion of the Master or Owner, either be kept distinct from the ordinary Ship's Log or united therewith, so that in all Cases all the Blanks in the Official Log be duly filled up.

Entries to be made in due Time.

281. Every Entry in every Official Log shall be made as soon as possible after the Occurrence to which it relates, and if not made on the same Day as the Occurrence to which it relates, shall be made and dated so as to show the Date of the Occurrence and of the Entry respecting it; and in no Case shall any Entry therein in respect of any Occurrence happening previously to the Arrival of the Ship at her final Port of Discharge be made more than Twenty-four Hours after such Arrival.

Entries required in Official Log.

282. Every Master of a Ship for which an Official Log Book is hereby required shall make or cause to be made therein Entries of the following Matters; (that is to say,)

(1.) Every legal Conviction of any Member of his Crew, and the Punishment inflicted: — Convictions.

(2.) Every Offence committed by any Member of his Crew for which it is intended to prosecute, or to enforce a Forfeiture, or to exact a Fine, together with such Statement concerning the reading over such Entry, and concerning the Reply (if any) made to the Charge, as herein-before required: — Offences.

(3.) Every Offence for which Punishment is inflicted on board, and the Punishment inflicted: — Punishments.

(4.) A Statement of the Conduct, Character, and Qualifications of each of his Crew, or a Statement that he declines to give an Opinion on such Particulars: — Conduct, &c., of Crew.

(5.) Every Case of Illness or Injury happening to any Member of the Crew, with the Nature thereof, and the Medical Treatment adopted (if any): — Illnesses and Injuries.

(6.) Every Case of Death happening on board, and of the Cause thereof: — Deaths.

(7.) Every Birth happening on board, with the Sex of the Infant and the Names of the Parents: — Births.

(8.) Every Marriage taking place on board, with the Names and Ages of the Parties: — Marriages.

(9.) The Name of every Seaman or Apprentice who ceases to be a Member of the Crew, otherwise than by Death, with the Place, Time, Manner, and Cause thereof: — Quitting Ship.

(10.) The Amount of Wages due to any Seaman who enters Her Majesty's Service during the Voyage: — Wages of Men entering Navy.

(11.) The Wages due to any Seaman or Apprentice who dies during the Voyage, and the gross Amount of all Deductions to be made therefrom: — Wages of deceased Seamen.

(12.) The Sale of the Effects of any Seaman or Apprentice who dies during the Voyage, including a Statement of each Article sold, and of the Sum received for it: — Sale of their Effects.

(13.) Every Collision with any other Ship, and the Circumstances under which the same occurred. — Collisions.

Entries how to be signed.

283. The Entries hereby required to be made in Official Log Books shall be signed as follows; that is to say, every such Entry shall be signed by the Master and by the Mate or some other of the Crew, and every Entry of Illness, Injury, or Death shall be also signed by the Surgeon or Medical Practitioner on board (if any); and every Entry of Wages due to or of the Sale of the Effects of any Seaman or Apprentice who dies shall be signed by the Master and by the Mate and some other Member of the Crew; and every Entry of Wages due to any Seaman who enters Her Majesty's Service shall be signed by the Master, and by the Seaman or by the Officer authorized to receive the Seaman into such Service.

Penalties in respect of Official Logs.

284. The following Offences in respect of Official Log Books shall be punishable as herein-after mentioned; (that is to say,)

(1.) If in any Case an Official Log Book is not kept in the Manner hereby required, or if any Entry hereby directed to be made in any such Log Book is not made at the Time and in the Manner hereby directed, the Master shall for each such Offence incur the specific Penalty herein mentioned in respect thereof, or where there is no such specific Penalty, a Penalty not exceeding Five Pounds:

Official Logs.

(2.) Every Person who makes or procures to be made or assists in making any Entry in any Official Log Book in respect of any Occurrence happening previously to the Arrival of the Ship at her final Port of Discharge more than Twenty-four Hours after such Arrival, shall for each such Offence incur a Penalty not exceeding Thirty Pounds:

(3.) Every Person who wilfully destroys or mutilates or renders illegible any Entry in any Official Log Book, or who wilfully makes or procures to be made or assists in making any false or fraudulent Entry or Omission in any such Log Book, shall for each such Offence be deemed guilty of a Misdemeanor.

Entries in Official Logs to be received in Evidence.

285. All Entries made in any Official Log Book as herein-before directed shall be received in Evidence in any Proceeding in any Court of Justice, subject to all just Exceptions.

Official Logs to be delivered to Shipping Master.

286. In the Case of Foreign-going Ships the Master shall, within Forty-eight Hours after the Ship's Arrival at her final Port of Destination in the United Kingdom, or upon the Discharge of the Crew, whichever first happens, deliver to the Shipping Master before whom the Crew is discharged the Official Log Book of the Voyage; and the Master or Owner of every Home Trade Ship, not exclusively employed in trading between Ports on the Coasts in the United Kingdom, shall within Twenty-one Days after the Thirtieth Day of *June* and the Thirty-first Day of *December* in every Year transmit or deliver to some Shipping Master in the United Kingdom the Official Log Book for the preceding Half Year; and every Master or Owner who refuses or neglects to deliver his Official Log Book as hereby required shall be subject to the same Consequences and Liabilities to which he is hereby made subject for the Non-delivery of the List of his Crew herein-before mentioned.

Official Logs to be sent home in case of Transfer of Ship, and in case of Loss.

287. If any Ship ceases by reason of Transfer of Ownership or Change of Employment to fall within the Definition of a Foreign-going or of a Home Trade Ship, the Master or Owner thereof shall if such Ship is then in the United Kingdom, within One Month, and if she is elsewhere, within Six Months, deliver or transmit to the Shipping Master at the Port to which the Ship belonged the Official Log Book (if any) duly made out to the Time at which she ceased to be a Foreign-going or Home Trade Ship, and in default shall for each Offence incur a Penalty not exceeding Ten Pounds; and if any Ship is lost or abandoned, the Master or Owner thereof shall, if practicable, and as soon as possible, deliver or transmit to the Shipping Master at the Port to which the Ship belonged the Official Log Book (if any) duly made out to the Time of such Loss or Abandonment, and in default shall for each Offence incur a Penalty not exceeding Ten Pounds.

East Indies and Colonies.

East Indies and Colonies.

Provisions of Act, as applied by East Indian and Colonial Governments to their own Ships, may be enforced throughout the Empire.

288. If the Governor General of *India* in Council, or the respective Legislative Authorities in any *British* Possession abroad, by any Acts, Ordinances, or other appropriate legal Means, apply or adapt any of the Provisions in the Third Part of this Act contained to any *British* Ships registered at, trading with, or being at any Place within their respective Jurisdictions, and to the Owners, Masters, Mates, and Crews thereof, such Provisions, when so applied and adapted as aforesaid, and as long as they remain in force, shall in respect of the Ships and Persons to which the same are applied be enforced, and Penalties and Punishments for the Breach thereof shall be recovered and inflicted, throughout Her Majesty's Dominions, in the same Manner as if such Provisions had been hereby so adopted and applied, and such Penalties and Punishments had been hereby expressly imposed.

East Indian and Colonial Acts to be subject to Disallowance, and require Sanction as in other Cases.

289. Every Act, Ordinance, or other Form of Law to be passed or promulgated by the Governor General of *India* in Council, or by any other Legislative Authority, in pursuance of this Act, shall respectively be subject to the same Right of Disallowance or Repeal, and require the same Sanction or other Acts and Formalities, and be subject to the same Conditions in all respects, as exist and are required in order to the Validity of any other Act, Ordinance, or other Form of Law passed by such Governor General in Council or other Legislative Authority respectively.

Conflict of Laws.

290. If in any Matter relating to any Ship or to any Person belonging to any Ship there appears to be a Conflict of Laws, then, if there is in the Third Part of this Act any Provision on the Subject which is hereby expressly made to extend to such Ship, the Case shall be governed by such Provision, and if there is no such Provision the Case shall be governed by the Law of the Place in which such Ship is registered.

PART IV.

SAFETY AND PREVENTION OF ACCIDENTS.

Application.

Application.

Application of Part IV. of Act.

291. The Fourth Part of this Act shall apply to all *British* Ships; and all Foreign Steam Ships carrying Passengers between Places in the United Kingdom shall be subject to all the Provisions contained in the Fourth Part of this Act, and likewise to the same Provisions with respect to the Certificates of the Masters and Mates thereof to which *British* Steam Ships are subject.

Boats

Boats for Sea-going Ships.

Boats for Sea-going Ships.

292. The following Rules shall be observed with respect to Boats and Life Buoys; (that is to say,)

Rules as to Boats and Life Buoys.

(1.) No decked Ship (except Ships used solely as Steam Tugs and Ships engaged in the Whale Fishery) shall proceed to Sea from any Place in the United Kingdom, unless she is provided, according to her Tonnage, with Boats duly supplied with all Requisites for Use, and not being fewer in Number nor less in their Cubic Contents than the Boats the Number and Cubic Contents of which are specified in the Table marked S. in the Schedule hereto for the Class to which such Ship belongs:

(2.) No Ship carrying more than Ten Passengers shall proceed to Sea from any Place in the United Kingdom, unless, in addition to the Boats herein-before required, she is also provided with a Life Boat furnished with all Requisites for Use, or unless One of her Boats herein-before required is rendered buoyant after the Manner of a Life Boat:

(3.) No such Ship as last aforesaid shall proceed to Sea unless she is also provided with Two Life Buoys:

And such Boats and Life Buoys shall be kept so as to be at all Times fit and ready for Use: Provided, that the Enactments with respect to Boats and Life Buoys herein contained shall not apply in any Case in which a Certificate has been duly obtained under the Tenth Section of the "Passengers Act, 1852."

15 & 16 Vict. c. 44. s. 10.

293. In any of the following Cases, (that is to say,)

Penalties on Masters and Owners, &c. neglecting to provide Boats and Life Buoys.

(1.) If any Ship herein-before required to be provided with Boats or Life Buoys proceeds to Sea without being so provided therewith, or if any of such Boats or Life Buoys are lost or rendered unfit for Service in the course of the Voyage through the wilful Fault or Negligence of the Owner or Master; or,

(2.) If, in case of any of such Boats or Life Buoys being accidentally lost or injured in the course of the Voyage, the Master wilfully neglects to replace or repair the same on the first Opportunity; or,

(3.) If such Boats and Life Buoys are not kept so as to be at all Times fit and ready for Use;

Then if the Owner appears to be in fault he shall incur a Penalty not exceeding One hundred Pounds, and if the Master appears to be in fault he shall incur a Penalty not exceeding Fifty Pounds.

294. No Officer of Customs shall grant a Clearance or Transire for any Ship herein-before required to be provided with Boats or with Life Buoys unless the same is duly so provided; and if any such Ship attempts to go to Sea without such Clearance or Transire any such Officer may detain her until she is so provided.

Ships not cleared.

Lights and Fog Signals, and Meeting and Passing.

Rules as to Lights, Meeting and Passing.

295. The following Rules shall be observed with regard to Lights and Fog Signals; (that is to say,)

Regulations as to Lights and Fog Signals.

(1.) The Admiralty shall from Time to Time make Regulations requiring the Exhibition of such Lights, by such Classes of Ships, whether Steam or Sailing Ships, within such Places and under such Circumstances as they think fit, and may from Time to Time revoke, alter, or vary the same:

(2.) The Admiralty may, if they think fit, make Regulations requiring the Use of such Fog Signals, by such Classes of Ships, whether Steam or Sailing Ships, within such Places and under such Circumstances as they think fit, and may from Time to Time revoke, alter, or vary the same:

(3.) All Regulations made in pursuance of this Section shall be published in the *London Gazette*, and shall come into operation on a Day to be named in the Gazette in which they are published, and the Admiralty shall cause all such Regulations to be printed, and shall furnish a Copy thereof to any Owner or Master of a Ship who applies for the same, and Production of the Gazette containing such Regulations shall be sufficient Evidence of the due making and purport thereof:

(4.) All Owners and Masters shall be bound to take notice of the same, and shall, so long as the same continue in force, exhibit such Lights, and use such Fog Signals, at such Times, within such Places, in such Manner, and under such Circumstances as are enjoined by such Regulations, and shall not exhibit any other Lights or use any other Fog Signals, and in case of Default the Master, or the Owner of the Ship, if it appears that he was in fault, shall for each Occasion upon which such Regulations are infringed incur a Penalty not exceeding Twenty Pounds.

296. Whenever any Ship, whether a Steam or Sailing Ship, proceeding in one Direction, meets another Ship, whether a Steam or Sailing Ship, proceeding in another Direction, so that if both Ships were to continue their respective Courses they would pass so near as to involve any Risk of a Collision, the Helms of both Ships shall be put to Port so as to pass on the Port Side of each other; and this Rule shall be obeyed by all Steam Ships and by all Sailing Ships whether on the Port or Starboard Tack, and whether close-hauled or not, unless the Circumstances of the Case are such as to render a Departure from the Rule necessary in order to avoid immediate Danger, and subject also to the Proviso that due Regard shall be had to the Dangers of Navigation, and, as regards Sailing Ships on the Starboard Tack close-hauled, to the keeping such Ships under Command.

Rule as to Ships meeting each other.

297. Every

Rule for Steamers in narrow Channels.

297. Every Steam Ship, when navigating any narrow Channel, shall, whenever it is safe and practicable, keep to that Side of the Fair-way or Mid-channel which lies on the Starboard Side of such Steam Ship.

If Collision ensues from Breach of the above Rules, Owner not to be entitled to recover.

298. If in any Case of Collision it appears to the Court before which the Case is tried that such Collision was occasioned by the Non-observance of any Rule for the Exhibition of Lights or the Use of Fog Signals issued in pursuance of the Powers herein-before contained, or of the foregoing Rule as to the passing of Steam and Sailing Ships, or of the foregoing Rule as to a Steam Ship keeping to that Side of a narrow Channel which lies on the Starboard Side, the Owner of the Ship by which such Rule has been infringed shall not be entitled to recover any Recompence whatever for any Damage sustained by such Ship in such Collision, unless it is shown to the Satisfaction of the Court that the Circumstances of the Case made a Departure from the Rule necessary.

Breaches of such Rules to imply wilful Default.

299. In case any Damage to Person or Property arises from the Non-observance by any Ship of any of the said Rules, such Damage shall be deemed to have been occasioned by the wilful Default of the Person in charge of the Deck of such Ship at the Time, unless it is shown to the Satisfaction of the Court that the Circumstances of the Case made a Departure from the Rule necessary.

Build and Equipment of Steam Ships.

Build and Equipment of Steam Ships.

300. The following Rules shall be observed with respect to the Build of Iron Steam Ships; (that is to say,)

Iron Steamers to be divided by Water-tight Partitions.

(1.) Every Steam Ship built of Iron, of One hundred Tons or upwards, the building of which commenced after the Twenty-eighth Day of *August* One thousand eight hundred and forty-six, and every Steam Ship built of Iron of less Burden than One hundred Tons the building of which commenced after the Seventh Day of *August* One thousand eight hundred and fifty-one, (except Ships used solely as Steam Tugs,) shall be divided by substantial transverse Water-tight Partitions, so that the Fore Part of the Ship shall be separated from the Engine Room by one of such Partitions, and so that the After Part of such Ship shall be separated from the Engine Room by another of such Partitions:

(2.) Every Steam Ship built of Iron the building of which commences after the passing of this Act, shall be divided by such Partitions as aforesaid into not less than Three equal Parts, or as nearly so as Circumstances permit:

(3.) In such last-mentioned Ships each such Partition as aforesaid shall be of equal Strength with the Side Plates of the Ship with which it is in contact:

(4.) Every Screw Steam Ship built of Iron, the building of which commences after the passing of this Act, shall, in addition to the above Partitions, be fitted with a small Water-tight Compartment inclosing the After-extremity of the Shaft:

Officers of Customs not to grant Certificates except so divided.

And no Officer of Customs or other Person shall grant a Clearance or Transire for any Iron Steam Ship required to be divided or fitted as aforesaid, unless the same is so divided and fitted; and if any such Ship attempts to ply or go to Sea without such Clearance or Transire, any such Officer may detain her until she is so divided and fitted; and if any Steam Ship herein-before required to be so divided or fitted plies or goes to Sea without being so divided or fitted, the Owner shall incur a Penalty not exceeding One hundred Pounds.

Equipment of Steam Ships. Safety Valve.

301. Steam Ships shall be provided as follows; (that is to say,)

(1.) Every Steam Ship of which a Survey is hereby required shall be provided with a Safety Valve upon each Boiler, so constructed as to be out of the Control of the Engineer when the Steam is up, and, if such Valve is in addition to the ordinary Valve, it shall be so constructed as to have an Area not less and a Pressure not greater than the Area of and Pressure on that Valve:

Compasses to be adjusted.

(2.) Every Sea-going Steam Ship employed to carry Passengers shall have her Compasses properly adjusted from Time to Time; such Adjustment, in the Case of Ships surveyed as herein-after mentioned, to be made to the Satisfaction of the Shipwright Surveyor, and according to such Regulations as may be issued by the Board of Trade:

Fire Hose.

(3.) Every Sea-going Steam Ship (unless used solely as a Steam Tug) shall be provided with a Hose adapted for the Purpose of extinguishing Fire in any Part of the Ship and capable of being connected with the Engines of the Ship:

Signals.

(4.) Every Sea-going Steam Ship employed to carry Passengers shall be provided with the following Means of making Signals of Distress; (that is to say,) Twelve Blue Lights or Twelve Port Fires, and One Cannon with Ammunition for at least Twelve Charges, or, in the Discretion of the Master or Owner of such Ship, with such other Means of making Signals (if any) as may have previously been approved by the Board of Trade:

Shelter for Deck Passengers.

(5.) Every Home Trade Steam Ship employed to carry Passengers by Sea shall be provided with such Shelter for the Protection of Deck Passengers (if any) as the Board of Trade, having regard to the Nature of the Passage, the Number of Deck Passengers to be carried, the Season of the Year, the Safety of the Ship, and the Circumstances of the Case, may require:

Build and Equipment of Steam Ships.

And if any Steam Ship as aforesaid plies or goes to Sea from any Port in the United Kingdom without being so provided as herein-before required, then for each Default in any of the above Requisites the Owner shall (if he appears to be in fault) incur a Penalty not exceeding One hundred Pounds, and the Master shall (if he appears to be in fault) incur a Penalty not exceeding Fifty Pounds.

Penalty for improper Weight on Safety Valve.

302. If any Person places an undue Weight on the Safety Valve of any Steam Ship, or, in the Case of Steam Ships surveyed as herein-after mentioned, increases such Weight beyond the Limits fixed by such Engineer Surveyor as herein-after mentioned, he shall, in addition to any other Liabilities he may incur by so doing, incur a Penalty not exceeding One hundred Pounds.

Survey of Passenger Steamers.

Survey of Passenger Steamers.

303. For the Purpose of the Enactments herein contained with respect to Surveys and Certificates of Passenger Steam Ships, the Word "Passengers" shall be held to include any Persons carried in a Steam Ship, other than the Master and Crew and the Owner, his Family and Servants; and the Expression "Passenger Steamer" shall be held to include every *British* Steam Ship carrying Passengers to, from, or between any Place or Places in the United Kingdom, excepting Steam Ferry Boats working in Chains, commonly called Steam Bridges.

Definition of Passenger Steamer.

Passenger Steamers to be surveyed.

304. Every Passenger Steamer shall be surveyed twice at the least in each Year in manner herein-after mentioned.

Board of Trade to appoint Surveyors, and fix their Remuneration.

305. The Board of Trade may from Time to Time appoint such Number of fit and proper Persons to be Shipwright Surveyors and Engineer Surveyors for the Purposes of this Act at such Ports or Places as it thinks proper, and may also appoint a Surveyor General for the United Kingdom, and may from Time to Time remove such Surveyors or any of them, and may from Time to Time fix and alter the Rates of Remuneration to be received by such Surveyors.

Surveyors to have Power to inspect.

306. It shall be lawful for the said Surveyors in the Execution of their Duties to go on board any Steam Ship at all reasonable Times, and to inspect the same or any Part thereof, or any of the Machinery, Boats, Equipments, or Articles on board thereof, or any Certificates of the Master or Mate to which the Provisions of this Act or any of the Regulations to be made by virtue thereof apply, not unnecessarily detaining or delaying the Ship from proceeding on any Voyage, and, if in consequence of any Accident to any such Ship or for any other Reason they consider it necessary so to do, to require the Ship to be taken into Dock for the Purpose of surveying the Hull thereof; and any Person who hinders any such Surveyor from going on board any such Steam Ship, or otherwise impedes him in the Execution of his Duty under this Act, shall incur a Penalty not exceeding Five Pounds.

Board of Trade to regulate Mode of making Surveys.

307. The said Surveyors shall execute their Duties under the Direction of the Board of Trade, and such Board shall make Regulations as to the Manner in which the Surveys herein-after mentioned shall be made, and as to the Notice to be given to the Surveyors when Surveys are required, and as to the Amount and Payment of any travelling or other Expenses incurred by such Surveyors in the Execution of their Duties, and may thereby determine the Persons by whom and the Conditions under which such Payment shall be made.

Penalty on Surveyors receiving Fees unlawfully.

308. Every Surveyor who demands or receives directly or indirectly from the Owner or Master of any Ship surveyed by him under the Provisions of this Act any Fee or Remuneration whatsoever for or in respect of such Survey, otherwise than as the Officer and by the Direction of the Board of Trade, shall incur a Penalty not exceeding Fifty Pounds.

Owners to have Surveys made by Shipwright and Engineer Surveyors, and Surveyors to give Declarations.

309. The Owner of every Passenger Steamer shall cause the same to be surveyed at the Times herein-after directed by One of the said Shipwright Surveyors and by One of the said Engineer Surveyors so appointed as aforesaid; such Shipwright Surveyor being, in the Case of Iron Steamers, a Person who is in the Judgment of the Board of Trade properly qualified to survey such Ships; and such Surveyors shall thereupon, if satisfied that they can with Propriety do so, give to such Owner Declarations as follows:

The Declaration of the Shipwright Surveyor shall contain Statements of the following Particulars; (that is to say,)

(1.) That the Hull of the Ship is sufficient for the Service intended and in good Condition:

(2.) That the Partitions, Boats, Life Buoys, Lights, Signals, Compasses, and Shelter for Deck Passengers, and the Certificates of the Master and Mate or Mates, are such, and in such Condition, as required by this Act:

(3.) The Time (if less than Six Months) for which the said Hull and Equipments will be sufficient:

(4.) The Limits (if any) beyond which, as regards the Hull and Equipments, the Ship is in the Surveyor's Judgment not fit to ply:

(5.) The Number of Passengers which the Ship is in the Judgment of the Surveyor fit to carry, distinguishing, if necessary, between the respective Numbers to be carried on the Deck and in the Cabins, and in different Parts of the Deck and Cabins; such Numbers to be subject to such Conditions and Variations, according to the Time of Year, the Nature of the Voyage, the Cargo carried, or other Circumstances, as the Case requires:

And

Survey of Passenger Steamers.

And the Declaration of the Engineer Surveyor shall contain Statements of the following Particulars; (that is to say,)

(1.) That the Machinery of the Ship is sufficient for the Service intended, and in good Condition:

(2.) The Time (if less than Six Months) for which such Machinery will be sufficient:

(3.) That the Safety Valves and Fire Hose are such and in such Condition as are required by this Act:

(4.) The Limits of the Weight to be placed on the Safety Valves:

(5.) The Limits (if any) beyond which, as regards the Machinery, the Ship is in the Surveyor's Judgment not fit to ply:

And such Declarations shall be in such Form as the Board of Trade directs.

Transmission of Declarations to Board of Trade. Penalty for Delay.

310. The said Owner shall transmit such Declarations to the Board of Trade within Fourteen Days after the Dates of the Receipt thereof respectively; and in default shall forfeit a Sum not exceeding Ten Shillings for every Day that the sending of such Declarations is delayed; and such Sum shall be paid upon the Delivery of the Certificate herein-after mentioned, in addition to the Fee payable for the same, and shall be applied in the same Manner as such Fees.

Times appointed for Surveys and Transmission of Declarations.

311. In all Cases where it is possible, the said half-yearly Surveys shall be made in the Months of *April* and of *October*, and the Declarations shall be transmitted on or before the Thirtieth Day of *April* and the Thirty-first Day of *October* respectively; but if the Owner of any Passenger Steamer is unable to have the same surveyed in the Month of *April* or *October* (as the Case may be), either by reason of such Ship being absent from the United Kingdom during the whole of those Periods respectively, or by reason of such Ship or the Machinery thereof being under Construction or Repair, or of such Ship being laid up in Dock, or for any other Reason satisfactory to the Board of Trade, then he shall have the same surveyed as aforesaid as soon thereafter as possible, and shall transmit such Declarations to the Board of Trade within Fourteen Days after the Receipt thereof, together with a Statement of the Reasons which have prevented the Survey of such Ship at the Time herein-before prescribed, and shall, in case of Delay in transmitting the Declarations, be liable to a Forfeiture similar to that mentioned in the last preceding Section.

Board of Trade to issue Certificates.

312. Upon the Receipt of such Declarations the Board of Trade shall, if satisfied that the Provisions of the Fourth Part of this Act have been complied with, cause a Certificate in Duplicate to be prepared and issued to the Effect that the Provisions of the Law with respect to the Survey of the Ship, and the Transmission of Declarations in respect thereof have been complied with; and such Certificate shall state the Limits (if any) beyond which, according to the Declaration of the Surveyors, such Ship is not fit to ply, and shall also contain a Statement of the Number of Passengers which, according to the Declaration of the Shipwright Surveyor, such Ship is fit to carry, distinguishing (if necessary) between the respective Numbers to be carried on the Deck and in the Cabins, and in different Parts of the Deck and Cabins, such Number to be subject to such Conditions and Variations according to the Time of Year, the Nature of the Voyage, the Cargo carried, and other Circumstances, as the Case requires.

Issue and Transmission of Certificates.

313. The Board of Trade shall transmit such duplicate Certificate to the Shipping Master or to some other public Officer at such Port as the Owner may mention for the Purpose or at the Port where the Owner or his Agent resides or where the Ship was surveyed and is for the Time being lying, and shall cause Notice of such Transmission to be given by Post or otherwise to the Master or Owner or his Agent; and the said Shipping Master or Officer shall deliver such duplicate Certificate to the said Owner, Master, or Agent on his applying and paying the Fees and other Sums (if any) herein mentioned as payable in that Behalf; and in proving the due Issue and Transmission to the Owner, Agent, or Master of such Certificate, it shall be sufficient to show that the same has been duly received by such Shipping Master or Public Officer as aforesaid, and that due Notice of the Transmission thereof to such Shipping Master or Officer has been given to such Owner, Master, or Agent.

Fees to be paid for Certificates.

314. The Owner of every Passenger Steamer requiring a Certificate under the Fourth Part of this Act shall pay for every Certificate granted by the Board of Trade such Fees as such Board directs, not exceeding the Fees mentioned in the Table marked T. in the Schedule hereto.

How long Certificates to continue in force.

315. No Certificate shall be held to be in force for the Purposes of the Fourth Part of this Act beyond the Date fixed by the Board of Trade for the Expiration thereof; and no Certificate shall be in force after Notice is given by the Board of Trade to the Owner, Agent, or Master of the Ship to which the same relates, that such Board has cancelled or revoked the same: Provided, that if any Passenger Steamer is absent from the United Kingdom at the Time when her Certificate expires, no Penalty shall be incurred for the Want of a Certificate until she first begins to ply with Passengers after her next subsequent Return to the United Kingdom; and the Board of Trade may require any Certificate which has expired, or has been revoked or cancelled, to be delivered up as it directs; and any Owner or Master who, without reasonable Cause, neglects or refuses to comply with such Requirement, shall incur a Penalty not exceeding Ten Pounds.

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Board of Trade may cancel Certificates, and require fresh Declarations.

316. The Board of Trade may revoke and cancel such Certificates in any Case in which it has Reason to believe,—

(1.) That the Declarations of the Sufficiency and good Condition of the Hull, Equipments, and Machinery of any Passenger Steamer, or either of them, have been fraudulently or erroneously made; or,

(2.) That such Certificate has otherwise been issued upon false or erroneous Information; or,

(3.) That since the making of such Declarations the Hull, Equipments, or Machinery of such Ship have sustained any Injury, or are otherwise insufficient:

And in every such Case the Board of Trade may, if it thinks fit, require the Owner to have the Hull, Equipments, or Machinery of such Ship again surveyed, and to transmit a further Declaration or Declarations of the Sufficiency and good Condition thereof, before re-issuing any Certificate or granting a fresh one in lieu thereof.

Copy of Certificate to be placed in conspicuous Part of Ship.

317. The Owner or Master of every Passenger Steamer shall forthwith on the transmission of any such Certificate as aforesaid to him or his Agent cause one of the Duplicates thereof so transmitted to be put up in some conspicuous Part of the Ship, so as to be visible to all Persons on board the same, and shall cause it to be continued so put up so long as such Certificate remains in force and such Ship is in use; and in default such Owner or Master shall for every Offence incur a Penalty not exceeding Ten Pounds.

Ship not to proceed on her Voyage without Certificate.

318. It shall not be lawful for any Passenger Steamer to proceed to Sea or upon any Voyage or Excursion with any Passengers on board, unless the Owner thereof has transmitted to the Board of Trade the Declarations herein-before required, nor unless the Owner or Master thereof has received from such Board such a Certificate as herein-before provided for, such Certificate being a Certificate applicable to the Voyage or Excursion on which such Ship is about to proceed; and no Officer of Customs shall grant any Clearance or Transire for any Passenger Steamer unless upon the Production of such Certificate as aforesaid (being a Certificate then in force and applicable as aforesaid); and if any Passenger Steamer attempts to ply or go to Sea without such Production, any such Officer may detain her until such Certificate is produced; and if any Passenger Steamer plies or goes to Sea with any Passengers on board, without having One of the Duplicates of such Certificate as aforesaid (being a Certificate then in force, and applicable as aforesaid), so put up as aforesaid in some conspicuous Part of the Ship, the Owner thereof shall for such Offence incur a Penalty not exceeding One hundred Pounds, and the Master of such Ship shall also incur a further Penalty not exceeding Twenty Pounds.

Penalty for carrying Passengers in Excess of Numbers specified in Certificate.

319. If the Owner or Master or other Person in charge of any Passenger Steamer receives on board thereof or on or in any Part thereof, or if such Ship has on board thereof or on or in any Part thereof, any Number of Passengers which, having regard to the Time, Occasion, and Circumstances of the Case, is greater than the Number of Passengers allowed by the Certificate, the Owner or Master shall incur a Penalty not exceeding Twenty Pounds, and also an additional Penalty not exceeding Five Shillings for every Passenger over and above the Number allowed by the Certificate, or, if the Fare of any of the Passengers on board exceeds Five Shillings, not exceeding double the Amount of the Fares of all the Passengers who are over and above the Number so allowed as aforesaid, such Fares to be estimated at the highest Rate of Fare payable by any Passenger on board.

Forgery of Declaration or Certificate a Misdemeanor.

320. Every Person who knowingly and wilfully makes or assists in making or procures to be made a false or fraudulent Declaration or Certificate with respect to any Passenger Steamer requiring a Certificate under the Fourth Part of this Act, or who forges, assists in forging, or procures to be forged, fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any Declaration or Certificate required by the Fourth Part of this Act, or any Words or Figures in any such Declaration or Certificate, or any Signature thereto, shall be deemed guilty of a Misdemeanor.

Surveyors to make Returns of the Build, &c. of Steam Ships, and Owners and Masters to give Information for that Purpose.

321. The said Surveyors shall from Time to Time make such Returns to the Board of Trade as it requires with respect to the Build, Dimensions, Draught, Burden, Rate of Sailing, Room for Fuel, and the Nature and Particulars of Machinery and Equipments of the Ships surveyed by them; and every Owner, Master, and Engineer of any such Ship shall, on Demand, give to such Surveyors all such Information and Assistance within his Power as they require for the Purpose of such Returns; and every such Owner, Master, or Engineer who, on being applied to for that Purpose, wilfully refuses or neglects to give such Information or Assistance, shall be liable to a Penalty not exceeding Five Pounds.

Misconduct by Passengers in Steamers.

Misconduct by Passengers in Steamers.

Penalties on Persons forcing way on board; or refusing to quit the Ship.

322. The following Offenders, that is to say,

(1.) Any Person who, after having been refused Admission into any Steamer by the Owner or Person in charge thereof or by any Person in the Employ of the Owner thereof, on account of such Steamer being full, and after having had the full Amount of his Fare (if he has paid the same) returned or tendered to him, nevertheless persists in attempting to enter the same; and

(2.) Any Person, having got on board any Steamer, who, upon being requested on the like Account by the Owner or Person in charge thereof or by any Person in the Employ of the Owner to leave such Steamer before the same has quitted the Place at which such Person got on board, and upon

Misconduct by Passengers in Steamers.

upon having the full Amount of his Fare (if he has paid the same) returned or tendered to him, refuses to comply with such Request,

Shall for each such Offence incur a Penalty not exceeding Forty Shillings, to be paid to the said Owner.

Penalty for avoiding Payment of Fares.

323. The following Offenders, that is to say,

(1.) Any Person who travels or attempts to travel in any Passenger Steamer which has been duly surveyed in conformity with the Provisions of this Act, without having previously paid his Fare, and with Intent to avoid Payment thereof; and

(2.) Any Person who, having paid his Fare for a certain Distance, knowingly and wilfully proceeds in any such Steamer beyond such Distance, without previously paying the additional Fare for the additional Distance, and with Intent to avoid Payment thereof; and

(3.) Any Person who knowingly and wilfully refuses or neglects, on arriving at the Point to which he has paid his Fare, to quit any such Steamer;

Shall for every such Offence incur a Penalty not exceeding Five Shillings, in addition to the Fare payable by him, such Penalty to be payable to the Owner of such Steamer.

Penalty on Persons refusing to give their Name and Address.

324. Every Person who, having committed any of the Offences mentioned in the Two last preceding Sections or either of them, refuses on Application of the Master of the Ship or of any other Person in the Employ of the Owner thereof to give his Name and Address, or who on such Application gives a false Name or Address, shall incur a Penalty not exceeding Twenty Pounds, to be paid to the said Owner.

Power to refuse or remove Passengers who are drunk or misconduct themselves.

325. The Master of any Home Trade Passenger Steam Ship may refuse to receive on board thereof any Person who by reason of Drunkenness or otherwise is in such a State, or misconducts himself in such a Manner, as to cause Annoyance to other Passengers on board, or if such Person is on board, may put him on shore at any convenient Place; and no Person so refused Admittance or put on shore shall be entitled to the Return of any Fare he may have paid.

Accidents.

Accidents.

Accidents to Steam Ships to be reported to Board of Trade.

326. Whenever any Steam Ship has sustained or caused any Accident occasioning Loss of Life or any serious Injury to any Person, or has received any material Damage affecting her Seaworthiness or her Efficiency either in her Hull or in any Part of her Machinery, the Owner or Master shall, within Twenty-four Hours after the happening of such Accident or Damage, or as soon thereafter as possible, send to the Board of Trade, by Letter signed by such Owner or Master, a Report of such Accident or Damage, and of the probable Occasion thereof, stating the Name of the Ship, the Port to which she belongs, and the Place where she is; and if such Owner or Master neglect so to do he shall for such Offence incur a Penalty not exceeding Fifty Pounds.

Notice to be given of apprehended Loss of Steam Ships.

327. If the Owner of any Steam Ship have Reason, owing to the Nonappearance of such Ship, or to any other Circumstance, to apprehend that such Ship has been wholly lost, he shall as soon as conveniently may be send Notice thereof in like Manner to the Board of Trade, and if he neglect so to do within a reasonable Time he shall for such Offence incur a Penalty not exceeding Fifty Pounds.

Collisions to be entered in Official Log.

328. In every Case of Collision, in which it is practicable so to do, the Master shall immediately after the Occurrence, cause a Statement thereof, and of the Circumstances under which the same occurred, to be entered in the Official Log Book (if any), such Entry to be signed by the Master, and also by the Mate or One of the Crew, and in default shall incur a Penalty not exceeding Twenty Pounds.

Carrying Dangerous Goods.

Carrying Dangerous Goods.

Provisions to prevent the taking dangerous Goods on board without due Notice.

329. No Person shall be entitled to carry in any Ship, or to require the Master or Owner of any Ship to carry therein, any Aquafortis, Oil of Vitriol, Gunpowder, or any other Goods which, in the Judgment of such Master or Owner, are of a dangerous Nature; and if any Person carries or sends by any Ship any Goods of a dangerous Nature without distinctly marking their Nature on the Outside of the Package containing the same, or otherwise giving Notice in Writing to the Master or Owner at or before the Time of carrying or sending the same to be shipped, he shall for every such Offence incur a Penalty not exceeding One hundred Pounds; and the Master or Owner of any Ship may refuse to take on board any Parcel that he suspects to contain Goods of a dangerous Nature, and may require them to be opened to ascertain the Fact.

PART V.

PILOTAGE.

Application.

Application.

Application of Part V. of Act.

330. The Fifth Part of this Act shall apply to the United Kingdom only.

Powers of Pilotage Authorities (General).

Powers of Pilotage Authorities (General).

General Jurisdiction.

331. Every Pilotage Authority shall retain all Powers and Jurisdiction which it now lawfully possesses, so far as the same are consistent with the Provisions of this Act; but no Law relating to such Authority, or to the Pilots licensed by it, and no Act done by such Authority, shall, if inconsistent with any Provision of this Act, be of any Force whatever.

332. Every

Power of Pilotage Authorities to make and extend Exemptions from compulsory Pilotage.

332. Every Pilotage Authority shall have Power, by Byelaw made with the Consent of Her Majesty in Council, to exempt the Masters of any Ships, or of any Classes of Ships, from being compelled to employ qualified Pilots, and to annex any Terms or Conditions to such Exemptions, and to revise and extend any Exemptions now existing by virtue of this Act or any other Act of Parliament, Law, or Charter, or by Usage, upon such Terms and Conditions and in such Manner as may appear desirable to such Authority.

Powers of Pilotage Authorities.

333. Subject to the Provisions contained in the Fifth Part of this Act, it shall be lawful for every Pilotage Authority, by Byelaw made with the Consent of Her Majesty in Council, from Time to Time to do all or any of the following Things within its Districts; (that is to say,)

To determine Qualifications:

(1.) To determine the Qualifications to be required from Persons applying to be licensed as Pilots, whether in respect of their Age, Skill, Time of Service, Character, or otherwise:

To make Regulations as to Pilot Boats:

(2.) To make Regulations as to the Approval and licensing of Pilot Boats and Ships, with Power to establish and regulate Companies for the support of such Boats and Ships, and for a Participation in the Profits made thereby; the Companies so established to be exempt from the Provisions of the Act passed in the Session holden in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter One hundred and ten, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies.*

To make Regulations for the Government of Pilots:

(3.) To make Regulations for the Government of the Pilots licensed by them, and for insuring their good Conduct, and their constant Attendance to and effectual Performance of their Duty, either at Sea or on shore.

To make Regulations as to Licences and Certificates:

(4.) To fix the Terms and Conditions of granting Licences to Pilots and Apprentices, and of granting such Pilotage Certificates as herein-after mentioned to Masters and Mates, and to make Regulations for punishing any Breach of such Regulations as aforesaid committed by such Pilots or Apprentices or by such Masters and Mates by the Withdrawal or Suspension of their Licences or Certificates, as the Case may be, or by the Infliction of Penalties to be recoverable summarily before Two Justices, so that no such Penalty be made to exceed the Sum of Twenty Pounds, and so that every such Penalty be capable of Reduction at the Discretion of the Justices by whom the same is inflicted:

To alter and reduce Rates of Pilotage:

(5.) To fix the Rates and Prices or other Remuneration to be demanded and received for the Time being by Pilots licensed by such Authority, or to alter the Mode of remunerating such Pilots, in such Manner as such Authority may, with such Consent as aforesaid, think fit, so that no higher Rates or Prices be demanded or received from the Masters or Owners of Ships in the Case of the *Trinity House* than the Rates and Prices specified in the Table marked U. in the Schedule hereto; and in the Case of all other Pilotage Authorities, than the Rates and Prices which might have been lawfully fixed or demanded by such Pilotage Authorities respectively under any Act of Parliament, Charter, or Custom in force immediately before the Commencement of this Act:

To arrange the Limits of Pilotage Districts:

(6.) To make such Arrangements with any other Pilotage Authority for altering the Limits of their respective Districts, and for extending the Powers of such other Authority or the Privileges of the Pilots licensed by such other Authority or any of them to all or any Part of its own District, or for limiting its own Powers or the Privileges of its own Pilots or any of them, or for sharing the said last-mentioned Powers and Privileges with the said other Authority and the Pilots licensed by it, or for delegating or surrendering such Powers and Privileges or any of them to any other Pilotage Authority either already constituted or to be constituted by Agreement between such Authorities, and to the Pilots licensed by it, as may appear to such Pilotage Authorities to be desirable for the Purpose of facilitating Navigation or of reducing Charges on Shipping:

To establish Funds for superannuated Pilots:

(7.) To establish, either alone, or in conjunction with any other Pilotage Authority or Authorities, Funds for the Relief of superannuated or infirm qualified Pilots, or of their Wives, Widows, or Children, or to make any new Regulations with respect to any Funds already applicable to the above Purposes or any of them, with Power to determine the Amount, Manner, Time, and Persons (such Persons to be in the Service of such Pilotage Authority) to and in which and by and upon whom the Contributions in support of such existing or future Funds may be made or levied; and further, to declare the Persons or Class of Persons, (such Persons or Class of Persons being confined to Men in the Service of such Pilotage Authority, their Wives, Widows, or Children,) entitled to participate in the Benefits of such existing or future Funds, and the Terms and Conditions upon which they are to be so entitled:

To alter Byelaws.

(8.) To repeal or alter any Byelaw made in exercise of the above Powers, and to make a new Byelaw or new Byelaws in lieu thereof:

And every Byelaw duly made by any Pilotage Authority in exercise of the Powers hereby given to it, shall be valid and effectual, notwithstanding any Act of Parliament, Rule, Law, or Custom to the contrary.

Publication of Byelaws.

334. Every Byelaw proposed to be enacted by any Pilotage Authority in pursuance of the foregoing Powers shall, before it is submitted to Her Majesty in Council for Her Assent, be published in such Manner as may from Time to Time be prescribed by the Board of Trade.

Byelaws to be laid before Parliament.

335. Every Order in Council made in pursuance of the Provisions herein-before contained shall be laid before both Houses of Parliament as soon as possible after the making thereof.

Power of Appeal to Board of Trade.

336. If the greater Part in Number of the qualified Pilots belonging to any Port, or the Local Marine Board, where there is one, or at any Port where there is no Local Marine Board, if any Masters, Owners, or Insurers of Ships, being not less than Six in Number, consider themselves aggrieved by any Regulation or Byelaw in force when this Act comes into operation or hereafter made under some Authority other than the Provisions of this Act, or by any Defect or Omission therein, they may appeal to the Board of Trade, and the said Board may thereupon revoke or alter any such Regulation or Byelaw or may make Additions thereto in such Manner as, having regard to the Interests of the Persons concerned, may appear to be just and expedient; and every Order so made shall be conclusive in the Matter.

Returns by Pilotage Authorities (General).

Returns by Pilotage Authorities (General).

337. Every Pilotage Authority shall deliver periodically to the Board of Trade, in such Form and at such Times as such Board requires, Returns of the following Particulars with regard to Pilotage within the Port or District under the Jurisdiction of such Authority; (that is to say,)

Pilotage Authorities to make full Returns to the Board of Trade of certain Particulars connected with Pilotage.

(1.) All Byelaws, Regulations, Orders, or Ordinances relating to Pilots or Pilotage for the Time being in force:

(2.) The Names and Ages of all Pilots or Apprentices licensed or authorized to act by such Authority, and of all Pilots or Apprentices acting either mediately or immediately under such Authority, whether so licensed or authorized or not:

(3.) The Service for which each Pilot or Apprentice is licensed:

(4.) The Rates of Pilotage for the Time being in force, including therein the Rates and Descriptions of all Charges upon Shipping made for or in respect of Pilots or Pilotage:

(5.) The total Amount received for Pilotage, distinguishing the several Amounts received from *British* Ships and from Foreign Ships respectively, and the several Amounts received in respect of different Classes of Ships paying different Rates of Pilotage, according to the Scale of such Rates for the Time being in force, and the several Amounts received for the several Classes of Service rendered by Pilots; and also the Amount paid by such Ships (if any) as have before reaching the outer Limits of Pilotage Water if outward-bound, or their Port of Destination if inward-bound, to take or pay for Two or more Pilots, whether licensed by the same or by different Pilotage Authorities; together with the Numbers of the Ships of each of the several Classes paying such several Amounts as aforesaid:

(6.) The Receipt and Expenditure of all Monies received by or on behalf of such Authority, or by or on behalf of any Sub-Commissioners appointed by them, in respect of Pilots or Pilotage:

And shall allow the Board of Trade, or any Persons appointed by such Board for the Purpose, to inspect any Books or Documents in its Possession relating to the several Matters herein-before required to be returned to the Board of Trade.

If local Authorities fail to give the required Returns, their Jurisdiction may be transferred to the Trinity House.

338. If any of such Pilotage Authorities as aforesaid (other than the *Trinity House*, or Sub-Commissioners of Pilotage appointed by it, as herein-after mentioned,) fail to deliver to the Board of Trade the periodical Returns herein-before required within One Year of such Time as may be fixed by such Board for the Purpose, or if any of such Authorities do not allow the said Board, or any Persons who may be appointed by it for the Purpose, to inspect any Books or Documents in their Possession relating to the Matters herein-before required to be returned by them, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to direct that all the Rights and Powers of such Authorities in respect of Pilotage shall cease or be suspended during such Time as Her Majesty directs; and thereupon the *Trinity House* shall thereafter or during such Time as such Suspension may continue, have and exercise the same Powers of appointing Sub-Commissioners of Pilotage, and of licensing Pilots, and of establishing and altering Rates of Pilotage, within the District within which the Authority so making default has previously appointed or licensed Pilots, as it is by this Act authorized to exercise in any District for which no particular Provision is made by any Act of Parliament or Charter for the Appointment of Pilots, and shall also during such Time as aforesaid have and exercise the same Rights, Title, and Powers to and in respect of any Pilotage Funds or other Pilotage Property which the said Pilotage Authorities would or might have had or exercised if not so suspended as aforesaid.

Returns to be laid before Parliament.

339. The Board of Trade shall without Delay cause the several Returns herein-before required to be made to such Board to be laid before both Houses of Parliament.

Licensing of Masters and Mates (General).

Licensing of Masters and Mates (General).

340. The Master or Mate of any Ship may, upon giving due Notice, and consenting to pay the usual Expenses, apply to any Pilotage Authority to be examined as to his Capacity to pilot the Ship of which he is Master or Mate, or any One or more Ships belonging to the same Owner, within any Part of the District over which such Pilotage Authority has Jurisdiction; and such Master or Mate shall if such Authority thinks fit, thereupon be examined; and if found competent a Pilotage Certificate shall be granted to him, containing his Name, a Specification of the Ship or Ships in respect of which he has been examined, and a Description of the Limits within which he is to pilot the same, such Limits to be within

Master or Mate, if examined and passed, to receive a Pilotage Certificate,

within such Jurisdiction as aforesaid; and such Certificate shall enable the Person therein named to pilot the Ship or any of the Ships therein specified, of which he is acting as Master or Mate at the Time, but no other, within the Limits therein described, without incurring any Penalties for the Non-employment of a qualified Pilot. enabling him to pilot particular Ships.

341. The Pilotage Certificate so granted shall not be in force for more than One Year, unless the same is renewed, which may from Time to Time be done by an Indorsement under the Hand of the Secretary or other proper Officer of the Authority by whom such Certificate was granted. Renewal of Pilotage Certificate.

342. If upon Complaint to the Board of Trade it appear to such Board that any such Authority as aforesaid has without reasonable Cause refused or neglected to examine any Master or Mate who has applied to them for the Purpose, or after he has passed the Examination has without reasonable Cause refused or neglected to grant him a Pilotage Certificate, or that the Examination of any such Master or Mate has been unfairly or improperly conducted, or that any Terms imposed or sought to be imposed by such Authority are unfair or improper, or that any Pilotage Certificate granted by such Authority has been improperly withdrawn, the Board of Trade may, if in its Judgment the Circumstances appear to require it, appoint Persons to examine such Master or Mate, and if he is found competent may grant him a Pilotage Certificate, containing the same Particulars as would have been inserted in any Certificate granted by such Pilotage Authorities as aforesaid, upon such Terms and Conditions, and subject to such Regulations, as such Board may think fit; and such Certificate shall have the same Effect as if it had been granted by such Pilotage Authority as aforesaid; and such Certificate shall be in force for One Year, and may be renewed from Year to Year, either by the said Authorities in manner herein-before mentioned, or by the Board of Trade, if such Board thinks fit, such Renewal to be indorsed on the said Certificate, either by such Person as the Board of Trade may appoint for the Purpose, or in manner herein-before provided as to Certificates granted by any Pilotage Authority. Board of Trade to examine and grant Pilotage Certificates to Mates, on Pilotage Authorities refusing to do so.

343. All Masters or Mates to or for whom any such Pilotage Certificates as aforesaid are granted or renewed by any Pilotage Authority shall pay to such Authority, or as it directs, such Fees upon their respective Certificates and upon the Renewals thereof, as are from Time to Time fixed for that Purpose by such Authority, with the Consent of the Board of Trade; and all Masters and Mates to or for whom any such Certificates are granted or renewed by the Board of Trade shall pay to such Board, or as it directs, such Fees upon their Certificates and upon the Renewals thereof as may be fixed by such Board, so nevertheless that in the Case of Pilotage Certificates granted or renewed by the Board of Trade such Fees shall in no Case be less than the Fees payable by the qualified Pilots in the same District upon their Licences and the Renewal thereof; and such Fees shall in the Case of Certificates and Renewals granted by Pilotage Authorities be applicable either to paying the Expense of the Examinations, or any other general Expenses connected with Pilotage incurred by such Authorities, or to the Pilots Superannuation Fund of the District (if any), or otherwise for the Benefit of the Pilots appointed by such Authorities, as such Authorities think fit; and such Fees shall in the Case of Pilotage Certificates granted or renewed by the Board of Trade be applicable to the Expense of the Examinations, and the Surplus (if any) shall be applied for the Benefit of the qualified Pilots of the Port or District to which such Certificates apply, in such Manner as such Board thinks fit. Fees to be paid upon such Certificates and the Renewals thereof.

344. If at any Time it appears to the Board of Trade or to any Pilotage Authority that any Master or Mate to whom a Pilotage Certificate has been granted by such Board or Authority has been guilty of Misconduct, or has shown himself incompetent to pilot his Ship, such Board or such Authority (as the Case may be) may thereupon withdraw his Certificate, and such Certificate shall thenceforth cease to be of any Effect whatever. Power to withdraw Pilotage Certificates.

Pilot Boats (General).

Pilot Boats (General).

345. All Boats and Ships regularly employed in the Pilotage Service of any District shall be approved and licensed by the Pilotage Authority of such District, who may, at their Discretion, appoint and remove the Masters of such Boats and Ships. Pilot Boats how to be provided.

346. Every Pilot Boat or Ship shall be distinguished by the following Characteristics; (that is to say,) Characteristics of Pilot Boats.

(1.) A Black Colour painted or tarred outside, with the Exception of such Names and Numbers as are herein-after mentioned; or such other distinguishing Colour or Colours as the Pilotage Authority of the District, with the Consent of the Board of Trade, directs:

(2.) On her Stern the Name of the Owner thereof and the Port to which she belongs painted in White Letters at least One Inch broad and Three Inches long, and on each Bow the Number of the Licence of such Boat or Ship:

(3.) When afloat, a Flag at the Mast-head or on a Sprit or Staff, or in some other equally conspicuous Situation; such Flag to be of large Dimensions compared with the Size of the Boat or Ship carrying the same, and to be of Two Colours, the upper horizontal Half White, and the lower horizontal Half Red:

And it shall be the Duty of the Master of such Boat or Ship to attend to the following Particulars: First, that the Boat or Ship possesses all the above Characteristics; secondly, that the aforesaid Flag is kept clean and distinct, so as to be easily discerned at a proper Distance; and, lastly, that the Names and

Pilot Boats (General).

Numbers before mentioned are not at any Time concealed; and if default is made in any of the above Particulars he shall incur a Penalty not exceeding Twenty Pounds for each Default.

Qualified Pilot to display Flag though not in Pilot Boat.

347. Whenever any qualified Pilot is carried off in a Boat or Ship not in the Pilotage Service he shall exhibit a Flag of the above Description, in order to show that such Boat or Ship has a qualified Pilot on board; and if he fails to do so, without reasonable Cause, he shall incur a Penalty not exceeding Fifty Pounds.

Penalty on ordinary Boat displaying Pilot Flag.

348. If any Boat or Ship, not having a licensed Pilot on board, displays a Flag of the above-mentioned Description, there shall be incurred for every such Offence a Penalty not exceeding Fifty Pounds, to be recovered from the Owner or from the Master of such Boat or Ship.

Pilot Licences (General).

349. Every qualified Pilot on his Appointment shall receive a Licence, containing his Name and usual Place of Abode, together with a Description of his Person, and a Specification of the Limits within which he is qualified to act: And it shall be the Duty of the principal Officer of Customs at the Place at or nearest to which any qualified Pilot may reside, upon his Request, to register his Licence; and no qualified Pilot shall be entitled to act as such until his Licence is so registered; and any qualified Pilot acting beyond the Limits for which he is qualified by his Licence shall be considered as an unqualified Pilot.

Registry of Pilot Licence.

Copies of Regulations to be furnished to qualified Pilot, and to be produced by him.

350. Every qualified Pilot shall, upon receiving his Licence, be furnished with a Copy of such Part of this Act as relates to Pilotage, together with a Copy of the Rates, Byelaws, and Regulations established within the District for which he is licensed; and he shall produce such Copies to the Master of any Ship, or other Person employing him, when required to do so, under a Penalty in case of Default not exceeding Five Pounds.

Qualified Pilot to produce Licence to Employer.

351. Every qualified Pilot, while acting in that Capacity, shall be provided with his Licence, and produce the same to every Person by whom he is employed, or to whom he tenders his Services as Pilot; and if he refuses to do so at the Request of such Person, he shall incur for each Offence a Penalty not exceeding Ten Pounds, and shall be subject to Suspension or Dismissal by the Pilotage Authority by whom he is licensed.

Licences to be delivered up, when required, and returned on Death.

352. Every qualified Pilot, when required by the Pilotage Authority who appointed him, shall produce or deliver up his Licence; and on the Death of any qualified Pilot the Person into whose Hands his Licence happens to fall shall without Delay transmit the same to the Pilotage Authority who appointed the deceased Pilot; and any Pilot or Person failing to comply with the Provisions of this Section shall incur a Penalty not exceeding Ten Pounds.

Compulsory Pilotage (General).

353. Subject to any Alteration to be made by any Pilotage Authority in pursuance of the Power herein-before in that Behalf given, the Employment of Pilots shall continue to be compulsory in all Districts in which the same was by Law compulsory immediately before the Time when this Act comes into operation; and all Exemptions from compulsory Pilotage then existing within such Districts shall also continue in force; and every Master of any unexempted Ship navigating within any such District who, after a qualified Pilot has offered to take charge of such Ship or has made a Signal for that Purpose, either himself pilots such Ship without possessing a Pilotage Certificate enabling him so to do, or employs or continues to employ an unqualified Person to pilot her, and every Master of any exempted Ship navigating within any such District who after a qualified Pilot has offered to take charge of such Ship or has made a Signal for that Purpose employs or continues to employ an unqualified Pilot to pilot her, shall for every such Offence incur a Penalty of double the Amount of Pilotage demandable for the conduct of such Ship.

Compulsory Pilotage (General).

Compulsory Pilotage, in what Mode to be enforced.

Home Trade Passenger Ships to employ qualified Pilots, unless they have certificated Masters or Mates.

354. The Master of every Ship carrying Passengers between any Place situate in the United Kingdom, or the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney*, and *Man*, and any other Place so situate, when navigating upon any Waters situate within the Limits of any District for which Pilots are licensed by any Pilotage Authority under the Provisions of this or of any other Act, or upon any Part thereof so situate, shall, unless he or his Mate has a Pilotage Certificate enabling such Master or Mate to pilot the said Ship within such District, granted under the Provisions herein-before contained, or such Certificate as next herein-after mentioned, being a Certificate applicable to such District and to such Ship, employ a qualified Pilot to pilot his Ship; and if he fails so to do he shall for every Offence incur a Penalty not exceeding One hundred Pounds.

Certificates, how to be granted to such Masters and Mates.

355. Any Master or Mate of a Ship which by the last preceding Section is made subject to compulsory Pilotage may apply to the Board of Trade for a Certificate, and the Board of Trade shall thereupon, on satisfactory Proof of his having continuously piloted any Ship within the Limits of any Pilotage District or of any Part or Parts thereof for Two Years prior to the Commencement of this Act, or upon satisfactory Proof by Examination of his Competency, or otherwise as it may deem expedient, cause to be granted to him, or to be indorsed on any Certificate of Competency or Service obtained by him under the Third Part of this Act, a Certificate to the Effect that he is authorized to pilot any Ship or Ships belonging to the same Owner, and of a Draft of Water not greater than such Draft as may be specified in the Certificate within the Limits aforesaid; and the said Certificate shall remain in force for such Time

Time as the Board of Trade directs, and shall enable the Master or Mate therein named to conduct the Ship or Ships therein specified within the Limits therein described to the same Extent as if the last preceding Section had not been passed, but not further or otherwise; and every such Master or Mate shall, upon applying for such Certificate or for any Renewal thereof, pay to the Board of Trade or as it directs such Fees not exceeding the Fees payable on an Examination for a Master's Certificate of Competency under the Third Part of this Act as the Board of Trade directs; and such Fees shall be applied in the same Manner in which the Fees payable on such last-mentioned Examination are made applicable.

Rights, Privileges, and Remuneration of Pilots (General).

Rights, Privileges, and Remuneration of Pilots (General).

356. If any Boat or Ship, having a qualified Pilot on board, leads any Ship which has not a qualified Pilot on board when such last-mentioned Ship cannot from particular Circumstances be boarded, the Pilot so leading such last-mentioned Ship shall be entitled to the full Pilotage for the Distance run as if he had actually been on board and had charge of such Ship.

Qualified Pilot unable to board when entitled to Pilotage.

357. No Pilot, except under Circumstances of unavoidable Necessity, shall without his Consent be taken to Sea or beyond the Limits for which he is licensed in any Ship whatever; and every Pilot so taken under Circumstances of unavoidable Necessity or without his Consent shall be entitled, over and above his Pilotage, to the Sum of Ten Shillings and Sixpence a Day, to be computed from and inclusive of the Day on which such Ship passes the Limit to which he was engaged to pilot her up to and inclusive of the Day of his being returned in the said Ship to the Place where he was taken on board, or up to and inclusive of such Day as will allow him, if discharged from the Ship, sufficient Time to return thereto; and in such last-mentioned Case he shall be entitled to his reasonable travelling Expenses.

Allowance to qualified Pilot taken out of his District.

358. Any qualified Pilot demanding or receiving, and also any Master offering or paying to any Pilot, any other Rate in respect of Pilotage Services, whether greater or less, than the Rate for the Time being demandable by Law, shall for each Offence incur a Penalty not exceeding Ten Pounds.

Penalty on receiving or offering improper Rate.

359. If any Master, on being requested by any qualified Pilot having the Charge of his Ship to declare her Draught of Water, refuses to do so, or himself makes or is privy to any other Person making a false Declaration to such Pilot as to such Draught, he shall incur a Penalty for every such Offence not exceeding double the Amount of Pilotage which would have been payable to the Pilot making such Request; and if any Master or other Person interested in a Ship makes or is privy to any other Person making any fraudulent Alteration in the Marks on the Stern or Stem Post of such Ship denoting her Draught of Water, the Offender shall incur a Penalty not exceeding Five hundred Pounds.

Penalty on making a false Declaration as to Draught of Ship or falsifying Marks.

360. A qualified Pilot may supersede an unqualified Pilot, but it shall be lawful for the Master to pay to such unqualified Pilot a proportionate Sum for his Services, and to deduct the same from the Charge of the qualified Pilot; and in case of Dispute the Pilotage Authority by whom the qualified Pilot is licensed shall determine the proportionate Sums to which each Party is entitled.

Power of qualified Pilot to supersede unqualified Pilot.

361. An unqualified Pilot assuming or continuing in the Charge of any Ship after a qualified Pilot has offered to take charge of her, or using a Licence which he is not entitled to use for the Purpose of making himself appear to be a qualified Pilot, shall for each Offence incur a Penalty not exceeding Fifty Pounds.

Penalty on unqualified Person acting as Pilot.

362. An unqualified Pilot may, within any Pilotage District, without subjecting himself or his Employer to any Penalty, take charge of a Ship as Pilot under the following Circumstances; that is to say,

Occasions on which unlicensed Persons may act as Pilots.

When no qualified Pilot has offered to take charge of such Ship, or made a Signal for that Purpose; or

When a Ship is in Distress or under Circumstances making it necessary for the Master to avail himself of the best Assistance which can be found at the Time; or

For the Purpose of changing the Moorings of any Ship in Port, or of taking her into or out of any Dock, in Cases where such Act can be done by an unqualified Pilot without infringing the Regulations of the Port, or any Orders which the Harbour Master is legally empowered to give.

363. The following Persons shall be liable to pay Pilotage Dues for any Ship for which the Services of a qualified Pilot are obtained; (that is to say), the Owner or Master, or such Consignees or Agents thereof as have paid or made themselves liable to pay any other Charge on account of such Ship in the Port of her Arrival or Discharge, as to Pilotage Inwards, and in the Port from which she clears out as to Pilotage Outwards; and in default of Payment such Pilotage Dues may be recovered in the same Manner as Penalties of the like Amount may be recovered by virtue of this Act; but such Recovery shall not take place until a previous Demand thereof has been made in Writing, and the Dues so demanded have remained unpaid for Seven Days after the Time of such Demand being made.

Liability for and Recovery of Pilotage Dues.

364. Every Consignee and Agent (not being the Owner or Master) hereby made liable for the Payment of Pilotage Dues in respect of any Ship may, out of any Monies in his Hands received on account of such Ship or belonging to the Owner thereof, retain the Amount of all Dues so paid by him together with any reasonable Expenses he may have incurred by reason of such Payment or Liability.

Power for Consignees to retain Pilotage Dues paid by them.

Offences of Pilots (General).

Offences of Pilots (General).

365. If any qualified Pilot commits any of the following Offences, (that is to say,)

(1.) Keeps himself, or is interested in keeping by any Agent, Servant, or other Person, any Public House or Place of public Entertainment, or sells or is interested in selling any Wine, Spirituous Liquors, Tobacco, or Tea;

Penalties on qualified Pilot: exercising certain Trades;

(2.) Commits

offending against Revenue; guilty of corrupt Practices; lending Licence; acting when suspended; acting when drunk; unnecessarily causing Expense; declining to go off; unnecessarily cutting Cable; refusing to conduct Ship into Port; quitting Ship.

(2.) Commits any Fraud or other Offence against the Revenues of Customs or Excise or the Laws relating thereto;

(3.) Is in any way directly or indirectly concerned in any corrupt Practices relating to Ships, their Tackle, Furniture, Cargoes, Crews, or Passengers, or to Persons in Distress at Sea or by Shipwreck, or to their Monies, Goods, or Chattels;

(4.) Lends his Licence;

(5.) Acts as Pilot whilst suspended;

(6.) Acts as Pilot when in a State of Intoxication;

(7.) Employs or causes to be employed on board any Ship of which he has the Charge any Boat, Anchor, Cable, or other Store, Matter, or Thing beyond what is necessary for the Service of such Ship, with the Intent to enhance the Expenses of Pilotage for his own Gain or for the Gain of any other Person;

(8.) Refuses or wilfully delays, when not prevented by Illness or other reasonable Cause, to take charge of any Ship within the Limits of his Licence upon the Signal for a Pilot being made by such Ship, or upon being required to do so by the Master, Owner, Agent, or Consignee thereof, or by any Officer of the Pilotage Authority by whom such Pilot is licensed, or by any principal Officer of Customs;

(9.) Unnecessarily cuts or slips or causes to be cut or slipped any Cable belonging to any Ship;

(10.) Refuses, on the Request of the Master, to conduct the Ship of which he has the Charge into any Port or Place into which he is qualified to conduct the same, except on reasonable Ground of Danger to the Ship;

(11.) Quits the Ship of which he has the Charge, without the Consent of the Master, before the Service for which he was hired has been performed;

He shall for each such Offence, in addition to any Liability for Damages at the Suit of the Person aggrieved, incur a Penalty not exceeding One hundred Pounds, and be liable to Suspension or Dismissal by the Pilotage Authority by whom he is licensed; and every Person who procures, abets, or connives at the Commission of any such Offence shall likewise, in addition to any such Liability for Damages as aforesaid, incur a Penalty not exceeding One hundred Pounds, and, if a qualified Pilot, shall be liable to Suspension or Dismissal by the Pilotage Authority by whom he is licensed.

Penalty on Pilot endangering Ship, Life, or Limb.

366. If any Pilot, when in charge of any Ship, by wilful Breach of Duty or by Neglect of Duty, or by reason of Drunkenness, does any Act tending to the immediate Loss, Destruction, or serious Damage of such Ship, or tending immediately to endanger the Life or Limb of any Person on board such Ship; or if any Pilot, by wilful Breach of Duty or by Neglect of Duty, or by reason of Drunkenness, refuses or omits to do any lawful Act proper and requisite to be done by him for preserving such Ship from Loss, Destruction, or serious Damage, or for preserving any Person belonging to or on board of such Ship from Danger to Life or Limb; the Pilot so offending shall for each such Offence be deemed guilty of a Misdemeanour, and, if a qualified Pilot, also be liable to Suspension and Dismissal by the Authority by which he is licensed.

Penalty on Pilot in charge of a Ship doing her wilful Injury.

367. If any Person, by wilful Misrepresentation of Circumstances upon which the Safety of a Ship may depend, obtains or endeavours to obtain the Charge of such Ship, such Person, and every other Person procuring, abetting, or conniving at the Commission of such Offence shall, in addition to any Liability for Damages at the Suit of the Party aggrieved, incur a Penalty not exceeding One hundred Pounds, and, if the Offender is a qualified Pilot, he shall also be liable to Suspension or Dismissal by the Pilotage Authority by which he is licensed.

General Power of Trinity House.

General Power of Trinity House.

368. The *Trinity House* may, in exercise of the general Power herein-before given to all Pilotage Authorities of doing certain Things in relation to Pilotage Matters, alter such of the Provisions hereinafter contained as are expressed to be subject to Alteration by them in the same Manner and to the same Extent as they might have altered the same if such Provisions had been contained in any previous Act of Parliament instead of in this Act.

Power of Trinity House to alter Regulations.

Sub-Commissioners and Pilots (Trinity House).

Sub-Commissioners and Pilots (Trinity House).

369. The *Trinity House* shall continue to appoint Sub-Commissioners, not being more than Five nor less than Three in Number, for the Purpose of examining Pilots in all Districts in which they have been used to make such Appointments, and may, with the Consent of Her Majesty in Council, but not otherwise, appoint like Sub-Commissioners for any other District in which no particular Provision is made by any Act of Parliament or Charter for the Appointment of Pilots; but no Pilotage District already under the Authority of any Sub-Commissioners appointed by the *Trinity House* shall be extended, except with such Consent as aforesaid, and no Sub-Commissioners so appointed shall be deemed to be Pilotage Authorities within the Meaning of this Act.

Power of Trinity House to appoint Sub-Commissioners.

Trinity House to license Pilots to act within certain Limits.

370. The *Trinity House* shall continue, after due Examination by themselves or their Sub-Commissioners, to appoint and license under their Common Seal Pilots for the Purpose of conducting Ships within the Limits following or any Portion of such Limits; (that is to say,)

(1.) "The

Sub-Commissioners and Pilots (Trinity House).

(1.) "The *London* District," comprising the Waters of the *Thames* and *Medway* as high as *London Bridge* and *Rochester Bridge* respectively, and also the Seas and Channels leading thereto or therefrom as far as *Orfordness* to the North and *Dungeness* to the South; so, nevertheless, that no Pilot shall be hereafter licensed to conduct Ships both above and below *Gravesend:*

(2.) "The *English Channel* District," comprising the Seas between *Dungeness* and the *Isle of Wight:*

(3.) "The *Trinity House* Outport Districts," comprising any Pilotage District for the Appointment of Pilots within which no particular Provision is made by any Act of Parliament or Charter.

Publication of Notice of Licences of Pilots by the Trinity House of Pilots.

371. Subject to any Alteration to be made by the *Trinity House*, the Names of all Pilots licensed by the *Trinity House* shall be published in manner following; (that is to say,)

(1.) The *Trinity House* shall at their House in *London* fix up a Notice specifying the Name and usual Place of Abode of every Pilot so licensed, and the Limits within which he is licensed to act:

(2.) The *Trinity House* shall transmit a Copy of such Notice to the Commissioners of Customs in *London*, and to the principal Officers of Customs resident at all Ports within the Limits for which such Pilot is licensed; and such Notice shall be posted up by the Commissioners at the Custom House in *London*, and by such Officers at the Custom Houses of the Ports at which they are respectively resident.

Bonds to be given.

372. Subject to any Alteration to be made by the *Trinity House*, every *Trinity House* Pilot on his Appointment shall execute a Bond for One hundred Pounds conditioned for the due Observance on his Part of the Regulations and Byelaws of the *Trinity House*, such Bond to be free from Stamp Duty, and from any other Charge except the actual Expense for preparing the same.

Liability limited.

373. No qualified Pilot who has executed such Bond as is herein-before mentioned shall be liable for Neglect or Want of Skill beyond its Penalty and the Amount of Pilotage payable to him in respect of the Voyage on which he is engaged.

Continuance and Renewal of Licences.

374. Subject to any Alteration to be made by the *Trinity House*, no Licence granted by them shall continue in force beyond the Thirty-first Day of *January* next ensuing the Date of such Licence, but the same may, upon the Application of the Pilot holding such Licence, be renewed on such Thirty-first Day of *January* in every Year, or any subsequent Day, by Indorsement under the Hand of the Secretary of the *Trinity House*, or such other Person as may be appointed by them for that Purpose.

Power to revoke and suspend Licences.

375. The *Trinity House* shall have Power to revoke or suspend the Licence of any Pilot appointed by them, in such Manner and at such Time as they think fit.

Compulsory Pilotage (Trinity House).

Compulsory Pilotage (Trinity House).

Penalty on Masters of Ships employing unlicensed Pilots, or acting as Pilot.

376. Subject to any Alteration to be made by the *Trinity House*, and to the Exemptions herein-after contained, the Pilotage Districts of the *Trinity House* within which the Employment of Pilots is compulsory are the *London* District, and the *Trinity House* Outport Districts, as herein-before defined; and the Master of every Ship navigating within any Part of such District or Districts, who, after a qualified Pilot has offered to take charge of such Ship, or has made a Signal for that Purpose, either himself pilots such Ship without possessing a Certificate enabling him so to do, or employs or continues to employ an unqualified Person to pilot her, shall for every such Offence, in addition to the Penalty herein-before specified, if the *Trinity House* certify in Writing under their Common Seal that the Prosecutor is to be at liberty to proceed for the Recovery of such additional Penalty, incur an additional Penalty not exceeding Five Pounds for every Fifty Tons Burden of such Ship.

Trinity House to make Regulations for a constant Supply of qualified Pilots at Dungeness.

377. Subject to any Alteration to be made by the *Trinity House*, a sufficient Number of qualified Pilots shall always be ready to take charge of Ships coming from the Westward past *Dungeness;* and the *Trinity House* shall, by Byelaw to be made in the same Manner as other Byelaws made under the Powers herein contained, make such Regulations with respect to the Pilots under their Control as may be necessary in order to provide for an unintermitted Supply of qualified Pilots for such Ships, and to insure their constant Attendance upon and due Performance of their Duty both by Night and Day, whether by cruizing between the *South Forelund* and *Dungeness*, or by going off from Shore upon Signals made for the Purpose, or by both of such Means, or by any other Means, and whether in rotation or otherwise, as the *Trinity House* think fit.

Ship coming past Dungeness not having Pilot on board to take the first qualified Pilot who offers.

378. Subject to any Alteration to be made by the *Trinity House*, every Master of any Ship coming from the Westward, and bound to any Place in the Rivers *Thames* and *Medway*, (unless she has a qualified Pilot on board or is exempted from compulsory Pilotage,) shall, on the Arrival of such Ship off *Dungeness*, and thenceforth until she has passed the South Buoy of the *Brake*, or a Line to be drawn from *Sandown Castle* to the said Buoy, or until a qualified Pilot has come on board, display and keep flying the usual Signal for a Pilot; and if any qualified Pilot is within Hail, or is approaching and within Half a Mile, and has the proper distinguishing Flag flying in his Boat, such Master shall, by heaving-to in proper Time or shortening Sail, or by any practicable Means consistent with the Safety of his Ship, facilitate such Pilot getting on board, and shall give the Charge of piloting his Ship to such Pilot; or if there are Two or more of such Pilots offering at the same Time, to such One of them as may, according to the Regulations for the Time being in force, be entitled or required to take such Charge; and if any such Master fails to display or keep flying the usual Signal for a Pilot in manner herein-before required, or to facilitate any such qualified Pilot as aforesaid getting on board as herein-before

Penalty on Masters failing to display usual Signal for Pilot.

Compulsory Pilotage (Trinity House).

before required, or to give the Charge of piloting his Ship to such Pilot as herein-before mentioned in that Behalf, he shall incur a Penalty not exceeding double the Sum which might have been demanded for the Pilotage of his Ship, such Penalty to be paid to the *Trinity House*, and to be carried to the Account of the *Trinity House* Pilot Fund.

Exemptions from compulsory Pilotage.

379. The following Ships, when not carrying Passengers, shall be exempted from compulsory Pilotage in the *London* District, and in the *Trinity House* Outport Districts; (that is to say,)

(1.) Ships employed in the Coasting Trade of the United Kingdom:

(2.) Ships of not more than Sixty Tons Burden:

(3.) Ships trading to *Boulogne* or to any Place in *Europe* North of *Boulogne:*

(4.) Ships from *Guernsey, Jersey, Alderney, Sark,* or *Man,* which are wholly laden with Stone being the Produce of those Islands:

(5.) Ships navigating within the Limits of the Port to which they belong:

(6.) Ships passing through the Limits of any Pilotage District on their Voyages between Two Places both situate out of such Limits, and not being bound to any Place within such Limits nor anchoring therein.

Rates of Pilotage (Trinity House).

Rates of Pilotage (Trinity House).

Rates of Pilotage.

380. Subject to any Alteration to be made by the *Trinity House*, there shall continue to be paid to all *Trinity House* Pilots, in respect of their Pilotage Services, such Dues as are immediately before the Time when this Act comes into operation payable to them in respect of such Services.

Payment of Pilotage Due from Foreign Ships trading to and from the Port of London.

381. Subject to any Alteration to be made by the *Trinity House*, and notwithstanding anything herein-before contained, there shall be paid in respect of all Foreign Ships trading to and from the Port of *London*, and not exempted from Pilotage, the following Pilotage Dues; that is to say, as to Ships Inwards, the full Amount of Dues for the Distance piloted, and as to Ships Outwards, the full Amount of Dues for the Distance required by Law; and Payment of such Pilotage Dues shall be made to the Collector of Customs in the Port of *London* by some One or more of the following Persons, that is to say, the Master or other Person having the Charge of such Ship, or the Consignees or Agents thereof who have paid or made themselves liable to pay any other Charge for such Ship in the said Port of *London;* and such Pilotage may be recovered in the same Manner as other Pilotage Dues are herein-before declared to be recoverable.

Certificate of Payment of Pilotage to be given.

382. Subject to any Alteration to be made by the *Trinity House*, the said Collector of Customs shall, on receiving any Pilotage Dues in respect of Foreign Ships, give to the Person paying the same a Receipt in Writing; and no Officer of Customs in the Port of *London* shall grant a Clearance or Transire for any such Foreign Ship as aforesaid without the Production of such Receipt; and if any such Ship attempts to go to Sea without such Clearance or Transire, any such Officer may detain her until the said Receipt is produced.

Application of such Monies by Trinity House.

383. Subject to any Alteration to be made by the *Trinity House*, the said Collector shall pay over to the *Trinity House* the Pilotage Dues received by him in respect of any Foreign Ship; and the *Trinity House* shall apply the same in manner following:

In the first place, in paying to any Pilot who may bring sufficient Proof of his having had the Charge of such Ship such Dues as would have been payable to him for such Pilotage Service if the Ship had been a *British* Ship, after deducting therefrom the Poundage due to the *Trinity House:*

In the second place, in paying to any unlicensed Person who may bring sufficient Proof of his having, in the Absence of a licensed Pilot, had the Charge of such Ship, such Amount as the *Trinity House* may think proper, not exceeding the Amount which would under similar Circumstances have been payable to a licensed Pilot, after deducting Poundage:

And lastly, shall pay over to the *Trinity House* Pilots Fund the Residue, together with all Poundage deducted as aforesaid.

Settlement of Difference as to Draught of Ship.

384. Whenever any Difference arises between the Master and the qualified Pilot of any Ship trading to or from the Port of *London* as to her Draught of Water, the *Trinity House* shall upon Application by either Party, made, in case of a Ship Inward-bound, within Twelve Hours after her Arrival or at some Time before she begins to discharge her Cargo, and in the Case of a Ship Outward-bound before she quits her Moorings, appoint some proper Officer who shall measure the Ship, and settle the Difference accordingly: And there shall be paid to the Officer measuring such Ship, by the Party against whom he decides, the following Sums; (that is to say,) One Guinea if the Ship be below and Half a Guinea if the Ship be above the Entrance of the *London Docks* at *Wapping.*

Pilot Fund (Trinity House).

Pilot Fund (Trinity House).

Payments to be made to the Pilot Fund.

385. Subject to any Alteration to be made by the *Trinity House*, there shall continue to be paid to them, and carried over to the *Trinity House* Pilot Fund, the Sums of Money following; (that is to say,)

(1.) A Poundage of Sixpence in the Pound upon the Pilotage Earnings of all Pilots licensed by the *Trinity House:*

Pilot Fund (Trinity House)

(2.) A Sum of Three Pounds Three Shillings to be paid on the First Day of *January* in every Year by every Person licensed by the *Trinity House* to act as Pilot in any District not under the Superintendence of Sub-Commissioners, or in any Part of such District:

And any qualified Pilot giving a false Account of his Earnings, or making default in Payment of any Sum due from him under this Section, shall forfeit double the Amount payable, and shall further be liable, at the Discretion of the *Trinity House*, to Suspension or Dismissal.

Application of Fund.

386. Subject to any prior Charges that may be subsisting thereon by virtue of any Act or Acts of Parliament or otherwise, the said *Trinity House* Pilot Fund shall be chargeable in the first instance with such Expenses as the *Trinity House* may duly incur in Performance of their Duties in respect of Pilots and Pilotage, and after Payment thereof shall, subject to any Alteration to be made by the *Trinity House*, be administered by the *Trinity House* for the Benefit of such Pilots licensed by them after the First Day of *October* One thousand eight hundred and fifty-three as are incapacitated for the Performance of their Duty by reason of Age, Infirmity, or Accident, or of the Widows and Children of Pilots so licensed, or of such incapacitated Pilots only.

Appointment of Sub-Commissioners by Trinity Houses of Hull and Newcastle.

Appointment of Sub-Commissioners by Trinity Houses of Hull and Newcastle.

387. The Two Corporations of the Trinity Houses of the Ports of *Hull* and *Newcastle* shall continue to appoint Sub-Commissioners, not being more than Seven nor less than Three in Number, for the Purpose of examining Pilots in all Districts in which they have been used to make such Appointments, and may, with the Consent of Her Majesty in Council, but not otherwise, appoint like Sub-Commissioners for any other District situate within their respective Jurisdictions; but no Pilotage District already under the Authority of any Sub-Commissioners appointed by either of the said Corporations shall be extended, except with such Consent as aforesaid; and no Sub-Commissioners appointed or to be appointed by the Trinity Houses of *Hull* and *Newcastle* shall be deemed to be Pilotage Authorities within the Meaning of this Act, nor shall anything in this Act contained be held to confer upon the Commissioners for regulating the Pilotage of the Port of *Kingston-upon-Hull* and of the River *Humber* any Jurisdiction of a different Nature or Character from that which they have heretofore exercised.

Trinity Houses of Hull and Newcastle may appoint Sub-Commissioners.

Saving of Owners and Masters Rights.

Saving of Owners and Masters Rights.

388. No Owner or Master of any Ship shall be answerable to any Person whatever for any Loss or Damage occasioned by the Fault or Incapacity of any qualified Pilot acting in charge of such Ship, within any District where the Employment of such Pilot is compulsory by Law.

Non-liability of Owner where Pilotage is compulsory.

PART VI.

LIGHTHOUSES.

Management of Lighthouses.

Management of Lighthouses.

389. Subject to the Provisions herein-after contained, and subject also to any Powers or Rights now lawfully enjoyed or exercised by any Person or Body of Persons having by Law or Usage Authority over local Lighthouses, Buoys, or Beacons, herein-after termed "Local Authorities," the Superintendence and Management of all Lighthouses, Buoys, and Beacons shall be vested in the following Bodies; that is to say,

In *England* and *Wales*, and the Islands of *Jersey*, *Guernsey*, *Sark*, and *Alderney*, and the adjacent Seas and Islands, and in *Heligoland* and *Gibraltar*, in the *Trinity House*:

In *Scotland* and the adjacent Seas and Islands, and in the *Isle of Man*, in the Commissioners of Northern Lighthouses herein-after mentioned:

In *Ireland* and the adjacent Seas and Islands, in the Port of *Dublin* Corporation:

Management of Lighthouses, Buoys, and Beacons to be in Trinity House, Commissioners of Northern Lighthouses, and Port of Dublin Corporation.

And, subject to the Provisions herein-after contained, the said *Trinity House*, Commissioners, and Corporation (herein-after termed General Lighthouse Authorities) shall respectively continue to hold and maintain all Property now vested in them in that Behalf in the same Manner and for the same Purposes as they have hitherto held and maintained the same.

Incorporation of Commissioners of Northern Lighthouses.

390. The Persons holding the following Offices shall be a Body Corporate under the Name of the Commissioners of Northern Lighthouses; that is to say,

(1.) The Lord Advocate and the Solicitor-General for *Scotland*;

(2.) The Lords Provosts of *Edinburgh* and *Glasgow*, and the Provosts of the Cities of *Aberdeen*, *Inverness*, and *Campbeltown*;

(3.) The eldest Bailies of *Edinburgh* and *Glasgow*;

(4.) The Sheriffs of the Counties of *Edinburgh*, *Lanark*, *Renfrew*, *Bute*, *Argyle*, *Inverness*, *Ross*, *Orkney*, *Caithness*, *Aberdeen*, *Ayr*, *Fife*, *Forfar*, *Wigton*, *Sutherland*, *Kincardine*, *Kircudbright*, and *Elgin*;

And shall have a Common Seal; and any Five of such Commissioners shall constitute a Quorum, and shall have Power to do all such Matters and Things as might be done by the whole Body of Commissioners.

Management of Lighthouses.

Power to elect certain new Members.

391. In addition to the Persons above mentioned, it shall be lawful for the said Commissioners at any Time after this Act comes into operation to elect the Provost or Chief Magistrate of any Royal or Parliamentary Burgh on or near any Part of the Coasts of *Scotland* and the Sheriff of any County abutting on such Coasts.

Trinity House may inspect Lighthouses.

392. The *Trinity House*, their Engineers, Workmen, and Servants, may at all Times enter any Lighthouses within the Jurisdiction of the said Commissioners or Corporation to view the Condition thereof or otherwise for the Purposes of this Act.

Board of Trade may appoint Persons to inspect Lighthouses, &c.

393. The Board of Trade may, upon Complaint to the Effect that any Lighthouse, Buoy, or Beacon under the Management of any of the said General Lighthouse Authorities, or any Work connected therewith, is inefficient or improperly managed or unnecessary, authorize Persons to inspect the same; and every Person so authorized may inspect the same accordingly, and make such Inquiries in respect thereof and of the Management thereof, as he may think fit; and all Officers and others having the Care of such Lighthouses, Buoys, or Beacons, or concerned in the Management thereof, shall furnish all such Information and Explanations in relation thereto as he may require; and the said General Lighthouse Authorities and their respective Officers shall at all Times give to the Board of Trade all such Returns, Explanations, or Information in relation to the Lighthouses, Buoys, or Beacons within their Jurisdiction and the Management thereof, as such Board may from Time to Time require.

Power to General Lighthouse Authorities to control local Authorities.

394. Each of the said General Lighthouse Authorities, upon giving due Notice of their Intention, shall have Power, with the Sanction of the Board of Trade, to compel any Local Authority having Jurisdiction in the Matter of Lighthouses, Buoys, or Beacons at any Place situate within the Jurisdiction of such General Lighthouse Authority, to lay down Buoys, or to remove or discontinue any existing Lighthouse or Beacon, or to make any Variation in the Character of any Lighthouse or in the Mode of exhibiting Lights therein; and no such Local Authority as aforesaid shall erect any new Lighthouse, or remove or discontinue any Lighthouse, or vary the Character of any Lighthouse or the Mode of exhibiting Lights therein, without the Sanction of the General Lighthouse Authority within whose Jurisdiction the same is situate.

In case of Default by local Bodies local Lighthouses may be transferred to General Lighthouse Authorities.

395. If any Local Authority having Power to erect, maintain, or place any local Lighthouse, Buoy, or Beacon at any Place within the Jurisdiction of One of the said General Lighthouse Authorities fails so to do, or fails to obey any Direction given by such Authority under the last preceding Section, Her Majesty may, upon Application from such General Lighthouse Authority, by Order in Council direct that such Power as aforesaid shall be transferred to such last-mentioned Authority; and such Power, together with all Powers of levying and receiving Dues in respect of such Lighthouse, Buoy, or Beacon, shall thereupon become vested in such last-mentioned Authority; and such Lighthouse, with its Appurtenances, and also such Buoy or Beacon, and all Dues leviable in respect thereof, shall thenceforth be subject in all respects to the same Regulations as other Lighthouses and Light Dues, Buoys, and Beacons provided for by this Act.

Light Dues.

Light Dues.

Dues to be levied.

396. Subject to any Alterations to be made under the Powers herein-after contained, the said General Lighthouse Authorities shall, in respect of the existing Lighthouses, Buoys, or Beacons within their respective Jurisdictions, continue to levy Dues, herein-after called Light Dues, after the Rate at which the same are levied at the Time when this Act comes into operation; and such Light Dues shall be payable in respect of all Ships whatever, except Ships belonging to Her Majesty, and Ships hereby exempted from Payment thereof.

Light Dues to be subject to Revision by Her Majesty in Council.

397. Her Majesty may, by and with the Advice of Her Privy Council, from Time to Time reduce all or any of the Dues for the Time being payable in respect of existing or future Lighthouses, Buoys, or Beacons, for the Time being under the Management of the said General Lighthouse Authorities; and may also by and with the like Advice from Time to Time increase or vary any of such Dues, so that no Dues payable in respect of any Lighthouse, Buoy, or Beacon existing at the Time when this Act comes into operation are made to exceed the Amount which has at any Period previous to such Time been received in respect thereof, or to which the said Dues might during any Part of such Period as last aforesaid lawfully have been raised.

Powers of General Lighthouse Authorities to alter and regulate Dues.

398. Each of the said General Lighthouse Authorities shall have Power, with the Consent of Her Majesty in Council, to do any of the following Things; that is to say,

To exempt any Ships or any Classes of Ships from the Payment of Light Dues receivable by such Authority, and to annex any Terms or Conditions to such Exemptions:

To alter the Times, Places, and Modes at and in which the Light Dues receivable by such Authority are payable:

To substitute any other Dues or Class of Dues, whether by way of annual Payment or otherwise, in respect of any Ships or Classes of Ships, for the Dues payable to such Authority for the Time being.

Publication of Dues and Regulations.

399. Tables of all Light Dues, and a Copy of the Regulations for the Time being in force in respect thereof, shall be posted up at all Custom Houses within the United Kingdom; and each of the said General Lighthouse Authorities shall from Time to Time as Occasion requires furnish Copies of such Tables and Regulations to the Commissioners of Customs in *London*, and to the principal Officers of Customs

Light Dues.

Customs resident at all Places where Light Dues are collected on account of such Lighthouse Authority; and such Copies shall be posted up by the Commissioners at the Custom House in *London*, and by such Officers at the Custom Houses of the Places at which they are respectively resident.

Ship not to be cleared without Production of Receipt for Light Dues.

400. A Receipt for Light Dues shall be given by the Person appointed to collect the same to every Person paying the same, and no Officer of Customs at any Port where Light Dues are payable in respect of any Ship shall grant a Clearance or Transire for any such Ship, unless the Receipt for the same is produced to him.

Power of Distress for Light Dues.

401. If the Owner or Master of any Ship fails on Demand of the authorized Collector to pay the Light Dues due in respect thereof, it shall be lawful for such Collector, in addition to any other Remedy which he or the Authority by whom he is appointed is entitled to use, to enter upon such Ship, and distrain the Goods, Guns, Tackle, or any other Thing of or belonging to or on board such Ship, and to detain such Distress until the said Light Dues are paid; and if Payment of the same is not made within the Period of Three Days next ensuing such Distress, he may, at any Time during the Continuance of such Non-payment, cause the same to be appraised by Two sufficient Persons or Sworn Appraisers, and thereupon sell the same, and apply the Proceeds in Payment of the Light Dues due, together with all reasonable Expenses incurred by him under this Section, paying the Surplus (if any) on Demand to the said Owner or Master.

Light Dues, how to be paid over and accounted for.

402. Every Person appointed to collect Light Dues by any of the said General Lighthouse Authorities shall collect all Light Dues payable at the Port or Place at which he is so appointed, whether the same be collected on account of such last-mentioned Authority or of the other General Lighthouse Authorities, and shall pay over to the General Lighthouse Authority by whom he was appointed, or as it directs, the whole Amount of Light Dues received by him; and the Authority so receiving the same shall keep Accounts thereof, and shall cause the same to be remitted to Her Majesty's Paymaster General in such Manner as the Board of Trade directs.

Application of Light Dues.

403. All Light Dues coming to the Hands of any of the said General Lighthouse Authorities under this Act shall be carried to the Account of the Mercantile Marine Fund herein-after mentioned, and shall be dealt with in manner herein-after prescribed.

Construction of and Dues for New Lighthouses.

New Lighthouses.

Power to Lighthouse Authorities to erect, place, and alter Lighthouses, Buoys, and Beacons.

404. Each of the said General Lighthouse Authorities shall have Power, within its Jurisdiction, to execute the following Works and do the following Things; (that is to say,)

(1.) To erect or place new Lighthouses, with all requisite Works, Roads, and Appurtenances, or alter or remove any existing Lighthouses:

(2.) To erect or place any new Buoys or Beacons, or alter or remove any existing Buoys or Beacons:

(3.) To take and purchase any Land which may be necessary for the above Purposes, or for the Maintenance of the Works or the Residence of the Light Keepers:

(4.) To vary the Character of any Lighthouse or the Mode of exhibiting Lights therein:

(5.) To sell any Land belonging to it:

But the Exercise of the above Power shall, in the Case of the said Commissioners and Corporation, be subject to the Restrictions herein-after contained.

This Power in the Case of the Commissioners and Corporation to be subject to Approval by Trinity House, with Appeal to Board of Trade.

405. Previously to undertaking any such Work as aforesaid, the said Commissioners or Corporation, as the Case may be, shall forward a Notice specifying fully the Nature of the Work proposed to be undertaken by them, and their Reasons for undertaking the same, to the *Trinity House*, who shall take the proposed Scheme into their Consideration, and notify to the said Commissioners or Corporation their Approval or Rejection thereof with or without Modifications; but no such Notification shall be binding on the said Commissioners or Corporation until the same has been sanctioned by the Board of Trade in manner herein-after mentioned; and at any Time previous to such Sanction being given, the said Commissioners or Corporation may forward to the *Trinity House* and the Board of Trade, or either of them, any Objections to, or Observations upon, or Suggestions in respect of, such Notification.

Sanction of Board of Trade, how to be obtained.

406. In order to obtain such Sanction as aforesaid, the *Trinity House* shall forward a Copy of their Notification, accompanied by Copies of all Communications that have passed between the *Trinity House* and the said Commissioners or Corporation, to the Board of Trade; and such Board shall have Power to give any Directions they may think fit in relation to the Matters submitted to them, by granting or withholding their Sanction, either wholly or partially, and either with or without Modification.

Trinity House to communicate Decision of Board of Trade.

407. The *Trinity House* shall forthwith communicate the Directions given by the Board of Trade in relation to the Matters aforesaid to the said Commissioners or Corporation, and the said Commissioners or Corporation shall, upon the Receipt of such Directions, be bound to act in conformity therewith, and to do or forbear doing anything thereby directed to be done or forborne.

Power to Trinity House, with Sanction of Board of

408. The *Trinity House* shall have Power to direct the said Commissioners and Corporation, or either of them, to execute the following Works; (that is to say,)

(1.) To continue any existing Lighthouses, Buoys, or Beacons:

New Lighthouses.

Trade, to compel Execution of Works by Commissioners and Corporation.

(2.) To erect or place any new Lighthouses, Buoys, or Beacons, or alter or remove any existing Lighthouses, Buoys, or Beacons:

(3.) To vary the Character of any Lighthouse, or the Mode of exhibiting Lights therein:

But no such Directions shall be issued to the said Commissioners or Corporation until the Issue thereof has been sanctioned by the Board of Trade; such Sanction to be obtained by the *Trinity House* in manner herein-after mentioned.

Sanction of Board of Trade, how to be obtained.

409. Previously to issuing any such Directions as aforesaid, the *Trinity House* shall make an Application to the Board of Trade, stating fully the Nature of the Work to which such Directions relate and their Reasons for directing the same; and shall at the same Time give Notice to the said Commissioners or Corporation respectively of such their Application, by causing written Notice of the said Application and a Copy of the proposed Directions to be left at or sent to the Office of the said Commissioners in *Edinburgh*, or the Office of the said Corporation in *Dublin*, as the Case may be; and Opportunity shall be afforded to the said Commissioners or Corporation to submit any Observations they may see fit to make with respect to such Application to the *Trinity House* and to the Board of Trade; and if thereupon the said *Trinity House* adhere to their said Directions, and if the Board of Trade concur therein, and if such Adherence and Concurrence is duly notified to the said Commissioners or Corporation, it shall be their Duty within a reasonable Time after such Notification is made to carry the said Directions into effect.

Her Majesty may by Order in Council fix Dues to be taken for new Lighthouses.

410. Upon the Completion of any new Lighthouse, Buoy, or Beacon, Her Majesty may by Order in Council fix such Dues in respect thereof to be paid by the Master or Owner of every Ship which passes the same or derives Benefit therefrom, as Her Majesty may deem reasonable, and may from Time to Time alter the Amount thereof; and such Dues shall be paid and collected in the same Manner, by the same Means, and subject to the same Conditions in, by, and subject to which the Light Dues authorized to be levied by this Act are paid and collected.

No Dues to be levied in the Channel Islands without Consent of the States.

411. No Dues for any Lighthouse, Buoy, or Beacon to be erected or placed in or near the Islands of *Guernsey*, *Jersey*, *Sark*, or *Alderney* shall be taken in the said Islands of *Guernsey* or *Jersey* without the Consent of the States of the said Islands respectively; nor shall any Powers herein-before given to the *Trinity House* in respect of any Lighthouse, Buoy, or Beacon erected or placed in the Islands of *Guernsey* or *Jersey*, or hereafter to be erected or placed in such Islands, be exercised without the Consent of Her Majesty in Council.

Incorporation of 8 & 9 Vict. cc. 18 and 19.

412. The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act (*Scotland*), 1845, shall be incorporated in this Act, and shall apply to all Lighthouses to be constructed and all Land to be purchased under the Powers thereof.

Surrender of Local Lighthouses.

Surrender of Local Lighthouses.

Local Lighthouses may be surrendered to General Lighthouse Authorities.

413. Every Local Authority holding any Lighthouse, Buoy, or Beacon at any Place within the Jurisdiction of any of the said General Lighthouse Authorities may, if they think fit, surrender or sell the same to such General Lighthouse Authority, and such Authority may, with the Consent of the Board of Trade, accept or purchase the same, the Purchase Money (if any) to be paid out of the said Mercantile Marine Fund; and thereupon such Lighthouse and its Appurtenances or such Buoy or Beacon, as the Case may be, shall become vested in such Authority; and such Authority shall be entitled to receive all Dues lawfully payable in respect thereof at the Time of such Surrender or Sale, or, if Her Majesty by Order in Council so directs, such Dues as might be fixed and made payable if the same were a new Lighthouse, Buoy, or Beacon; and such Lighthouse, Buoy, or Beacon, and the Dues payable in respect thereof, shall, after such Surrender or Sale, be subject in all respects to the same Regulations as other Lighthouses and Light Dues, Buoys and Beacons provided for by this Act.

Damage to Lights, Buoys, and Beacons.

Damage to Lights, Buoys, and Beacons.

Penalty for injuring Lights, Buoys, and Beacons.

414. If any Person wilfully or negligently commits any of the following Offences, (that is to say,)

(1.) Injures any Lighthouse or the Lights exhibited therein, or any Buoy or Beacon;

(2.) Removes, alters, or destroys any Light Ship, Buoy, or Beacon;

(3.) Rides by, makes fast to, or runs foul of any Light Ship or Buoy;

He shall, in addition to the Expenses of making good any Damage so occasioned, incur a Penalty not exceeding Fifty Pounds.

Prevention of False Lights.

Prevention of False Lights.

General Lighthouse Authorities may prohibit false Lights.

415. Whenever any Fire or Light is burnt or exhibited at such Place or in such Manner as to be liable to be mistaken for a Light proceeding from a Lighthouse, it shall be lawful for the General Lighthouse Authority within whose Jurisdiction such Place is situate, to serve a Notice upon the Owner of the Place where the Fire or Light is burnt or exhibited, or on the Person having the Charge of such Fire or Light, either personally or by Delivery at the Place of Abode of such Owner or Person, or by affixing the same in some conspicuous Spot near to such Fire or Light, and by such Notice to direct such Owner or Person, within a reasonable Time to be therein specified, to take effectual Means for the extinguishing or effectually screening such existing Light, and for preventing for the future any similar Fire or Light; and

Prevention of False Lights.

and any Owner or Person disobeying such Notice shall be deemed guilty of a Common Nuisance, and in addition to any other Penalties or Liabilities of any kind thereby incurred, shall incur a Penalty not exceeding One hundred Pounds.

If not obeyed they may abate such Lights.

416. If any Owner or Person served with such Notice as aforesaid neglects for a Period of Seven Days to extinguish or effectually screen the Fire or Light therein mentioned, it shall be lawful for the General Lighthouse Authority within whose Jurisdiction the same may be, by their Servants or Workmen, to enter upon the Place whereon the same may be, and forthwith to extinguish such Fire or Light, doing no unnecessary Damage; and all Expenses incurred by such Authority in such Extinction may be recovered from such Person or Owner as aforesaid in the same Way as Penalties are hereby directed to be recoverable.

PART VII.

MERCANTILE MARINE FUND.

Mercantile Marine Fund.

Sums to be carried to Mercantile Marine Fund.

417. The following Sums shall be carried to a common Fund, to be entitled the "Mercantile Marine Fund;" (that is to say,)

(1.) All Fees and other Sums (other than Fines and Forfeitures) received by the Board of Trade under the Provisions of the Third and Fourth Parts of this Act:

(2.) All Light Dues or other Sums received by or accruing to the *Trinity House*, the Commissioners of Northern Lighthouses, and the Port of *Dublin* Corporation, under the Sixth Part of this Act:

(3.) All Rates and Monies received by the *Trinity House* under the Local Act of the Seventh Year of Her present Majesty, Chapter Fifty-seven, for the Regulation of Lastage and Ballastage in the River *Thames:* 6 & 7 Vict. c. lvii.

(4.) All Fees and other Sums mentioned in the Table marked V. in the Schedule hereto which are received by Receivers appointed under the Eighth Part of this Act:

And an Account of the said Fund, intituled "The Mercantile Marine Fund Account," shall be kept with Her Majesty's Paymaster General.

Application of Mercantile Marine Fund.

418. Subject to any prior Charges that may be subsisting thereon by virtue of any Act or Acts of Parliament or otherwise, the said Fund shall be chargeable with the following Expenses; that is to say,

(1.) The Salaries and other Expenses connected with the Local Marine Boards, the Examinations, and the Shipping Offices, provided for by the Third Part of this Act:

(2.) The Salaries of Surveyors, and other Expenses connected with the Survey of Passenger Steam Ships provided for by the Fourth Part of this Act:

(3.) All Expenses incurred by the General Lighthouse Authorities aforesaid in the Works and Services of Lighthouses, Buoys, and Beacons provided for by the Sixth Part of this Act, or in the Execution of any Works necessary or expedient for the Purpose of permanently reducing the Expense of such Works and Services:

(4.) All Expenses incurred by the *Trinity House* in respect of Lastage and Ballastage in the River *Thames:*

(5.) Such Expenses for establishing and maintaining on the Coasts of the United Kingdom proper Life-boats, with the necessary Crews and Equipments, and for affording Assistance towards the Preservation of Life and Property in Cases of Shipwreck and Distress at Sea, and for rewarding the Preservation of Life in such Cases, as the Board of Trade directs:

(6.) Any Expenses incurred in carrying into effect the Provisions with regard to Receivers and the Performance of their Duties contained in the Eighth Part of this Act:

(7.) Any Expenses which by this or any other Act of Parliament are specially charged thereon:

And shall, save as herein-after mentioned, be applicable to no other Purpose whatever.

Application of Ballastage Rates. 6 & 7 Vict. c. lvii.

419. The said Rates and Monies received by the *Trinity House* under the said Local Act of the Seventh Year of Her present Majesty, Chapter Fifty-seven, shall, subject to the Payment of such Proportion of any prior Charges subsisting on the Mercantile Marine Fund as may in the Opinion of the Board of Trade be fairly chargeable thereon, and to the Powers of raising Money upon the Credit of the said Fund herein contained, be applicable only to Services performed for the Purpose of supplying Ballast to or providing for the Safety or Convenience of such Ships as navigate the said River *Thames* and the Seas and Channels leading thereto between *Orfordness* on the North and *Dungeness* on the South: Provided that if, in addition to the Duties performed in consideration of the said Ballastage Rates under the said Local Act, the *Trinity House*, at the Request, or with the Consent of the Owners or Masters of or Agents for any Ships, undertake to place Ballast on board thereof, or to unload Ballast therefrom, they shall be entitled to charge for such additional Duties such reasonable additional Rate *per* Ton for Ballast so placed on board or unladen as Her Majesty by Order in Council from Time to Time approves.

Establishments for Lighthouses and Ballastage charged on Fund to be

420. Her Majesty may from Time to Time, by and with the Advice of Her Privy Council, fix the Establishments to be maintained by each of the said General Lighthouse Authorities on account of the Services of Lighthouses, Buoys and Beacons, and also as regards the *Trinity House*, on account of the Service of Lastage and Ballastage in the River *Thames*, or the annual or other Sums to be paid out of the

Mercantile Marine Fund.

fixed by Her Majesty in Council.

the said Fund, in respect of such Establishments; and if it appears that any Part of the Establishments of the said Lighthouse Authorities is maintained for the Purposes of such Duties and also for other Purposes, to fix and from Time to Time alter the Portion of the Expense of such Establishments to be paid out of the said Fund; and no Increase of any Establishment or Part of an Establishment so fixed shall be made without the Consent of the Board of Trade.

Power to grant Superannuation Allowances.

421. The said General Lighthouse Authorities may from Time to Time, with the Sanction of the Board of Trade, grant Superannuations or Compensations to Persons whose Salaries are payable out of the said Fund, and who are discharged or retire; so nevertheless that no Superannuation Allowance or Compensation to any Person so discharged or retiring shall exceed the Proportion of his Salary which might be granted to a Person in the public Civil Service, under the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or under any other Act for regulating such Superannuation Allowances or Compensations for the Time being in force.

Estimates and Accounts for other Expenses to be approved by the Board of Trade.

422. Each of the said General Lighthouse Authorities shall from Time to Time submit to the Board of Trade Estimates of all Expenses to be incurred by them in respect of the Matters aforesaid, other than the Establishment Expenses for the Time being allowed by Order in Council as aforesaid; and shall also, whenever in providing for any sudden Emergency it is necessary to incur any Expense without waiting until an Estimate can be sanctioned, as soon as possible send to the Board of Trade a full Account of such Expense; and the Board of Trade shall consider and may approve such Estimates and Accounts, either with or without Modification.

No Expense to be allowed unless sanctioned by Board of Trade.

423. No Expense of any of the said General Lighthouse Authorities in respect of the said Services shall be paid out of the Mercantile Marine Fund, or allowed in Account, other than the Sums so allowed for Establishment Expenses as aforesaid, or included in Estimates or Accounts approved by the Board of Trade.

For the Purpose of erecting and repairing Lighthouses and other extraordinary Expenses, Treasury may advance Money.

424. For the Purpose of the Construction and Repair of Lighthouses, and of other extraordinary Expenses connected with the said Services, the Treasury are authorized from Time to Time, upon the Application of the Board of Trade, to advance out of the growing Produce of the Consolidated Fund of the United Kingdom such Sums of Money, upon such Terms, and at such Rate of Interest as they think fit, and to pay the same into the Mercantile Marine Fund Account, so nevertheless that the whole Sum for the Time being due in respect of such Advances shall never at any One Time exceed Two hundred thousand Pounds; and upon any Advance being so made the Sum so advanced and the Interest shall be a Charge on the Mercantile Marine Fund, and upon the Dues, Rates, Fees, and Payments so to be carried thereto as aforesaid; and the Board of Trade shall make such Provision for the Repayment thereof out of the said Fund, either by forming a Sinking Fund or otherwise, as the Treasury may require; provided that no such Advance shall prevent any lawful Reduction of any of the said Dues, Rates, Fees, or Payments, if such Reduction be assented to by the Treasury.

Power to Board of Trade to borrow Money on the Credit of Fund.

425. The Board of Trade may also, for the Purpose last aforesaid, raise Money by mortgaging the Mercantile Marine Fund, and the several Dues, Rates, Fees, and Payments so to be carried thereto as aforesaid, or any of them, or any Part thereof, to any Person or Body of Persons; and every such Mortgage shall be in such Form, and under the Hand and Seal of such Person or Persons, as the President of the said Board for the Time being may direct; and no Person or Body of Persons lending Money upon any such Mortgage shall be bound to see to the Purpose for which the same is raised, or to the Mode in which it is applied.

Power to Public Works Loan Commissioners to advance Money on the Credit of the Fund.

426. The Public Works Loan Commissioners may also, for the Purpose last aforesaid, advance Money upon Mortgage of the said Mercantile Marine Fund, and the several Dues, Rates, Fees, and Payments so to be carried thereto as aforesaid, or any of them, or any Part thereof, without requiring any further Security than such Mortgage as aforesaid; but every Mortgage so made to the said Public Works Loan Commissioners, or their Secretary for the Time being, shall be made under and in pursuance of the Acts of Parliament regulating the Proceedings of the said Public Works Loan Commissioners; anything herein contained to the contrary notwithstanding: Provided, that no Advance which may be made by the said Public Works Loan Commissioners shall prevent any lawful Reduction of any of the said Dues, Rates, Fees, or Payments, if such Reduction is assented to by the said Public Works Loan Commissioners.

Lighthouse Authorities to account for Receipt and Expenditure to Board of Trade.

427. Each of the said General Lighthouse Authorities shall account to the Board of Trade for their Receipts from the said Light Dues and Ballastage Rates, and for their Expenditure as regards Expenses paid out of the said Fund, in such Form, and at such Times, and with such Details, Explanations, and Vouchers, as the Board of Trade requires, and shall, when required by such Board, permit all Books of Accounts kept by or under their respective Direction to be inspected and examined by such Persons as the said Board appoints for that Purpose.

Accounts of Fund to be audited by Commissioners of Audit.

428. The Board of Trade shall render to the Commissioners for auditing the Public Accounts periodical Accounts of the whole of the Receipts and Expenditure of the Mercantile Marine Fund, such Accounts to be signed and declared to by the Accountant appointed by the Board of Trade for that Purpose; and in case of Default it shall be lawful for the Treasury to make or direct such Allowance as under the Circumstances of the Case they may think fit in respect thereof.

429. The

Mercantile Marine Fund.

Accounts to be laid before Parliament.

429. The Board of Trade shall as soon as practicable after the meeting of Parliament in every Year cause the Account of the Mercantile Marine Fund for the then preceding Year to be laid before both Houses of Parliament.

Property used for the Purposes of Parts III. and VI. of Act to be exempt from all Rates and Taxes.

430. All Lighthouses, Buoys, Beacons, and Light Dues, and all other Rates, Fees, or Payments accruing to or forming Part of the said Fund, and all Premises or Property belonging to or occupied by any of the said General Lighthouse Authorities or the Board of Trade, which are used or applied for the Purposes of any of the Services for which such Dues, Rates, Fees, and Payments are received, and all Instruments or Writings used by or under the Direction of any of the said General Lighthouse Authorities or the Board of Trade in carrying on the said Services, shall be exempted from all public, parochial, and local Taxes, Duties, and Rates of every kind.

Ships of Lighthouse Authorities exempt from Harbour Dues.

431. The Ships belonging to or used by any of the said General Lighthouse Authorities, or by the Board of Trade, shall be privileged to enter, resort to, and use any Harbours, Ports, Docks, or Piers in the United Kingdom, without Payment of any Tolls, Dues, or Rates of any kind.

PART VIII.

WRECKS, CASUALTIES, AND SALVAGE.

Inquiries into Wrecks.

Inquiries into Wrecks.

Inquiries to be instituted in Cases of Wreck and Casualty.

432. In any of the Cases following, that is to say,

Whenever any Ship is lost, abandoned, or materially damaged on or near the Coasts of the United Kingdom;

Whenever any Ship causes Loss or material Damage to any other Ship on or near such Coasts;

Whenever by reason of any Casualty happening to or on board of any Ship on or near such Coasts Loss of Life ensues;

Whenever any such Loss, Abandonment, Damage, or Casualty happens elsewhere, and any competent Witnesses thereof arrive or are found at any Place in the United Kingdom;

It shall be lawful for the Inspecting Officer of the Coast Guard or the principal Officer of Customs residing at or near the Place where such Loss, Abandonment, Damage, or Casualty occurred, if the same occurred on or near the Coasts of the United Kingdom, but if elsewhere at or near the Place where such Witnesses as aforesaid arrive or are found or can be conveniently examined, or for any other Person appointed for the Purpose by the Board of Trade, to make Inquiry respecting such Loss, Abandonment, Damage, or Casualty; and he shall for that Purpose have all the Powers given by the First Part of this Act to Inspectors appointed by the said Board.

Formal Investigation before Justices.

433. If it appears to such Officer or Person as aforesaid, either upon or without any such preliminary Inquiry as aforesaid, that a formal Investigation is requisite or expedient, or if the Board of Trade so directs, he shall apply to any Two Justices or to a Stipendiary Magistrate to hear the Case; and such Justices or Magistrate shall thereupon proceed to hear and try the same, and shall for that Purpose, so far as relates to the summoning of Parties, compelling the Attendance of Witnesses, and the Regulation of the Proceedings, have the same Powers as if the same were a Proceeding relating to an Offence or Cause of Complaint upon which they or he have Power to make a summary Conviction or Order, or as near thereto as Circumstances permit; and it shall be the Duty of such Officer or Person as aforesaid to superintend the Management of the Case, and to render such Assistance to the said Justices or Magistrate as is in his Power; and, upon the Conclusion of the Case, the said Justices or Magistrate shall send a Report to the Board of Trade, containing a full Statement of the Case and of their or his Opinion thereon, accompanied by such Report of or Extracts from the Evidence, and such Observations (if any) as they or he may think fit.

Power to appoint Nautical Assessor.

434. In Cases where nautical Skill and Knowledge are required, the Board of Trade shall have the Power, either at the Request of such Justices or Magistrate, or at its own Discretion, to appoint some Person of nautical Skill and Knowledge to act as Assessor to such Justices or Magistrate; and such Assessor shall, upon the Conclusion of the Case, either signify his Concurrence in their Report by signing the same, or if he dissents therefrom shall signify such Dissent and his Reasons therefor to the Board of Trade.

Stipendiary Magistrate to be the Magistrate who is Member of Local Marine Board.

435. In Places where there is a Local Marine Board, and where a Stipendiary Magistrate is a Member of such Board, all such Investigations as aforesaid shall, whenever he happens to be present, be made before such Magistrate; and there shall be paid to such Magistrate in respect of his Services under this Act such Remuneration, whether by way of annual Increase of Salary or otherwise as Her Majesty's Secretary of State for the Home Department, with the Consent of the Board of Trade, may direct; and such Remuneration shall be paid out of the Mercantile Marine Fund.

Costs of such Investigations.

436. The said Justices or Magistrate may make such Order with respect to the Costs of any such Investigation or any Portion thereof as they or he may deem just, and such Costs shall be paid accordingly, and shall be recoverable in the same Manner as other Costs incurred in summary Proceedings before them or him; and the Board of Trade may, if in any Case it thinks fit so to do, pay the Expense of any such Investigation, and may pay to such Assessor as aforesaid such Remuneration as it thinks fit.

437. In

Inquiries into Wrecks.

Investigations in Scotland.

437. In the Case of any such Investigation as aforesaid to be held in *Scotland*, the Board of Trade may, if it so thinks fit, remit the same to the Lord Advocate to be prosecuted in such Manner as he may direct, and in case he so requires, with the Assistance of such Person of nautical Skill and Knowledge as the Board of Trade may appoint for the Purpose.

Master or Mate may be required to deliver Certificate to be held until Close of Inquiry.

438. Such Justices or Magistrate as aforesaid may, or in *Scotland* such Person or Persons as is or are directed by the Lord Advocate to conduct the Investigation may, if they or he think fit, require any Master or Mate possessing a Certificate of Competency or Service whose Conduct is called in question or appears to them or him likely to be called in question in the course of such Investigation, to deliver such Certificate to them or him, and they or he shall hold the Certificate so delivered until the Conclusion of the Investigation, and shall then either return the same to such Master or Mate, or, if their Report is such as to enable the Board of Trade to cancel or suspend such Certificate under the Powers given to such Board by the Third Part of this Act, shall forward the same to the Board of Trade, to be dealt with as such Board thinks fit; and if any Master or Mate fails so to deliver his Certificate when so required, he shall incur a Penalty not exceeding Fifty Pounds.

Appointment and Duties of Receivers.

Appointment and Duties of Receivers.

Board of Trade Superintendents of Wreck, with Power to appoint Receivers.

439. The Board of Trade shall throughout the United Kingdom have the general Superintendence of all Matters relating to Wreck; and it may, with the Consent of the Commissioners of Her Majesty's Treasury, appoint any Officer of Customs or of the Coast Guard, or any Officer of Inland Revenue, or, when it appears to such Board to be more convenient, any other Person, to be a Receiver of Wreck in any District, and to perform such Duties as are herein-after mentioned, and shall give due Notice of every such Appointment.

Admiral not to interfere with Wreck.

440. No Admiral, Vice Admiral, or other Person, under whatever Denomination, exercising Admiralty Jurisdiction, shall as such, by himself or his Agents, receive, take, or interfere with any Wreck except as herein-after mentioned.

Duty of Receiver when any Ship is stranded or in Distress.

441. Whenever any Ship or Boat is stranded or in Distress at any Place on the Shore of the Sea or of any Tidal Water within the Limits of the United Kingdom, the Receiver of the District within which such Place is situate shall, upon being made acquainted with such Accident, forthwith proceed to such Place, and upon his Arrival there he shall take the Command of all Persons present, and assign such Duties to each Person, and issue such Directions, as he may think fit, with a view to the Preservation of such Ship or Boat, and the Lives of the Persons belonging thereto, and the Cargo and Apparel thereof; and if any Person wilfully disobeys such Directions, he shall forfeit a Sum not exceeding Fifty Pounds; but it shall not be lawful for such Receiver to interfere between the Master of such Ship or Boat and his Crew in Matters relating to the Management thereof, unless he is requested so to do by such Master.

Powers of Receiver in case of such Accident to any Ship or Boat.

442. The Receiver may, with a view to such Preservation as aforesaid of the Ship or Boat, Persons, Cargo, and Apparel, do the following Things; (that is to say,)

(1.) Summon such Number of Men as he thinks necessary to assist him:

(2.) Require the Master or other Person having the Charge of any Ship or Boat near at Hand to give such Aid with his Men, Ship, or Boats, as may be in his Power:

(3.) Demand the Use of any Waggon, Cart, or Horses that may be near at Hand:

And any Person refusing without reasonable Cause to comply with any Summons, Requisition, or Demand so made as aforesaid, shall for every such Refusal incur a Penalty not exceeding One hundred Pounds; but no Person shall be liable to pay any Duty of Assessed Taxes in respect of any such Waggon, Cart, or Horses by reason of the User of the same under this Section.

All Articles washed on Shore or lost, or taken from any Ship or Boat, to be delivered to the Receiver.

443. All Cargo and other Articles belonging to such Ship or Boat as aforesaid, that may be washed on Shore, or otherwise be lost or taken from such Ship or Boat, shall be delivered to the Receiver; and any Person, whether he is the Owner or not, who secretes or keeps Possession of any such Cargo or Article, or refuses to deliver the same to the Receiver, or to any Person authorized by him to demand the same, shall incur a Penalty not exceeding One hundred Pounds; and it shall be lawful for such Receiver or other Person as aforesaid to take such Cargo or Article by force from the Person so refusing to deliver the same.

Power of Receiver to suppress Plunder and Disorder by Force.

444. Whenever any such Accident as aforesaid occurs to any Ship or Boat, and any Person plunders, creates Disorder, or obstructs the Preservation of such Ship, Boat, Lives, or Cargo as aforesaid, it shall be lawful for the Receiver to cause such Person to be apprehended, and to use Force for the Suppression of any such Plundering, Disorder, or Obstruction as aforesaid, with Power to command all Her Majesty's Subjects to assist him in the Use of such Force; and if any Person is killed, maimed, or hurt, by reason of his resisting the Receiver in the Execution of the Duties hereby committed to him, or any Person acting under his Orders, such Receiver or other Person shall be free and fully indemnified, as well against the Queen's Majesty, Her Heirs and Successors, as against all Persons so killed, maimed, or hurt.

Certain Officers to exercise Powers of Receiver in his Absence.

445. During the Absence of the Receiver from the Place where any such Accident as aforesaid occurs, or in Places where no Receiver has been appointed under this Act, the following Officers in Succession, each in the Absence of the other, in the Order in which they are named, that is to say, any principal Officer of Customs or of the Coast Guard, or Officer of Inland Revenue, and also any Sheriff, Justice

of

of the Peace, Commissioned Officer on Full Pay in the Naval Service of Her Majesty, or Commissioned Officer on Full Pay in the Military Service of Her Majesty, may do all Matters and Things hereby authorized to be done by the Receiver, with this Exception, that with respect to any Goods or Articles belonging to any such Ship or Boat, the Delivery up of which to the Receiver is herein-before required, any Officer so acting shall be considered as the Agent of the Receiver, and shall place the same in the Custody of the Receiver; and no Person so acting as Substitute for any Receiver shall be entitled to any Fees payable to Receivers, or be deprived by reason of his so acting of any Right to Salvage to which he would otherwise be entitled.

Appointment and Duties of Receivers.

446. Whenever any such Accident as aforesaid occurs to any Ship or Boat, all Persons may, for the Purpose of rendering Assistance to such Ship or Boat, or saving the Lives of the Persons on board the same, or the Cargo or Apparel thereof, unless there is some public Road equally convenient, pass and repass either with or without Carriages or Horses over any adjoining Lands, without being subject to Interruption by the Owner or Occupier, so that they do as little Damage as possible, and may also, on the like Condition, deposit on such Lands any Cargo or other Article recovered from such Ship or Boat; and all Damage that may be sustained by any Owner or Occupier in consequence of any such passing or repassing or Deposit as aforesaid shall be a Charge on the Ship, Boat, Cargo, or Articles in respect of or by which such Damage was occasioned, and shall, in default of Payment, be recoverable in the same Manner as Salvage is hereby made recoverable; and the Amount payable in respect thereof, if disputed, shall be determined in the same Manner as the Amount of Salvage is hereby in case of Dispute directed to be determined.

Power in case of a Ship being in Distress to pass over adjoining Lands with Carriages.

447. If the Owner or Occupier of any Land over which any Person is hereby authorized to pass or repass for any of the Purposes herein-before mentioned does any of the following Things, (that is to say,)

(1.) Impedes or hinders any such Person from so passing or repassing, with or without Carriages, Horses, and Servants, by locking his Gates, refusing, upon Request, to open the same, or otherwise however:

(2.) Impedes or hinders the Deposit of any Cargo or other Article recovered from any such Ship or Boat, as herein-before mentioned:

(3.) Prevents such Cargo or other Article from remaining so deposited for a reasonable Time, until the same can be removed to a safe Place of public Deposit;

He shall for every such Offence incur a Penalty not exceeding One hundred Pounds.

Penalty on Owners and Occupiers of Land refusing to allow Carriages, &c. to pass over their Land.

448. Any Receiver, or in his Absence any Justice of the Peace, shall, as soon as conveniently may be, examine upon Oath (which Oath they are hereby respectively empowered to administer) any Person belonging to any Ship which may be or may have been in Distress on the Coasts of the United Kingdom, or any other Person who may be able to give any Account thereof or of the Cargo or Stores thereof, as to the following Matters; (that is to say,)

(1.) The Name and Description of the Ship;

(2.) The Name of the Master and of the Owners;

(3.) The Names of the Owners of the Cargo;

(4.) The Ports or Places from and to which the Ship was bound;

(5.) The Occasion of the Distress of the Ship;

(6.) The Services rendered;

(7.) Such other Matters or Circumstances relating to such Ship, or to the Cargo on board the same, as the Receiver or Justice thinks necessary:

And such Receiver or Justice shall take the Examination down in Writing, and shall make Two Copies of the same, of which he shall send One to the Board of Trade, and the other to the Secretary of the Committee for managing the Affairs of *Lloyd's* in *London*, and such last-mentioned Copy shall be placed by the said Secretary in some conspicuous Situation for the Inspection of Persons desirous of examining the same; and for the Purposes of such Examination every such Receiver or Justice as aforesaid shall have all the Powers given by the First Part of this Act to Inspectors appointed by the Board of Trade.

Power of Receiver to institute Examination with respect to Ships in Distress.

449. Any Examination so taken in Writing as aforesaid, or a Copy thereof, purporting to be certified under the Hand of the Receiver or Justice before whom such Examination was taken, shall be admitted in Evidence in any Court of Justice, or before any Person having by Law or by Consent of Parties Authority to hear, receive, and examine Evidence, as *primâ facie* Proof of all Matters contained in such written Examination.

Original or certified Copy of Examination to be primâ facie Evidence.

450. The following Rules shall be observed by any Person finding or taking possession of Wreck within the United Kingdom; (that is to say,)

(1.) If the Person so finding or taking possession of the same is the Owner, he shall as soon as possible give Notice to the Receiver of the District within which such Wreck is found, stating that he has so found or taken possession of the same; and he shall describe in such Notice the Marks by which such Wreck is distinguished:

(2.) If any Person not being the Owner finds or takes possession of any Wreck, he shall as soon as possible deliver the same to such Receiver as aforesaid:

And any Person making default in obeying the Provisions of this Section shall incur the following Penalties; (that is to say,)

Rules to be observed by Persons finding Wreck.

Appointment and Duties of Receivers.

(3.) If he is the Owner and makes default in performing the several Things, the Performance of which is hereby imposed on an Owner,

He shall incur a Penalty not exceeding One hundred Pounds:

(4.) If he is not the Owner and makes default in performing the several Things, the Performance of which is hereby imposed on any Person not being an Owner,

He shall forfeit all Claim to Salvage;

He shall pay to the Owner of such Wreck, if the same is claimed, but if the same is unclaimed then to the Person entitled to such unclaimed Wreck, double the Value of such Wreck (such Value to be recovered in the same Way as a Penalty of like Amount); and

He shall incur a Penalty not exceeding One hundred Pounds.

Power for Receivers to seize concealed Wreck.

451. If any Receiver suspects or receives Information that any Wreck is secreted or in the Possession of some Person who is not the Owner thereof, or otherwise improperly dealt with, he may apply to any Justice of the Peace for a Warrant, and such Justice shall have Power to grant a Warrant, by virtue whereof it shall be lawful for the Receiver to enter into any House or other Place wherever situate, and also into any Ship or Boat, and to search for, and to seize and detain any such Wreck as aforesaid there found; and if any such Seizure is made in consequence of Information that may have been given by any Person to the Receiver, the Informer shall be entitled by way of Salvage to such Sum not exceeding in any Case Five Pounds as the Receiver may allow.

Notice of Wreck to be given by Receiver.

452. Every Receiver shall within Forty-eight Hours after taking possession of any Wreck cause to be posted up in the Custom House of the Port nearest to the Place where such Wreck was found or seized a Description of the same and of any Marks by which it is distinguished, and shall also, if the Value of such Wreck exceeds Twenty Pounds, but not otherwise, transmit a similar Description to the Secretary of the Committee of *Lloyd's* aforesaid; and such Secretary shall post up the Description so sent, or a Copy thereof, in some conspicuous Place, for the Inspection of all Persons desirous of examining the same.

Goods deemed perishable or of small Value may be sold immediately.

453. In Cases where any Wreck in the Custody of any Receiver is under the Value of Five Pounds, or is of so perishable a Nature or so much damaged that the same cannot, in his Opinion, be advantageously kept, or if the Value thereof is not sufficient to defray the Charge of warehousing, the Receiver may sell the same before the Expiration of the Period herein-after mentioned, and the Money raised by such Sale, after defraying the Expenses thereof, shall be held by the Receiver for the same Purposes and subject to the same Claims for and to which the Article sold would have been held and liable if it had remained unsold.

In Cases where any Lord of the Manor or other Person is entitled to unclaimed Wreck, Receiver to give Notice to him.

454. In Cases where any Admiral, Vice-Admiral, Lord of the Manor, or other Person is entitled for his own Use to unclaimed Wreck found on any Place situate within a District for which a Receiver is appointed, such Admiral, Vice-Admiral, Lord of the Manor, or other Person shall deliver to such Receiver a Statement containing the Particulars of his Title, and the Address to which Notices are to be sent; and upon such Statement being so delivered, and Proof made to the Satisfaction of the Receiver of the Validity of such Title, it shall be his Duty, whenever he takes possession of any Wreck found at any such Place, to send within Forty-eight Hours thereafter a Description of the same and of any Marks by which it is distinguished, directed to such Address as aforesaid.

Payments to be made to Receiver.

455. There shall be paid to all Receivers appointed under this Act the Expenses properly incurred by them in the Performance of their Duties, and also in respect of the several Matters specified in the Table marked V. in the Schedule hereto, such Fees, not exceeding the Amounts therein mentioned, as may from Time to Time be directed by the Board of Trade; and the Receiver shall have the same Lien and be entitled to the same Remedies for the Recovery of such Expenses and Fees as a Salvor has or is entitled to in respect of Salvage due to him; but, save as aforesaid, no Receiver appointed under this Act shall, as such, be entitled to any Remuneration whatsoever.

Disputes to be determined by Board of Trade.

456. Whenever any Dispute arises in any Part of the United Kingdom as to the Amount payable to any Receiver in respect of Expenses or Fees, such Dispute shall be determined by the Board of Trade, whose Decision shall be final.

Application of Fees.

457. All Fees received by any Receiver appointed under this Act, in respect of any Services performed by him as Receiver, shall be carried to and form Part of the Mercantile Marine Fund, and a separate Account thereof shall be kept, and the Monies arising therefrom shall be applied in defraying any Expenses duly incurred in carrying into effect the Purposes of the Eighth Part of this Act, in such Manner as the Board of Trade directs.

Salvage in the United Kingdom.

Salvage in the United Kingdom.

Salvage in respect of Services rendered in the United Kingdom.

458. In the following Cases, (that it to say,)

Whenever any Ship or Boat is stranded or otherwise in Distress on the Shore of any Sea or Tidal Water situate within the Limits of the United Kingdom, and Services are rendered by any Person,

(1.) In assisting such Ship or Boat;

(2.) In saving the Lives of the Persons belonging to such Ship or Boat;

(3.) In saving the Cargo or Apparel of such Ship or Boat, or any Portion thereof;

And whenever any Wreck is saved by any Person other than a Receiver within the United Kingdom; There shall be payable by the Owners of such Ship or Boat, Cargo, Apparel, or Wreck, to the Person

by

Salvage in the United Kingdom.

by whom such Services or any of them are rendered or by whom such Wreck is saved, a reasonable Amount of Salvage, together with all Expenses properly incurred by him in the Performance of such Services or the saving of such Wreck, the Amount of such Salvage and Expenses (which Expenses are herein-after included under the Term Salvage) to be determined in case of Dispute in manner herein-after mentioned.

Salvage for Life may be paid by Board of Trade out of Mercantile Marine Fund.

459. Salvage in respect of the Preservation of the Life or Lives of any Person or Persons belonging to any such Ship or Boat as aforesaid shall be payable by the Owners of the Ship or Boat in priority to all other Claims for Salvage; and in Cases where such Ship or Boat is destroyed, or where the Value thereof is insufficient, after Payment of the actual Expenses incurred, to pay the Amount of Salvage due in respect of any Life or Lives, the Board of Trade may in its Discretion award to the Salvors of such Life or Lives out of the Mercantile Marine Fund such Sum or Sums as it deems fit, in whole or part Satisfaction of any Amount of Salvage so left unpaid in respect of such Life or Lives.

Disputes as to Salvage how to be settled.

460. Disputes with respect to Salvage arising within the Boundaries of the Cinque Ports shall be determined in the Manner in which the same have hitherto been determined; but whenever any Dispute arises elsewhere in the United Kingdom between the Owners of any such Ship, Boat, Cargo, Apparel, or Wreck as aforesaid, and the Salvors, as to the Amount of Salvage, and the Parties to the Dispute cannot agree as to the Settlement thereof by Arbitration or otherwise,

Then, if the Sum claimed does not exceed Two hundred Pounds,

Such Dispute shall be referred to the Arbitration of any Two Justices of the Peace resident as follows; (that is to say,)

In case of Wreck, resident at or near the Place such Wreck is found:

In case of Services rendered to any Ship or Boat, or to the Persons, Cargo, or Apparel belonging thereto, resident at or near the Place where such Ship or Boat is lying, or at or near the First Port or Place in the United Kingdom into which such Ship or Boat is brought after the Occurrence of the Accident by reason whereof the Claim to Salvage arises:

But if the Sum claimed exceeds Two hundred Pounds,

Such Dispute may, with the Consent of the Parties, be referred to the Arbitration of such Justices as aforesaid, but if they do not consent shall in *England* be decided by the High Court of Admiralty of *England*, in *Ireland* by the High Court of Admiralty of *Ireland*, and in *Scotland* by the Court of Session; subject to this Proviso, that if the Claimants in such Dispute do not recover in such Court of Admiralty or Court of Session a greater Sum than Two hundred Pounds, they shall not, unless the Court certifies that the Case is a fit one to be tried in a Superior Court, recover any Costs, Charges, or Expenses incurred by them in the Prosecution of their Claim:

And every Dispute with respect to Salvage may be heard and adjudicated upon on the Application either of the Salvor or of the Owner of the Property salved, or of their respective Agents.

Manner in which Justices may decide Disputes.

461. Whenever in pursuance of this Act any Dispute as to Salvage is referred to the Arbitration of Two Justices, they may either themselves determine the same, with Power to call to their Assistance any Person conversant with Maritime Affairs as Assessor, or they may if a Difference of Opinion arises between them, or without such Difference, if they think fit, appoint some Person conversant with Maritime Affairs as Umpire to decide the Point in dispute; and such Justices or their Umpire shall make an Award as to the Amount of Salvage payable, within the following Times, that is to say, the said Justices within Forty-eight Hours after such Dispute has been referred to them, and the said Umpire within Forty-eight Hours after his Appointment, with Power nevertheless for such Justices or Umpire by Writing under their or his Hands or Hand to extend the Time within which they and he are hereby respectively directed to make their or his Award.

Costs of Arbitration.

462. There shall be paid to every Assessor and Umpire who may be so appointed as aforesaid in respect of his Services such Sum not exceeding Five Pounds as the Board of Trade may from Time to Time direct; and all the Costs of such Arbitration, including any such Payments as aforesaid, shall be paid by the Parties to the Dispute, in such Manner and in such Shares and Proportions as the said Justices or as the said Umpire may direct by their or his Award.

Justices may call for Documents, and administer Oaths.

463. The said Justices or their Umpire may call for the Production of any Documents in the Possession or Power of either Party, which they or he may think necessary for determining the Question in dispute, and may examine the Parties or their Witnesses on Oath, and administer the Oaths necessary for that Purpose.

Appeal to Courts of Admiralty.

464. If any Person is aggrieved by the Award made by such Justices or such Umpire as aforesaid, he may in *England* appeal to the High Court of Admiralty of *England*, in *Ireland* to the High Court of Admiralty of *Ireland*, and in *Scotland* to the Court of Session; but no such Appeal shall be allowed unless the Sum in dispute exceeds Fifty Pounds, nor unless within Ten Days after the Date of the Award the Appellant gives Notice to the Justices to whom the Matter was referred of his Intention to appeal, nor unless the Appellant proceeds to take out a Monition, or to take such other Proceeding as according to the Practice of the Court of Appeal is necessary for the Institution of an Appeal, within Twenty Days from the Date of the Award.

465. Whenever

Salvage in the United Kingdom.

Justices to transmit Copy of Proceedings and Certificate of Value to Court of Appeal.

465. Whenever any Appeal is made in manner herein-before provided, the Justices shall transmit to the proper Officer of the Court of Appeal a Copy on unstamped Paper certified under their Hands to be a true Copy of the Proceedings had before such Justices or their Umpire, if any, and of the Award so made by them or him, accompanied with their or his Certificate in Writing of the gross Value of the Article respecting which Salvage is claimed; and such Copy and Certificate shall be admitted in the Court of Appeal as Evidence in the Cause.

Payment of Salvage, to whom to be made in case of Dispute as to Apportionment.

466. Whenever the aggregate Amount of Salvage payable in respect of Salvage Services rendered in the United Kingdom has been finally ascertained either by Agreement or by the Award of such Justices or their Umpire, but a Dispute arises as to the Apportionment thereof amongst several Claimants, then, if the Amount does not exceed Two hundred Pounds, it shall be lawful for the Party liable to pay the Amount so due to apply to the Receiver of the District for Liberty to pay the Amount so ascertained to him; and he shall, if he thinks fit, receive the same accordingly, and grant a Certificate under his Hand, stating the Fact of such Payment and the Services in respect of which it is made; and such Certificate shall be a full Discharge and Indemnity to the Person or Persons to whom it is given, and to their Ship, Boats, Cargo, Apparel, and Effects, against the Claims of all Persons whomsoever in respect of the Services therein mentioned; but if the Amount exceeds Two hundred Pounds, it shall be apportioned in manner herein-after mentioned.

Apportionment of Salvage.

467. Upon the Receipt of any such Amount as aforesaid the Receiver shall with all convenient Speed proceed to distribute the same among the several Persons entitled thereto, upon such Evidence and in such Shares and Proportions as he thinks fit, with Power to retain any Monies that may appear to him to be payable to any absent Parties; but any Distribution made in pursuance of this Section shall be final and conclusive against the Rights of all Persons claiming to be entitled to any Portion of the Monies so distributed.

Manner of enforcing Payment of Salvage.

468. Whenever any Salvage is due to any Person under this Act, the Receiver shall act as follows; (that is to say,)

(1.) If the same is due in respect of Services rendered in assisting any Ship or Boat, or in saving the Lives of Persons belonging to the same, or the Cargo or Apparel thereof,

He shall detain such Ship or Boat and the Cargo and Apparel belonging thereto until Payment is made, or Process has been issued by some competent Court for the Detention of such Ship, Boat, Cargo, or Apparel:

(2.) If the same is due in respect of the saving of any Wreck, and such Wreck is not sold as unclaimed in pursuance of the Provisions herein-after contained,

He shall detain such Wreck until Payment is made, or Process has been issued in manner aforesaid:

But it shall be lawful for the Receiver, if at any Time previously to the Issue of such Process Security is given to his Satisfaction for the Amount of Salvage due, to release from his Custody any Ship, Boat, Cargo, Apparel, or Wreck so detained by him as aforesaid; and in Cases where the Claim for Salvage exceeds Two hundred Pounds it shall be lawful in *England* for the High Court of Admiralty of *England*, in *Ireland* for the High Court of Admiralty of *Ireland*, and in *Scotland* for the Court of Session, to determine any Question that may arise concerning the Amount of the Security to be given or the Sufficiency of the Sureties; and in all Cases where Bond or other Security is given to the Receiver for an Amount exceeding Two hundred Pounds it shall be lawful for the Salvor or for the Owner of the Property salved, or their respective Agents, to institute Proceedings in such last-mentioned Courts for the Purpose of having the Questions arising between them adjudicated upon, and the said Courts may enforce Payment of the said Bond or other Security, in the same Manner as if Bail had been given in the said Courts.

Power of Receiver to sell Property salved in Cases of Nonpayment.

469. Whenever any Ship, Boat, Cargo, Apparel, or Wreck is detained by any Receiver for Nonpayment of any Sums so due as aforesaid, and the Parties liable to pay the same are aware of such Detention, then, in the following Cases, that is to say,

(1.) In Cases where the Amount is not disputed, and Payment thereof is not made within Twenty Days after the same has become due;

(2.) In Cases where the Amount is disputed, but no Appeal lies from the First Tribunal to which the Dispute is referred, and Payment thereof is not made within Twenty Days after the Decision of such First Tribunal;

(3.) In Cases where the Amount is disputed, and an Appeal lies from the Decision of the First Tribunal to some other Tribunal, and Payment thereof is not made within such Twenty Days as last aforesaid, or such Monition as herein-before mentioned is not taken out within such Twenty Days, or such other Proceedings as are according to the Practice of such other Tribunal necessary for the Prosecution of an Appeal are not instituted within such Twenty Days;

The Receiver may forthwith sell such Ship, Boat, Cargo, Apparel, or Wreck, or a sufficient Part thereof, and out of the Proceeds of the Sale, after Payment of all Expenses thereof, defray all Sums of Money due in respect of Expenses, Fees, and Salvage, paying the Surplus, if any, to the Owners of the Property sold, or other the Parties entitled to receive the same.

470. Subject

Salvage in the United Kingdom.

Subject to Payments, Owner entitled to Wreck.

470. Subject to the Payment of such Expenses, Fees, and Salvage as aforesaid, the Owner of any Wreck who establishes his Claim thereto to the Satisfaction of the Receiver within One Year from the Date at which such Wreck has come into the Possession of the Receiver, shall be entitled to have the same delivered up to him.

Unclaimed Wreck in the United Kingdom.

Unclaimed Wreck in the United Kingdom.

Receiver to deliver up Possession of unclaimed Wreck to Lord of Manor or other Person entitled.

471. In the event of no Owner establishing a Claim to Wreck found in any Place in the United Kingdom before the Expiration of a Year from the Date at which the same has come into the Possession of the Receiver, then, if any such Admiral, Vice-Admiral, Lord of any Manor, or other Person as aforesaid has given Notice to and has proved to the Satisfaction of the Receiver that he is entitled to Wreck found at such Place, the Receiver shall, upon Payment of all Expenses, Fees, and Salvage due in respect of such Wreck, deliver up Possession thereof to such Admiral, Vice-Admiral, Lord of the Manor or other Person; and in case of Dispute as to the Amount of the Sums so payable, and also in case of Default being made in Payment thereof, such Dispute shall be determined and Payment enforced in the Manner in which such Amount and Payment is hereby directed to be determined and enforced in Cases where any Owner establishes his Claim to Wreck.

Disputed Title to Wreck how to be decided.

472. If any Dispute arises between the Receiver and any such Admiral, Vice-Admiral, Lord of any Manor, or other Person as aforesaid as to the Validity of his Title to Wreck, or if divers Persons claim to be entitled to Wreck found at the same Place, the Matter in dispute may be decided by Two Justices in the same Manner in which Disputes as to Salvage coming within the Jurisdiction of Justices are herein-before directed to be determined.

Appeal from Decision of Justices.

473. If any Party to such Dispute is unwilling to refer the same to Two Justices, or, having so referred the same, is dissatisfied with their Decision, he may within Three Months from the Expiration of such Year as aforesaid or from the Date of such Decision as aforesaid, as the Case may be, take such Proceedings as he may be advised in any Court of Law, Equity, or Admiralty having Jurisdiction in the Matter, for establishing his Title.

Power of the Board of Trade on behalf of the Crown to purchase Rights to Wreck.

474. The Board of Trade shall have Power, with the Consent of the Treasury, out of the Revenue arising under the Eighth Part of this Act, for and on behalf of Her Majesty, Her Heirs and Successors, to purchase all such Rights to Wreck as may be possessed by any Person or Body Corporate, other than Her Majesty; and for the Purpose of facilitating such Purchases the Provisions of the "Lands Clauses Consolidation Act, 1845," and the "Lands Clauses Consolidation (*Scotland*) Act, 1845," relating to the Purchase of Lands by Agreement, shall be incorporated with this Act; and in the Construction of this Act and the said incorporated Acts this Act shall be considered to be the "Special Act;" and any such Rights to Wreck as aforesaid shall be considered as an Interest in Land authorized to be taken by the Special Act, and Her Majesty, Her Heirs and Successors, shall be considered as the Promoters of the Undertaking.

Unclaimed Wreck to be sold.

475. If no Owner establishes his Claim to Wreck found at any Place before the Expiration of such Period of a Year as aforesaid, and if no Admiral, Vice-Admiral, Lord of any Manor, or Person other than Her Majesty, Her Heirs and Successors, is proved to be entitled to such Wreck, the Receiver shall forthwith sell the same, and after Payment of all Expenses attending such Sale, and deducting therefrom his Fees, and all Expenses (if any) incurred by him, and paying to the Salvors such Amount of Salvage as the Board of Trade may in each Case or by any general Rule determine, pay the same into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and the same shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Jurisdiction of the High Court of Admiralty.

Jurisdiction of the High Court of Admiralty.

High Court of Admiralty may decide on all Salvage Cases.

476. Subject to the Provisions of this Act, the High Court of Admiralty shall have Jurisdiction to decide upon all Claims whatsoever relating to Salvage, whether the Services in respect of which Salvage is claimed were performed upon the High Seas, or within the Body of any County, or partly in one Place and partly in the other, and whether the Wreck is found at Sea or cast upon the Land, or partly in the Sea and partly on Land.

Offences in respect of Wreck.

Offences in respect of Wreck.

Wreck being plundered by a tumultuous Assemblage the Hundred to be liable for Damages.

7 & 8 G. 4. c. 31.

477. Whenever any Ship or Boat is stranded or otherwise in Distress on or near the Shore of any Sea or Tidal Water in the United Kingdom, and such Ship or Boat, or any Part of the Cargo or Apparel thereof, is plundered, damaged, or destroyed by any Persons riotously and tumultuously assembled together, whether on shore or afloat, full Compensation shall be made to the Owner of such Ship, Boat, Cargo, or Apparel, as follows; (that is to say,)

In *England* by the Inhabitants of the Hundred, Wapentake, Ward, or District in the Nature of a Hundred, by whatever Name denominated, in or nearest to which the said Offence is committed, in manner provided by an Act of the Eighth Year of the Reign of King *George* the Fourth, Chapter Thirty-one, in case of the Destruction of Churches and other Buildings by a riotous Assemblage, or as near thereto as Circumstances permit:

In

Offences in respect of Wreck.

3 & 4 W. 4. c. 37. s. 72.

In *Ireland* by the Inhabitants of the County, County of a City or Town, Barony, Town or Towns Parish or Parishes, in or nearest to which such Offence is committed, in manner provided by an Act of the Fourth Year of the Reign of King *William* the Fourth, Chapter Thirty-seven, for the Recovery of Satisfaction and Amends for the malicious Demolition of or Injury to Churches, Chapels, and other Buildings used for Religious Worship, according to the Usage of the United Church of *England* and *Ireland*, or as near thereto as Circumstances permit:

1 G. 1. st. 2. c. 5.

In *Scotland* by the Inhabitants of the County, City, or Borough in or nearest to which such Offence is committed, in manner provided by an Act of the First Year of King *George* the First, Statute Two, Chapter Five, with respect to Prosecutions for repairing the Damages of any Churches and other Buildings, or as near thereto as Circumstances permit.

Penalty for plundering in Cases of Shipwreck, for obstructing the saving of shipwrecked Property, and for secreting the same.

478. Every Person who does any of the following Acts, (that is to say,)

(1.) Wrongfully carries away or removes any Part of any Ship or Boat stranded or in danger of being stranded or otherwise in Distress on or near the Shore of any Sea or Tidal Water, or any Part of the Cargo or Apparel thereof, or any Wreck; or

(2.) Endeavours in any way to impede or hinder the saving of such Ship, Boat, Cargo, Apparel, or Wreck; or

(3.) Secretes any Wreck, or obliterates or defaces any Marks thereon;

Shall, in addition to any other Penalty or Punishment he may be subject to under this or any other Act or Law, for each such Offence incur a Penalty not exceeding Fifty Pounds; and every Person, not being a Receiver or a Person herein-before authorized to take the Command in Cases of Ships being stranded or in Distress, or not acting under the Orders of such Receiver or Person, who, without the Leave of the Master, endeavours to board any such Ship or Boat as aforesaid, shall for each Offence incur a Penalty not exceeding Fifty Pounds; and it shall be lawful for the Master of such Ship or Boat to repel by Force any such Person so attempting to board the same.

Penalty for selling Wreck in Foreign Ports.

479. If any Person takes into any Foreign Port or Place any Ship or Boat stranded, derelict, or otherwise in Distress on or near the Shore of the Sea or of any Tidal Water situate within the Limits of the United Kingdom, or any Part of the Cargo or Apparel thereof, or anything belonging thereto, or any Wreck found within such Limits as aforesaid, and there sells the same, he shall be guilty of Felony, and be subject to penal Servitude for a Term not exceeding Four Years.

Dealers in Marine Stores and Manufacturers of Anchors.

Dealers in Marine Stores and Manufacturers of Anchors.

480. Every Person dealing in buying and selling Anchors, Cables, Sails, or old Junk, old Iron, or Marine Stores of any Description, shall conform to the following Regulations; (that is to say,)

Regulations to be observed by Dealers in Marine Stores.

(1.) He shall have his Name, together with the Words "Dealer in Marine Stores," painted distinctly in Letters of not less than Six Inches in Length on every Warehouse or other Place of Deposit belonging to him;

If he does not he shall incur a Penalty not exceeding Twenty Pounds:

(2.) He shall keep a Book or Books, fairly written, and shall enter therein an Account of all such Marine Stores as he may from Time to Time become possessed of, stating, in respect of each Article, the Time at which and the Person from whom he purchased or received the same, adding, in the Case of every such last-mentioned Person, a Description of his Business and Place of Abode;

If he does not he shall incur for the First Offence a Penalty not exceeding Twenty Pounds, and for every subsequent Offence a Penalty not exceeding Fifty Pounds:

(3.) He shall not, by himself or his Agents, purchase Marine Stores of any Description from any Person apparently under the Age of Sixteen Years;

If he does so he shall incur for the First Offence a Penalty not exceeding Five Pounds, and for every subsequent Offence a Penalty not exceeding Twenty Pounds:

(4.) He shall not cut up any Cable, or any similar Article, exceeding Five Fathoms in Length, or unlay the same into Twine or Paper Stuff, on any Pretence whatever, without obtaining such Permit and publishing such Notice of his having so obtained the same as is herein-after mentioned;

If he does so he shall incur for the First Offence a Penalty not exceeding Twenty Pounds, and for every subsequent Offence a Penalty not exceeding Fifty Pounds.

Manner of obtaining Permit to cut up Cables.

481. In order to obtain such Permit as aforesaid a Dealer in Marine Stores shall make a Declaration before some Justice of the Peace having Jurisdiction over the Place where such Dealer resides containing the following Particulars; (that is to say,)

(1.) A Statement of the Quality and Description of the Cable or other like Article about to be cut up or unlaid:

(2.) A Statement that he purchased or otherwise acquired the same *bonâ fide* and without Fraud, and without any Knowledge or Suspicion that the same had been come by dishonestly:

(3.) A Statement of the Name and Description of the Person from whom he purchased or received the same:

Dealers in Marine Stores and Manufacturers of Anchors.

And it shall be lawful for the Justice before whom any such Declaration is made, or for the Receiver of the District in which such Dealer in Marine Stores resides, upon the Production of any such Declaration as aforesaid, to grant a Permit authorizing him to cut up or unlay such Cable or other like Article.

Permit to be advertised before Dealer proceeds to act thereon.

482. No Dealer in Marine Stores who has obtained such Permit as aforesaid shall proceed by virtue thereof to cut up or unlay any Cable or other like Article until he has for the Space of One Week at the least before doing any such Act published in some Newspaper published nearest to the Place where he resides One or more Advertisements notifying the Fact of his having so obtained a Permit, and specifying the Nature of the Cable or other Article mentioned in the Permit, and the Place where the same is deposited, and the Time at which the same is intended to be so cut up or unlaid; and if any Person suspects or believes that such Cable or other Article is his Property, he may apply to any Justice of the Peace for a Warrant; and such Justice of the Peace may, on the Applicant making Oath, or, if a Person entitled to make an Affirmation, making an Affirmation in support of such his Suspicion or Belief, grant a Warrant by virtue whereof the Applicant shall be entitled to require the Production by such Dealer as aforesaid of the Cable or other Article mentioned in the Permit, and also of the Book of Entries hereinbefore directed to be kept by every Dealer in Marine Stores; and, upon such Cable or other Article and Book of Entries being produced, to inspect and examine the same; and if any Dealer in Marine Stores makes default in complying with any of the Provisions of this Section, he shall for the First Offence incur a Penalty not exceeding Twenty Pounds, and for every subsequent Offence a Penalty not exceeding Fifty Pounds.

Manufacturers to place Marks on Anchors.

483. Every Manufacturer of Anchors shall in case of each Anchor which he manufactures, mark in legible Characters on the Crown and also on the Shank under the Stock his Name or Initials, with the Addition of a progressive Number and the Weight of such Anchor; and if he makes default in doing so he shall for each Offence incur a Penalty not exceeding Five Pounds.

Salvage by H. M. Ships.

Salvage by Her Majesty's Ships.

No Claim for Salvage in respect of Loss, &c. of H. M. Ships or Property.

484. In Cases where Salvage Services are rendered by any Ship belonging to Her Majesty or by the Commander or Crew thereof, no Claim shall be made or allowed for any Loss, Damage, or Risk thereby caused to such Ship, or to the Stores, Tackle, or Furniture thereof, or for the Use of any Stores or other Articles belonging to Her Majesty supplied in order to effect such Services, or for any other Expense or Loss sustained by Her Majesty by reason of such Services.

Claims for Salvage by Her Majesty's Officers not to be determined without Consent of Admiralty.

485. No Claim whatever on account of any Salvage Services rendered to any Ship or Cargo or to any Appurtenances of any Ship by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships shall be finally adjudicated upon unless the Consent of the Admiralty has first been obtained, such Consent to be signified by Writing under the Hand of the Secretary to the Admiralty; and if any Person who has originated Proceedings in respect of any such Claim fails to prove such Consent to the Satisfaction of the Court, his Suit shall stand dismissed and he shall pay all the Costs of such Proceedings; provided that any Document purporting to give such Consent and to be signed by the Secretary to the Admiralty shall be *primâ facie* Evidence of such Consent having been given.

Steps to be taken when Salvage Services have been rendered by Her Majesty's Ships abroad

486. Whenever Services for which Salvage is claimed are rendered to any Ship or Cargo, or to any Part of any Ship or Cargo, or to any Appurtenances of any Ship, at any Place out of the United Kingdom and the Four Seas adjoining thereto, by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, the Property alleged to be salved shall, if the Salvor is justified by the Circumstances of the Case in detaining it at all, be taken to some Port where there is either a Consular Officer or a Vice-Admiralty Court; and within Twenty-four Hours after arriving at such Port the said Salvor and the Master or other Person in charge of the Property alleged to be salved shall each deliver to the Consular Officer or Vice-Admiralty Judge there a Statement verified on Oath, specifying, so far as they respectively can, and so far as the Particulars required apply to the Case,

(1.) The Place, Condition, and Circumstances in which the said Ship, Cargo, or Property was at the Time when the Services were rendered for which Salvage is claimed:

(2.) The Nature and Duration of the Services rendered:

And the Salvor shall add to his Statement,

(3.) The Proportion of the Value of the said Ship, Cargo, and Property, and of the Freight which he claims for Salvage, or the Values at which he estimates the said Ship, Freight, Cargo, and Property respectively, and the several Amounts that he claims for Salvage in respect of the same:

(4.) Any other Circumstances he thinks relevant to the said Claim:

And the said Master or other Person in charge of the said Ship, Cargo, or Property shall add to his Statement,

(3.) A Copy of the Certificate of Registry of the said Ship, and of the Indorsements thereon, stating any Change which (to his Knowledge or Belief) has occurred in the Particulars contained in such Certificate; and stating also, to the best of his Knowledge and Belief, the State of the Title to the Ship for the Time being, and of the Incumbrances and Certificates of Mortgage or Sale, if any, affecting the same, and the Names and Places of Business of the Owners and Incumbrancers:

(4.) The

Salvage by H. M. Ships.

(4.) The Name and Place of Business or Residence of the Freighter (if any) of the said Ship, and the Freight to be paid for the Voyage she is then on:

(5.) A general Account of the Quantity and Nature of the Cargo at the Time the Salvage Services were rendered:

(6.) The Name and Place of Business or Residence of the Owner of such Cargo and of the Consignee thereof:

(7.) The Values at which the said Master estimates the said Ship, Cargo, and Property, and the Freight respectively, or, if he thinks fit, in lieu of such estimated Value of the Cargo, a Copy of the Ship's Manifest:

(8.) The Amounts which the Master thinks should be paid as Salvage for the Services rendered:

(9.) An accurate List of the Property saved, in Cases where the Ship is not saved:

(10.) An Account of the Proceeds of the Sale of the said Ship, Cargo, or Property, in Cases where the same or any of them are sold at such Port as aforesaid:

(11.) The Number, Capacities, and Condition of the Crew of the said Ship at the Time the said Services were rendered:

(12.) Any other Circumstances he thinks relevant to the Matters in question:

(13.) A Statement of his Willingness to execute a Bond, in the Form in the Table marked W. in the Schedule hereto, in such Amount as the said Consular Officer or Vice-Admiralty Judge may fix.

Consular Officer or Judge to fix Amount for which a Bond is to be given.

487. The said Consular Officer or Judge, as the Case may be, shall within Four Days after receiving the aforesaid Statements fix the Amount to be inserted in the said Bond at such Sum as he thinks sufficient to answer the Demand for the Salvage Services rendered; but such Sum shall not exceed One Half of the Value which in his Estimation the said Ship, Freight, and Cargo, or any Parts thereof in respect of which Salvage is claimed, are worth; and the said Consular Officer or Judge may, if either of the aforesaid Statements is not delivered to him within the Time hereby required, proceed *ex parte*, but he shall in no Case under this Act require the Cargo to be unladen; and the said Consular Officer may in any Proceeding under this Act relating to Salvage take Affidavits and receive Affirmations.

On Master executing Bond, the Right of Detention to cease.

488. The said Consular Officer or Judge shall send Notice of the Sum which he has so fixed as aforesaid to the said Salvor and the said Master; and upon such Master executing a Bond in such Form as aforesaid, with the said Sum inserted therein, in the Presence of the said Officer or Judge (who shall attest the same), and delivering the same to the said Salvor, the Right of the said Salvor to detain or retain Possession of the said Ship, Cargo, or Property, or any of them, in respect of the said Salvage Claim, shall cease.

Provision for additional Security in the Case of Ships owned by Persons resident out of Her Majesty's Dominions.

489. If the Ship, Cargo, or Property in respect of which the Claim for Salvage is made is not owned by Persons domiciled in Her Majesty's Dominions, the Right of the Salvor to detain or retain Possession thereof shall not cease unless the Master procures, in addition to the said Bond, such Security for the due Performance of the Conditions thereof as the said Officer or Judge considers sufficient for the Purpose, and places the same in the Possession or Custody of the said Officer or Judge, or, if the Salvor so desires, in the Possession or Custody of the said Officer or Judge jointly with any other Person whom the said Salvor appoints for the Purpose.

Documents to be sent to England.

490. The said Consular Officer or Judge shall at the earliest Opportunity transmit the said Statements and Documents so sent to him as aforesaid, and a Notice of the Sum he has so fixed as aforesaid, to the High Court of Admiralty of *England*, or if the said Salvor and the said Master or other Person in charge as aforesaid agree that the said Bond shall be adjudicated upon by any Vice-Admiralty Court, to such Court.

Whom the Bond shall bind.

491. The said Bond shall bind the respective Owners of the said Ship, Freight, and Cargo, and their respective Heirs, Executors, and Administrators, for the Salvage adjudged to be payable in respect of the said Ship, Freight, and Cargo respectively.

Court in which it is to be adjudicated on.

492. The said Bond shall be adjudicated on and enforced by the High Court of Admiralty in *England*, or if the said Salvor and Master at the Time of the Execution of the said Bond agree upon any Vice-Admiralty Court, then by such Vice-Admiralty Court; and any such Vice-Admiralty Court may in every Proceeding under this Act have and exercise all Powers and Authorities whatsoever which the said High Court of Admiralty now has or at any Time may have in any Proceeding whatsoever before it; and in Cases where any Security for the due Performance of the Conditions of the said Bond has been placed in the Possession or Custody of the said Consular Officer or Vice-Admiralty Judge, or of such Officer or Judge jointly with any other Person, the Person or Persons having the Custody of such Security shall respectively deal with the same in such Manner as the Court that adjudicates on the Bond directs.

Power of High Court of Admiralty to enforce Bonds.

493. The said High Court of Admiralty shall have Power to enforce any Bond given in pursuance of this Act in any Vice-Admiralty Court in any Part of Her Majesty's Dominions; and all Courts in *Scotland*, *Ireland*, and the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, exercising Admiralty Jurisdiction shall, upon Application, aid and assist the High Court of Admiralty in enforcing the said Bonds.

Saving Clause.

494. Any such Salvor as aforesaid of any Ship, Cargo, or Property, who elects not to proceed under this Act, shall have no Power to detain the said Ship, Cargo, or Property, but may proceed otherwise

otherwise for the Enforcement of his Salvage Claim as if this Act had not been passed; and nothing in this Act contained shall abridge or affect the Rights of Salvors, except in the Cases by it provided for. *Salvage by H. M. Ships.*

495. All Bonds, Statements, Agreements, and other Documents made or executed in pursuance of the Eighth Part of this Act shall, if so made or executed out of the United Kingdom, be exempt from Stamp Duty. Documents free from Duty.

496. Every Person who, in any Proceeding under Provisions contained in the Eighth Part of this Act relating to Salvage by Her Majesty's Ships, forges, assists in forging, or procures to be forged, fraudulently alters, assists in fraudulently altering, or procures to be fraudulently altered, any Document, and every Person who in any such Proceeding puts off or makes use of any such forged or altered Document, knowing the same to be so forged or altered, or who in any such Proceeding gives or makes, or assists in giving or making, or procures to be given or made, any false Evidence or Representation, knowing the same to be false, shall be punishable with Imprisonment, with or without Hard Labour, for any Period not exceeding Two Years, or, if summarily prosecuted and convicted, by Imprisonment, with or without Hard Labour, for any Period not exceeding Six Months. Punishment for Forgery and false Representations.

Salvage, General. *Salvage (General).*

497. Whenever Services for which Salvage is claimed are rendered either by the Commander or Crew or Part of the Crew of any of Her Majesty's Ships, or of any other Ship, and the Salvor voluntarily agrees to abandon his Lien upon the Ship, Cargo, and Property alleged to be salved, upon the Master or other Person in charge thereof entering into a written Agreement attested by Two Witnesses to abide the Decision of the said High Court of Admiralty, or of any Vice-Admiralty Court, and thereby giving Security in that Behalf to such Amount as may be agreed on by the Parties to the said Agreement, such Agreement shall bind the said Ship, and the said Cargo, and the Freight payable therefor respectively, and the respective Owners of the said Ship, Freight, and Cargo for the Time being, and their respective Heirs, Executors, and Administrators, for the Salvage which may be adjudged to be payable in respect of the said Ship, Cargo, and Freight respectively, to the Extent of the Security so given as aforesaid, and may be adjudicated upon and enforced in the same Manner as the Bonds provided for by the Eighth Part of this Act, in the Case of Detention for Salvage Services rendered by Her Majesty's Ships; and upon such Agreement being made the Salvor and the Master or other Person in charge as aforesaid, shall respectively make such Statements as are herein-before required to be made by them in case of a Bond being given, except that such Statements need not be made upon Oath; and the Salvor shall, as soon as practicable, transmit the said Agreement and the said Statements to the Court in which the said Agreement is to be adjudicated upon. Voluntary Agreementmay be made which shall have the same Effect as the Bond above mentioned.

498. Whenever the aggregate Amount of Salvage payable in respect of Salvage Services rendered in the United Kingdom has been finally ascertained, and exceeds Two hundred Pounds, and whenever the aggregate Amount of Salvage payable in respect of Salvage Services rendered elsewhere has been finally ascertained, whatever such Amount may be, then if any Delay or Dispute arises as to the Apportionment thereof, any Court having Admiralty Jurisdiction may cause the same to be apportioned amongst the Persons entitled thereto in such Manner as it thinks just; and may for that Purpose, if it thinks fit, appoint any Person to carry such Apportionment into effect, and may compel any Person in whose Hands or under whose Control such Amount may be to distribute the same, or to bring the same into Court, to be there dealt with as the Court may direct, and may for the Purposes aforesaid issue such Monitions or other Processes as it thinks fit. Powers for Courts having Admiralty Jurisdiction to apportion Salvage.

Miscellaneous. *Miscellaneous.*

499. All Wreck, being Foreign Goods brought or coming into the United Kingdom or the *Isle of Man*, shall be subject to the same Duties as if the same were imported into the United Kingdom or the *Isle of Man* respectively; and if any Question arises as to the Origin of such Goods, they shall be deemed to be the Produce of such Country as the Commissioners of Customs may upon Investigation determine. Foreign Goods found derelict to be subject to the same Duties as on Importation.

500. The Commissioners of Customs and Excise shall permit all Goods, Wares, and Merchandise saved from any Ship stranded or wrecked on its Homeward Voyage to be forwarded to the Port of its original Destination, and all Goods, Wares, and Merchandise saved from any Ship stranded or wrecked on its Outward Voyage to be returned to the Port at which the same were shipped; but such Commissioners are to take Security for the due Protection of the Revenue in respect of such Goods, Wares, and Merchandise. Goods saved from Ships wrecked to be forwarded to the Ports of their original Destination.

501. All Matters and Things that may in pursuance of the Eighth Part of this Act be done by or to any Justice, or any Two Justices, may in *Scotland* be done also by or to the Sheriff of the County, including the Sheriff Substitute; and the Expression "Lord or Lady of a Manor" shall in the Eighth Part of this Act, so far as regards *Scotland*, include "Heritable Proprietor duly infeft." Provision as to certain Terms in Scotland.

PART IX.

LIABILITY OF SHIPOWNERS.

Application.

Application of Part IX. of Act.

502. The Ninth Part of this Act shall apply to the whole of Her Majesty's Dominions.

Limitation of Liability.

Limitation of Liability.

Owner not liable in respect of certain Articles.

503. No Owner of any Sea-going Ship or Share therein shall be liable to make good any Loss or Damage that may happen without his actual Fault or Privity of or to any of the following Things, (that is to say,)

(1.) Of or to any Goods, Merchandise, or other Things whatsoever taken in or put on board any such Ship, by reason of any Fire happening on board such Ship,

(2.) Of or to any Gold, Silver, Diamonds, Watches, Jewels, or Precious Stones taken in or put on board any such Ship, by reason of any Robbery, Embezzlement, making away with or secreting thereof, unless the Owner or Shipper thereof has, at the Time of shipping the same, inserted in his Bills of Lading or otherwise declared in Writing to the Master or Owner of such Ship the true Nature and Value of such Articles,

To any Extent whatever.

Measure of Owner's Liability.

504. No Owner of any Sea-going Ship or Share therein shall, in Cases where all or any of the following Events occur without his actual Fault or Privity, (that is to say,)

(1.) Where any Loss of Life or personal Injury is caused to any Person being carried in such Ship;

(2.) Where any Damage or Loss is caused to any Goods, Merchandize, or other Things whatsoever on board any such Ship;

(3.) Where any Loss of Life or personal Injury is by reason of the improper Navigation of such Sea-going Ship as aforesaid caused to any Person carried in any other Ship or Boat;

(4.) Where any Loss or Damage is by reason of any such improper Navigation of such Sea-going Ship as aforesaid caused to any other Ship or Boat, or to any Goods, Merchandise, or other Things whatsoever, on board any other Ship or Boat;

Be answerable in Damages to an Extent beyond the Value of his Ship and the Freight due or to grow due in respect of such Ship during the Voyage which at the Time of the happening of any such Events as aforesaid is in prosecution or contracted for, subject to the following Proviso, (that is to say,) that in no Case where any such Liability as aforesaid is incurred in respect of Loss of Life or personal Injury to any Passenger, shall the Value of any such Ship and the Freight thereof be taken to be less than Fifteen Pounds *per* registered Ton.

Value of Carriage of Goods and Passage Money to be considered as Freight.

505. For the Purposes of the Ninth Part of this Act, the Freight shall be deemed to include the Value of the Carriage of any Goods or Merchandise belonging to the Owners of the Ship, Passage Money, and also the Hire due or to grow due under or by virtue of any Contract, except only such Hire, in the Case of a Ship hired for Time, as may not begin to be earned until the Expiration of Six Months after such Loss or Damage.

Provision for separate Losses.

506. The Owner of every Sea-going Ship or Share therein shall be liable in respect of every such Loss of Life, personal Injury, Loss of or Damage to Goods as aforesaid arising on distinct Occasions to the same Extent as if no other Loss, Injury, or Damage had arisen.

Mode of Procedure.

Mode of Procedure.

In case of Loss of Life or personal Injury, Board of Trade may direct Proceedings.

507. Whenever any such Liability as aforesaid has been or is alleged to have been incurred in respect of Loss of Life or personal Injury, the Board of Trade may, in its Discretion, after giving not less than Three Days Notice by Post or otherwise to the Party to be made Defendant or Defender, by Warrant sealed with the Seal of such Board or signed by One of its Secretaries or Assistant Secretaries, require the Sheriff having Jurisdiction over any Place in the United Kingdom to summon a Jury at a Time and Place to be specified in such Warrant for the Purpose of determining the following Question; (that is to say,)

The Number, Names, and Descriptions of all Persons killed or injured by reason of any wrongful Act, Neglect, or Default:

And upon the Receipt of such Warrant the Sheriff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts, to meet at such Time and Place as aforesaid.

Either Party may require Question to be tried by a Special Jury.

508. If either Party to the Inquiry desire any such Question as aforesaid to be tried before a Special Jury, such Question shall be so tried, provided that Notice of such Desire, if coming from the other Party, is given to the Board of Trade before it has issued its Warrant to the Sheriff; and for that Purpose the Board of Trade shall, by its Warrant to the Sheriff, require him to nominate a Special Jury for such Trial; and thereupon the Sheriff shall, as soon as conveniently may be after the Receipt by him of such Warrant, summon both the Parties to appear before him by themselves or their Attornies or Agents at some convenient Time and Place appointed by him for the Purpose of nominating a Special Jury; and

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at the Place and Time so appointed the Sheriff shall proceed to nominate and strike a Special Jury in the Manner in which such Juries are required by the Laws for the Time being in force to be nominated or struck by the proper Officers of the Superior Courts; and the Sheriff shall appoint a Day, and shall on the Day so appointed proceed to reduce the said Special Jury to the Number of Twenty, in the Manner used and accustomed by the proper Officers of the Superior Courts. *Mode of Procedure.*

509. The following Provisions shall be applicable to the Conduct of Proceedings by the Board of Trade; (that is to say,) Provisions for Conduct of Proceedings.

(1.) The Sheriff shall preside at such Inquiry, and the Board of Trade shall be deemed in *England* and *Ireland* to be the Plaintiff, and in *Scotland* the Pursuer, both of which Terms are hereinafter included in the Term Plaintiff, with Power to appoint any Agent to act on its Behalf, and shall have all such Rights and Privileges as the Plaintiff is entitled to in Actions at Law; and the Owner or Owners of the Ship or Ships by whom such Liability as last aforesaid is alleged to have been incurred shall be deemed in *England* and *Ireland* to be the Defendant, and in *Scotland* the Defender, both of which Terms are herein-after included in the Term Defendant;

(2.) Not less than Ten Days Notice of the Time and Place of the Inquiry shall be served by the Board of Trade on the Defendant:

(3.) Service on the Master of any Ship shall be deemed good Service on the Owner thereof, and the Master shall, in respect of the Proceedings on such Inquiry, be deemed the Agent and Representative of the Owner, with Power to appear for him on such Inquiry, and to do all Matters and Things which he might himself have done:

(4.) If the Defendant does not appear at the Time of such Inquiry, the same shall be proceeded with as if he had appeared, upon due Proof of Service of Notice having been made on him in pursuance of this Act:

(5.) The empannelling of the Jury and the summoning and Attendance of Witnesses shall be conducted and enforced in *England* and *Ireland* in manner provided by the Lands Clauses Consolidation Act, 1845, in Cases of disputed Compensation as to Land, and in *Scotland* in manner provided by the Lands Clauses Consolidation (*Scotland*) Act, 1845, in like Cases, or as near thereto as Circumstances permit; and all Provisions in the said Acts having reference to Cases where any Question of disputed Compensation requires to be determined by the Verdict of a Jury shall, with the requisite Alterations, be considered as incorporated with this Act, and to have reference to Cases where the Question of the Liability of any Owner in respect of any such Accident as aforesaid requires to be determined by the Verdict of a Jury:

(6.) In *England* and *Ireland* the Sheriff shall, if the Board of Trade so requires, or if the Defendant so requires and the Board of Trade consents thereto, appoint as Assessor a Barrister-at-Law of competent Knowledge and Standing:

(7.) The Costs incurred by all Parties in and incidental to any such Inquiry as aforesaid shall in *England* and *Ireland* be taxed by the Master of One of Her Majesty's Superior Courts of Common Law as between Attorney and Client, and in *Scotland* by the Auditor of the Court of Session as between Agent and Client; and shall, if the Verdict in any Inquiry is in favour of the Plaintiff, be paid by the Defendant, but if such Verdict is in favour of the Defendant, be paid by the Board of Trade out of the Mercantile Marine Fund:

(8.) The Payment of all Damages and Costs in any such Inquiry as aforesaid shall, upon Application made to such Superior Court as aforesaid by the Party entitled thereto, be enforced by Rule or Order of such Court or a Judge thereof, or otherwise as such Court or Judge thinks fit:

(9.) The Board of Trade may make any Compromise it thinks fit as to the Damages payable in respect of personal Injury, or of the Death of any Person; and any Damages received in pursuance of such Compromise shall, so far as the same extend, be applied in the same Manner and be subject to the same Rules as if the same were Damages recovered on an Inquiry instituted by the Board of Trade.

510. The following Rules shall be observed as to the Damages recovered in any such Inquiry, and the Application thereof; (that is to say,) Rules as to Damages and Application thereof.

(1.) The Damages payable in each Case of Death or Injury shall be assessed at Thirty Pounds:

(2.) The Damages found due on any such Inquiry as aforesaid shall be the first Charge on the aggregate Amount for which the Owner is liable, and shall be paid thereout in Priority to all other Claims:

(3.) All such Damages as aforesaid shall be paid to Her Majesty's Paymaster General, and shall be distributed and dealt with by him in such Manner as the Board of Trade directs; and in directing such Distribution the Board of Trade shall have Power in the first place to deduct and retain any Costs incidental thereto; and in the next place, as regards the Sums paid in respect of Injuries shall direct Payment to each Person injured of such Compensation, not exceeding in any Case the statutory Amount, as the said Board thinks fit; and as regards the Sums paid in respect of Deaths shall direct Payment thereof for the Benefit of the Husband, Wife, Parent, and Child of the Deceased, or any of them, in such Shares, upon such Evidence, and in such Manner as the said Board thinks fit:

Mode of Procedure.

(4.) The Board of Trade shall refund to the Owner any Surplus remaining under its Control after making such Distribution as aforesaid, and the Sum so refunded shall form Part of the Residue herein-after mentioned:

(5.) The Board of Trade shall not, nor shall any Person acting under it, be liable to any Action, Suit, Account, Claim, or Demand whatsoever for or in respect of any Act or Matter done, or omitted to be done, in the Distribution of such Damages as aforesaid:

(6.) If the Amount paid to Her Majesty's Paymaster General in manner aforesaid is insufficient to meet the Demands upon it, the several Claims thereon shall abate proportionally.

Any Person who is dissatisfied with the Amount of statutory Damage may bring an Action on his own Account.

511. After the Completion of such Inquiry as aforesaid, if any Person injured estimates the Damages payable in respect of such Injury, or if the Executor or Administrator of any deceased Person estimates the Damages payable in respect of his Death, at a greater Sum than such statutory Amount, or, in case of a Compromise having been made by the Board of Trade, than the Amount accepted by such Board by way of Compensation for such Injury or Death as aforesaid, the Person so estimating the same shall, upon repaying or obtaining the Repayment by the Board of Trade to the Owner of the Amount paid by him to the Board of Trade in respect of such Injury or Death, be at liberty to bring an Action for the Recovery of Damages in the same Manner as if no Power of instituting an Inquiry had herein-before been given to the Board of Trade, subject to the following Proviso; (that is to say,) that any Damages recoverable by such Person shall be payable only out of the Residue, if any, of the aggregate Amount for which the Owner is liable, after deducting all Sums paid to Her Majesty's Paymaster General in manner aforesaid; and if the Damages recovered in such Action do not exceed double the statutory Amount, such Person shall pay to the Defendant in such Action all the Costs thereof, such Costs to be taxed in *England* and *Ireland* as between Attorney and Client, and in *Scotland* as between Agent and Client.

If Board of Trade decline to institute Proceedings, Individuals may bring Actions.

512. In Cases where Loss of Life or personal Injury has occurred by any Accident in respect of which the Owner of any such Ship as aforesaid is or is alleged to be liable in Damages, no Person shall be entitled to bring any Action, or institute any Suit or other legal Proceeding in the United Kingdom, until the Completion of the Inquiry (if any) instituted by the Board of Trade, or until the Board of Trade has refused to institute the same; and the Board of Trade shall, for the Purpose of entitling any Person to bring an Action or institute a Suit or other legal Proceeding, be deemed to have refused to institute such Inquiry whenever Notice has been served on it by any Person of his Desire to bring such Action or institute such Suit or other legal Proceeding, and no Inquiry is instituted by the Board of Trade in respect of the Subject Matter of such intended Action, Suit, or Proceeding for the Space of One Month after the Service of such Notice.

Proceedings by Board of Trade after Refusal.

513. Whenever the Board of Trade, having refused in manner aforesaid to institute any Inquiry afterwards determines to institute the same, the Damages and Costs (if any) recovered on such Inquiry shall be payable rateably with and not in priority to the Costs and Damages recovered in any other Action, Suit, or legal Proceeding.

Proceedings in case of several Claims being made on Owner of Ship.

514. In Cases where any Liability has been or is alleged to have been incurred by any Owner in respect of Loss of Life, personal Injury, or Loss of or Damage to Ships, Boats, or Goods, and several Claims are made or apprehended in respect of such Liability, then, subject to the Right herein-before given to the Board of Trade of recovering Damages in the United Kingdom in respect of Loss of Life or personal Injury, it shall be lawful in *England* or *Ireland* for the High Court of Chancery, and in *Scotland* for the Court of Session, and in any *British* Possession for any competent Court, to entertain Proceedings at the Suit of any Owner for the Purpose of determining the Amount of such Liability subject as aforesaid, and for the Distribution of such Amount rateably amongst the several Claimants, with Power for any such Court to stop all Actions and Suits pending in any other Court in relation to the same Subject Matter; and any Proceeding entertained by such Court of Chancery or Court of Session, or other competent Court, may be conducted in such Manner and subject to such Regulations as to making any Persons interested Parties to the same, and as to the Exclusion of any Claimants who do not come in within a certain Time, and as to requiring Security from the Owner, and as to Payment of Costs, as the Court thinks just.

Money paid for Damage how to be accounted for between Part Owners.

515. All Sums of Money paid for or on account of any Loss or Damage in respect whereof the Liability of the Owners of any Ship is limited by the Ninth Part of this Act, and all Costs incurred in relation thereto, may be brought into account among Part Owners of the same Ship in the same Manner as Money disbursed for the Use thereof.

Saving Clause.

Saving Clause.

Saving Clause.

516. Nothing in the Ninth Part of this Act contained shall be construed—

To lessen or take away any Liability to which any Master or Seaman, being also Owner or Part Owner of the Ship to which he belongs, is subject in his Capacity of Master or Seaman; or

To extend to any *British* Ship not being a recognized *British* Ship within the Meaning of this Act.

PART X.

PART X.

LEGAL PROCEDURE.

Application.

Application.

Application of Part X. of the Act.

517. The Tenth Part of this Act shall in all Cases, where no particular Country is mentioned, apply to the whole of Her Majesty's Dominions.

Legal Procedure (General).

Legal Procedure (General).

Punishment of Offences, and Recovery of Penalties. 7 G. 4. c. 64.

518. In all Places within Her Majesty's Dominions, except *Scotland*, the Offences herein-after mentioned shall be punished and Penalties recovered in manner following; (that is to say,)

(1.) Every Offence by this Act declared to be a Misdemeanor shall be punishable by Fine or Imprisonment, with or without Hard Labour; and the Court before which such Offence is tried may in *England* make the same Allowances and order Payment of the same Costs and Expenses as if such Misdemeanor had been enumerated in the Act passed in the Seventh Year of His late Majesty King *George* the Fourth, Chapter Sixty-four, or any other Act that may be passed for the like Purpose; and may in any other Part of Her Majesty's Dominions make such Allowances and order Payment of such Costs and Expenses (if any) as are payable or allowable upon the Trial of any Misdemeanor under any existing Act or Ordinance, or as may be payable or allowable under any Act or Law for the Time being in force therein:

(2.) Every Offence declared by this Act to be a Misdemeanor shall also be deemed to be an Offence hereby made punishable by Imprisonment for any Period not exceeding Six Months, with or without Hard Labour, or by a Penalty not exceeding One hundred Pounds, and may be prosecuted accordingly in a summary Manner instead of being prosecuted as a Misdemeanor:

(3.) Every Offence hereby made punishable by Imprisonment for any Period not exceeding Six Months, with or without Hard Labour, or by any Penalty not exceeding One hundred Pounds, shall in *England* and *Ireland* be prosecuted summarily before any Two or more Justices, as to *England* in the Manner directed by the Act of the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, and as to *Ireland* in the Manner directed by the Act of the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Ninety-three, or in such other Manner as may be directed by any Act or Acts that may be passed for like Purposes: And all Provisions contained in the said Acts shall be applicable to such Prosecutions in the same Manner as if the Offences in respect of which the same are instituted were hereby stated to be Offences in respect of which Two or more Justices have Power to convict summarily or to make a summary Order:

(4.) In all Cases of Summary Convictions in *England*, where the Sum adjudged to be paid exceeds Five Pounds, or the Period of Imprisonment adjudged exceeds One Month, any Person who thinks himself aggrieved by such Conviction may appeal to the next Court of General or Quarter Sessions which is holden not less than Twelve Days after the Day of such Conviction for the County, City, Borough, Liberty, Riding, Division, or Place wherein the Case has been tried; provided that such Person shall give to the Complainant a Notice in Writing of such Appeal, and of the Cause and Matter thereof, within Three Days after such Conviction, and Seven clear Days at the least before such Sessions, and shall also either remain in Custody until the Sessions, or enter into a Recognizance, with Two sufficient Sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Notice being given, and such Recognizance being entered into, the Justice before whom the same shall be entered into shall liberate such Person, if in Custody; and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal, or the Affirmance of the Conviction, shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as may be awarded, and shall, if necessary, issue Process for enforcing such Judgment:

(5.) All Offences under this Act shall in any *British* Possession be punishable in any Court or by any Justice of the Peace or Magistrate in which or by whom Offences of a like Character are ordinarily punishable, or in such other Manner, or by such other Courts, Justices, or Magistrates, as may from Time to Time be determined by any Act or Ordinance duly made in such Possession in such Manner as Acts and Ordinances in such Possession are required to be made in order to have the Force of Law.

Power of Stipendiary Magistrate.

519. Any Stipendiary Magistrate shall have full Power to do alone whatever Two Justices of the Peace are by this Act authorized to do.

Offence where deemed to have been committed.

520. For the Purpose of giving Jurisdiction under this Act, every Offence shall be deemed to have been committed, and every Cause of Complaint to have arisen, either in the Place in which the same actually

Legal Procedure (General).

actually was committed or arose, or in any Place in which the Offender or Person complained against may be.

Jurisdiction over Ships lying off the Coasts.

521. In all Cases where any District within which any Court or Justice of the Peace or other Magistrate has Jurisdiction either under this Act or under any other Act or at Common Law, for any Purpose whatever, is situate on the Coast of any Sea, or abutting on or projecting into any Bay, Channel, Lake, River, or other navigable Water, every such Court, Justice of the Peace, or Magistrate shall have Jurisdiction over any Ship or Boat being on or lying or passing off such Coast, or being in or near such Bay, Channel, Lake, River, or navigable Water as aforesaid, and over all Persons on board such Ship or Boat or for the Time being belonging thereto, in the same Manner as if such Ship, Boat, or Persons were within the Limits of the original Jurisdiction of such Court, Justice, or Magistrate.

Service to be good if made personally, or on board Ship.

522. Service of any Summons or other Matter in any legal Proceeding under this Act shall be good Service, if made personally on the Person to be served, or at his last Place of Abode, or if made by leaving such Summons for him on board any Ship to which he may belong with the Person being or appearing to be in command or charge of such Ship.

Sums ordered to be paid leviable by Distress on Ship.

523. In all Cases where any Court, Justice or Justices of the Peace, or other Magistrate, has or have Power to make an Order directing Payment to be made of any Seaman's Wages, Penalties, or other Sums of Money, then, if the Party so directed to pay the same is the Master or Owner of a Ship, and the same is not paid at the Time and in Manner prescribed in the Order, the Court, Justice or Justices, or other Magistrate who made the Order, may, in addition to any other Powers they or he may have for the Purpose of compelling Payment, direct the Amount remaining unpaid to be levied by Distress or Poinding and Sale of the said Ship, her Tackle, Furniture, and Apparel.

Application of Penalties.

524. Any Court, Justice, or Magistrate imposing any Penalty under this Act, for which no specific Application is herein provided, may, if it or he thinks fit, direct the whole or any Part thereof to be applied in compensating any Person for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty is imposed, or to be applied in or towards Payment of the Expenses of the Proceedings; and, subject to such Directions or specific Application as aforesaid, all Penalties recovered in the United Kingdom shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom; and all Penalties recovered in any *British* Possession shall be paid over into the Public Treasury of such Possession, and form Part of the Public Revenue thereof.

Limitation of Time in Summary Proceedings.

525. The Time for instituting Summary Proceedings under this Act shall be limited as follows; (that is to say,)

(1.) No Conviction for any Offence shall be made under this Act in any Summary Proceeding instituted in the United Kingdom, unless such Proceeding is commenced within Six Months after the Commission of the Offence; or if both or either of the Parties to such Proceeding happen during such Time to be out of the United Kingdom, unless the same is commenced within Two Months after they both first happen to arrive or to be at One Time within the same:

(2.) No Conviction for any Offence shall be made under this Act in any Proceeding instituted in any *British* Possession, unless such Proceeding is commenced within Six Months after the Commission of the Offence; or if both or either of the Parties to the Proceeding happen during such Time not to be within the Jurisdiction of any Court capable of dealing with the Case, unless the same is commenced within Two Months after they both first happen to arrive or to be at One Time within such Jurisdiction:

(3.) No Order for the Payment of Money shall be made under this Act in any Summary Proceeding instituted in the United Kingdom unless such Proceeding is commenced within Six Months after the Cause of Complaint arises; or, if both or either of the Parties happen during such Time to be out of the United Kingdom, unless the same is commenced within Six Months after they both first happen to arrive or to be at One Time within the same:

(4.) No Order for the Payment of Money shall be made under this Act in any Summary Proceeding instituted in any *British* Possession, unless such Proceeding is commenced within Six Months after the Cause of Complaint arises; or, if both or either of the Parties to the Proceeding happen during such Time not to be within the Jurisdiction of any Court capable of dealing with the Case, unless the same is commenced within Six Months after they both first happen to arrive or be at One Time within such Jurisdiction:

And no Provision contained in any other Act or Acts, Ordinance or Ordinances, for limiting the Time within which Summary Proceedings may be instituted shall affect any Summary Proceeding under this Act.

Document proved without calling attesting Witness.

526. Any Document required by this Act to be executed in the Presence of or to be attested by any Witness or Witnesses, may be proved by the Evidence of any Person who is able to bear witness to the requisite Facts, without calling the attesting Witness or Witnesses or any of them.

Power of Judge of Court of

527. Whenever any Injury has, in any Part of the World, been caused to any Property belonging to Her Majesty or to any of Her Majesty's Subjects by any Foreign Ship, if at any Time thereafter such Ship

Ship is found in any Port or River of the United Kingdom or within Three Miles of the Coast thereof, it shall be lawful for the Judge of any Court of Record in the United Kingdom, or for the Judge of the High Court of Admiralty, or in *Scotland* the Court of Session, or the Sheriff of the County within whose Jurisdiction such Ship may be, upon its being shown to him by any Person applying summarily that such Injury was probably caused by the Misconduct or Want of Skill of the Master or Mariners of such Ship, to issue an Order directed to any Officer of Customs or other Officer named by such Judge, requiring him to detain such Ship until such Time as the Owner, Master, or Consignee thereof has made Satisfaction in respect of such Injury, or has given Security, to be approved by the Judge, to abide the Event of any Action, Suit, or other legal Proceeding that may be instituted in respect of such Injury, and to pay all Costs and Damages that may be awarded thereon; and any Officer of Customs or other Officer to whom such Order is directed shall detain such Ship accordingly.

Record or Admiralty to arrest Foreign Ship that has occasioned Damage.

528. In any Case where it appears that before any Application can be made under the foregoing Section such Foreign Ship will have departed beyond the Limits therein mentioned, it shall be lawful for any Commissioned Officer on Full Pay in the Military or Naval Service of Her Majesty, or any *British* Officer of Customs, or any *British* Consular Officer, to detain such Ship until such Time as will allow such Application to be made and the Result thereof to be communicated to him; and no such Officer shall be liable for any Costs or Damages in respect of such Detention unless the same is proved to have been made without reasonable Grounds.

Power in certain Cases to detain Ship before Application made to Judge.

529. In any Action, Suit, or other Proceeding in relation to such Injury, the Person so giving Security as aforesaid shall be made Defendant or Defender, and shall be stated to be the Owner of the Ship that has occasioned such Damage; and the Production of the Order of the Judge made in relation to such Security shall be conclusive Evidence of the Liability of such Defendant or Defender to such Action, Suit, or other Proceeding.

Who to be Defendant to Suit in such Cases.

Legal Procedure (Scotland).

Legal Procedure (Scotland).

530. In *Scotland* every Offence which by this Act is described as a Felony or Misdemeanor may be prosecuted by Indictment or Criminal Letters at the Instance of Her Majesty's Advocate before the High Court of Justiciary, or by Criminal Libel at the Instance of the Procurator Fiscal of the County before the Sheriff, and shall be punishable with Fine and with Imprisonment, with or without Hard Labour, in default of Payment, or with Imprisonment, with or without Hard Labour, or with both, as the Court may think fit, or in the Case of Felony with Penal Servitude, where the Court is competent thereto; and such Court may also, if it think fit, order Payment by the Offender of the Costs and Expenses of the Prosecution.

Offences punishable as Misdemeanors.

531. In *Scotland*, all Prosecutions, Complaints, Actions, or Proceedings under this Act, other than Prosecutions for Felonies or Misdemeanors, may be brought in a summary Form before the Sheriff of the County, or before any Two Justices of the Peace of the County or Burgh where the Cause of such Prosecution or Action arises, or where the Offender or Defender may be for the Time, and when of a criminal Nature, or for Penalties, at the Instance of the Procurator Fiscal of Court, or at the Instance of any Party aggrieved, with Concurrence of the Procurator Fiscal of Court; and the Court may, if it think fit, order Payment by the Offender or Defender of the Costs of the Prosecution or Action.

Summary Proceedings.

532. In *Scotland*, all Prosecutions, Complaints, Actions, or other Proceedings under this Act may be brought either in a written or printed Form, or partly written and partly printed, and where such Proceedings are brought in a summary Form it shall not be necessary in the Complaint to recite or set forth the Clause or Clauses of the Act on which such Proceeding is founded, but it shall be sufficient to specify or refer to such Clause or Clauses, and to set forth shortly the Cause of Complaint or Action, and the Remedy sought; and when such Complaint or Action is brought in whole or in part for the Enforcement of a pecuniary Debt or Demand, the Complaint may contain a Prayer for Warrant to arrest upon the Dependence.

Form of Complaint.

533. In *Scotland*, on any Complaint or other Proceeding brought in a summary Form under this Act being presented to the Sheriff Clerk or Clerk of the Peace, he shall grant Warrant to cite the Defender to appear personally before the said Sheriff or Justices of the Peace on a Day fixed, and at the same Time shall appoint a Copy of the same to be delivered to him by a Sheriff Officer or Constable, as the Case may be, along with the Citation; and such Deliverance shall also contain a Warrant for citing Witnesses and Havers to compear at the same Time and Place to give Evidence and produce such Writs as may be specified in their Citation; and where such Warrant has been prayed for in the Complaint or other Proceeding, the Deliverance of the Sheriff Clerk or Clerk of the Peace shall also contain Warrant to arrest upon the Dependence in common Form: Provided always, that where the Apprehension of any Party, with or without a Warrant, is authorized by this Act, such Party may be detained in Custody until he can be brought at the earliest Opportunity before any Two Justices, or the Sheriff who may have Jurisdiction in the Place, to be dealt with as this Act directs, and no Citation or Induciæ shall in such Case be necessary.

Mode of requiring Appearance of Defender and Witnesses.

534. When it becomes necessary to execute such Arrestment on the Dependence against Goods or Effects of the Defender within *Scotland*, but not locally situated within the Jurisdiction of the Sheriff or Justices

Backing Arrestments.

Legal Procedure (Scotland).

Justices of the Peace by whom the Warrant to arrest has been granted, it shall be competent to carry the Warrant into execution on its being indorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh respectively within which such Warrant comes to be executed.

Compelling Attendance of Witnesses.

535. In all Proceedings under this Act in *Scotland* the Sheriff or Justices of the Peace shall have the same Power of compelling Attendance of Witnesses and Havers as in Cases falling under their ordinary Jurisdiction.

Proceedings to be vivâ voce.

536. The whole Procedure in Cases brought in a summary Form before the Sheriff or Justices of the Peace in *Scotland* shall be conducted *vivâ voce*, without written Pleadings, and without taking down the Evidence in Writing, and no Record shall be kept of the Proceedings, other than the Complaint, and the Sentence or Decree pronounced thereon.

Power to adjourn.

537. It shall be in the Power of the Sheriff or Justices of the Peace in *Scotland* to adjourn the Proceedings from Time to Time to any Day or Days to be fixed by them, in the event of Absence of Witnesses or of any other Cause which shall appear to them to render such Adjournment necessary.

Sentence to be in Writing.

Imprisonment to be inflicted in default of Payment.

538. In *Scotland* all Sentences and Decrees to be pronounced by the Sheriff or Justices of the Peace upon such summary Complaints shall be in Writing; and where there is a Decree for Payment of any Sum or Sums of Money against a Defender, such Decree shall contain Warrant for Arrestment, Poinding, and Imprisonment in default of Payment, such Arrestment, Poinding, or Imprisonment to be carried into effect by Sheriffs Officers or Constables, as the Case may be, in the same Manner as in Cases arising under the ordinary Jurisdiction in the Sheriff or Justices: Provided always, that nothing herein contained shall be taken or construed to repeal or affect an Act of the Fifth and Sixth Years of *William* the Fourth, intituled *An Act for abolishing, in* Scotland, *Imprisonment for Civil Debts of small Amount.*

5 & 6 W. 4. c. 70.

Sentence and Penalties in default of Defender's Appearance.

539. In all summary Complaints and Proceedings for Recovery of any Penalty or Sum of Money in *Scotland*, if a Defender who has been duly cited shall not appear at the Time and Place required by the Citation, he shall be held as confessed, and Sentence or Decree shall be pronounced against him in Terms of the Complaint, with such Costs and Expenses as to the Court shall seem fit: Provided always, that he shall be entitled to obtain himself reponed against any such Decree at any Time before the same be fully implemented, by lodging with the Clerk of Court a Reponing Note, and consigning in his Hands the Sum decerned for, and the Costs which had been awarded by the Court, and on the same Day delivering or transmitting through the Post to the Pursuer or his Agent a Copy of such Reponing Note; and a Certificate by the Clerk of Court of such Note having been lodged shall operate as a Sist of Diligence till the Cause shall have been reheard and finally disposed of, which shall be on the next Sitting of the Court, or on any Day to which the Court shall then adjourn it.

Warrant to apprehend in default of Appearance.

540. In all summary Complaints or other Proceedings not brought for the Recovery of any Penalty or Sum of Money in *Scotland*, if a Defender, being duly cited, shall fail to appear, the Sheriff or Justices may grant Warrant to apprehend and bring him before the Court.

Backing Sentences or Decrees.

541. In all Cases where Sentences or Decrees of the Sheriff or Justices require to be enforced within *Scotland*, but beyond the Jurisdiction of the Sheriff or Justices by whom such Sentences or Decrees have been pronounced, it shall be competent to carry the same into execution upon the same being indorsed by the Sheriff Clerk or Clerk of the Peace of the County or Burgh within which such Execution is to take place.

Orders not to be quashed for Want of Form; and to be final.

542. No Order, Decree, or Sentence pronounced by any Sheriff or Justice of the Peace in *Scotland* under the Authority of this Act shall be quashed or vacated for any Misnomer, Informality, or Defect of Form; and all Orders, Decrees, and Sentences so pronounced shall be final and conclusive, and not subject to Suspension, Advocation, Reduction, or to any Form of Review or Stay of Execution, except on the Ground of Corruption or Malice on the Part of the Sheriff or Justices, in which Case the Suspension, Advocation, or Reduction must be brought within Fourteen Days of the Date of the Order, Decree, or Sentence complained of: Provided always, that no Stay of Execution shall be competent to the Effect of preventing immediate Execution of such Order, Decree, or Sentence.

General Rules, so far as applicable, to extend to Penalties and Proceedings in Scotland.

543. Such of the general Provisions with respect to Jurisdiction, Procedure, and Penalties contained in this Act as are not inconsistent with the special Rules herein-before laid down for the Conduct of legal Proceedings and the Recovery of Penalties in *Scotland*, shall, so far as the same are applicable, extend to such last-mentioned Proceedings and Penalties: Provided always, that nothing in this Act contained shall be held in any way to annul or restrict the Common Law of *Scotland* with regard to the Prosecution or Punishment of Offences at the Instance or by the Direction of the Lord Advocate, or the Rights of Owners or Creditors in regard to enforcing a Judicial Sale of any Ship and Tackle, or to give to the High Court of Admiralty of *England* any Jurisdiction in respect of Salvage in *Scotland* which it has not heretofore had or exercised.

PART XI.

MISCELLANEOUS.

Miscellaneous.

Contracts may be made with Natives in India under certain Conditions, binding them to go to Australia, and thence to serve in other Ships to the United Kingdom.

544. It shall be lawful for any Master or Owner of a Ship, or his Agent, to enter into Contracts with Lascars or Natives of the Territories of the *East India* Company, binding them to proceed to any Port or Ports in the *Australian* Colonies either as Seamen or as Passengers, and there to engage themselves as Seamen in any Ship which may happen to be there and to be bound to the United Kingdom or to any other Part of Her Majesty's Dominions; provided that every such Contract shall be in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country, and for other Purposes, as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the Contract is made, in Council, may direct; and if any Lascar or other Person who has bound himself by any such Contract is, on arriving in any of the said Colonies, required to enter into an Agreement to serve as a Seaman in any Ship bound for the United Kingdom or to any other Part of Her Majesty's Dominions, and if it is certified by some Officer appointed for that Purpose by the Governor of the said Colony that such Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Contract, and that the Ship to which such Agreement relates is a proper Ship for such Lascar or other Person to serve in, and is properly supplied with Provisions, and that there is not in the Opinion of such Officer any Objection to the full Performance of the said Contract, such Lascar or other Person shall be bound to enter into the said Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes One of the Crew of the Ship; and if he refuses to enter into such Agreement he shall, notwithstanding such Refusal, be liable to the same Consequences, and be dealt with in all respects in the same Manner, as if he had voluntarily entered into the same; and for every Lascar or other Person in respect of whom such Certificate is applied for the Person applying for the same shall pay to such Officer as aforesaid such Fee as the Governor of the Colony may appoint.

Act not to affect Passengers Acts.

545. Nothing in this Act contained shall be taken to repeal or alter any of the Provisions of the "Passengers Act, 1852," or of the Act of the Seventeenth Year of Her present Majesty, Chapter Eighty-four.

Corporations, &c. may grant Site for Sailors Homes.

546. The Municipal Corporation of any Borough, being a Seaport in the United Kingdom, and any Body Corporate, Association, or Trustees in any such Seaport, existing or constituted for any public Purposes relating to the Government or Benefit of Persons engaged in the *British* Merchant Service, or to the Management of Docks and Harbours, or for any other public Purposes connected with Shipping or Navigation, may, with the Consent of Her Majesty's Secretary of State for the Home Department, appropriate any Lands vested in them or in Trustees for them as a Site or Sites for a Sailors Home or Sailors Homes, and may for that Purpose either retain and apply the same accordingly, or convey the same to Trustees, with such Powers for appointing new Trustees and continuing the Trust as they think fit.

Power of Colonial Legislatures to alter this Act.

547. The Legislative Authority of any *British* Possession shall have Power, by any Act or Ordinance, confirmed by Her Majesty in Council, to repeal, wholly or in part, any Provisions of this Act relating to Ships registered in such Possession; but no such Act or Ordinance shall take effect until such Approval has been proclaimed in such Possession, or until such Time thereafter as may be fixed by such Act or Ordinance for the Purpose.

Expenses incurred by Commissioners of Customs, how to be paid.

548. All Expenses incurred by the Commissioners of Customs in the Conduct of Suits or Prosecutions, or otherwise in carrying into effect the Provisions of this Act, shall be considered as Expenses having reference to the Revenue of Customs, and shall be paid out of the Consolidated Customs; but the Board of Trade may, with the Consent of the Treasury, repay out of the Mercantile Marine Fund all or any Part of such of the Expenses so paid as are by the Provisions of this Act chargeable on the said Fund.

SCHEDULE to which this Act refers.

FORM A. (See Section 36.)

CERTIFICATE OF SURVEYOR.

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddles or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging	*Nature of, and whether standing or running Bowsprit.*	Head	*Kind of.*
Stern	*Round, square, or other Description.*	Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Additional Particulars for Steamers.*		
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)	Tons.	
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horse-power)	No. of Horses-power.	

(a) *Omit this Part if she has no Steam Power.*

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

I, the undersigned *A.B.*, of , having surveyed the above-named Ship, hereby certify that the above Particulars are true.

Dated at

the Day of 18 .

(Signed)

FORM B. (See Section 38.)

DECLARATION OF OWNERSHIP BY INDIVIDUAL OWNER.

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging	*Nature of, and whether standing or running Bowsprit.*	Head	*Kind of.*
Stern	*Round, square, or other Description.*	Framework	*Wood or other Material.*

Measurements.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost	
Main Breadth to Outside of Plank	
Depth in Hold from Tonnage Deck to Ceiling at Midships	

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Additional Particulars for Steamers.*	
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{33}{100}$ths, or as measured)	Tons.
Length of Engine Room (if measured)	Feet. Tenths.
Engines	Number of Engines.
Combined Power (estimated Horse-power)	No. of Horses-power.
Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)	

(a) *Omit this Part if she has no Steam Power.*

I, the undersigned *A.B.*, of in the County of declare as follows:

(1.) I am a natural-born British Subject, born at [*naming Birth-place*],

and have never taken the Oath of Allegiance to any Foreign State, *or* and have since I took the Oath of Allegiance to a Foreign State [*naming State*], and on the Day of , taken the Oath of Allegiance to Her Majesty, and am resident* at [*naming Place*], being a Place within Her Majesty's Dominions.

or

I am

a Denizen by Letters of Denization dated the Day of *or* naturalized by Act of Parliament of the United Kingdom [*cite the Year of the Reign in which the Act was passed, its Chapter and Title.*] *or* naturalized by an Ordinance of the proper legislative Authority of [*naming British Possession*], [*cite the Year in which the Ordinance was passed, its Chapter and Title.*]

and am resident at [*naming Place*], being a Place within Her Majesty's Dominions.

And I have

since I so became a Denizen, *or* since the passing of the said Act or Ordinance and on the Day of

taken the Oath of Allegiance to Her Majesty.

* *If the Declarant is a natural-born Subject, who has taken the Oath of Allegiance to a Foreign State, or a Denizen or naturalized Subject, and is resident in a Country not within Her Majesty's Dominions, he must declare, in addition, that "he is a Member "of some British "Factory, or "Partner in "some House "actually carrying on Business "in the United "Kingdom, or "in some British "Possession" [naming the House and also the Place where it carries on its Business].*

(2.) The Ship, the Description of which is prefixed to this my Declaration, was built at [*naming the Country and Place*] on the Day of , and her Foreign Name is [*these Words to be added if the Ship is Foreign.*] *or* is Foreign-built, and I do not know the Time when or the Place where she was built, and her Foreign Name is *or* was condemned by the Court of [*naming Court*] on the Day of at .

(3.) *C.D.* of is the Master of the said Ship.

(4.) I am entitled to be registered as * Owner of Shares in the said Ship.

(5.) To the best of my Knowledge and Belief, no Person or Body of Persons, other than such Persons or Bodies of Persons as are by the Merchant Shipping Act, 1854, qualified to be Owners of British Ships, is entitled as Owner to any Interest whatever, either legal or beneficial, in the said Ship.

* *If the Declaration is made by a joint Owner add the Word "joint" before Owner.*

And I make this solemn Declaration conscientiously believing the same to be true.

Dated at
the Day of 18 .

(Signed)_____

Made and subscribed by the above-named *A.B.*
in the Presence of me

(Signed)_____ [*Name of Registrar or Justice of the Peace acting in and for* .]

FORM C. (See Section 39.)

DECLARATION OF OWNERSHIP ON BEHALF OF A BODY CORPORATE AS OWNER.

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks Number of Masts Rigging Stern	*Nature of, and whether standing or running Bowsprit. Round, square, or other Description.*	Build Gallery Head Framework	*Carvel or Clincher.* *Description of.* *Kind of.* *Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in-Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(*) *Omit this Part if she has no Steam Power.*

(*) *Additional Particulars for Steamers.*		
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)	No. of Tons.	
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horse-power)	No. of Horses-power.	
Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (*)		

I, the undersigned *A.B.*, of in the County of [*Secretary*], or [*duly appointed public Officer*], of the Company, declare as follows:

(1.) The said Company was incorporated by or by virtue of

an Act of Parliament of the United Kingdom [*cite the Year of the Reign in which the Act was passed, its Chapter and Title*] / a Charter granted by Her Majesty, and dated the Day of / an Act or Ordinance of the Legislature of [*cite the Year in which the Act or Ordinance was passed, its Chapter and Title*] / the Act 7 & 8 Vict. c. 110. from the Day of being the Date of the Certificate of complete Registration.

(2.) The said Company is subject to the Laws of the United Kingdom / of the British Possession of and has its principal Place of Business at

(3.) The Ship, the Description of which is prefixed to this my Declaration, was built at [*naming the Country and Place*] on the Day of , and her Foreign Name is [*These Words to be added if the Ship is Foreign.*] / is Foreign-built, and I do not know the Time when or the Place where she was built, and her Foreign Name is / was condemned by the Court of [*naming Court*] on the Day of at

(4.) *C.D.* of is the Master of the said Ship.

(5.) The said Company is entitled to be registered as Owner of Shares in the said Ship.

(6.) To the best of my Knowledge and Belief no Person or Body of Persons, other than such Persons or Bodies of Persons as are by The Merchant Shipping Act, 1854, qualified to be Owners of British Ships, is entitled as Owner to any Interest whatever, either legal or beneficial, in the said Ship.

And I make this solemn Declaration conscientiously believing the same to be true.

(Signed) _____

Dated at
the Day of 18 .

Made and subscribed by the above-named *A.B.* in the Presence of me

(Signed) _____ [*Name of Registrar.*]

FORM D. (See Section 44.)

CERTIFICATE OF REGISTRY.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks Number of Masts Rigging Stern	*Nature of, and whether standing or running Bowsprit. Round, square, or other Description.*	Build Gallery Head Framework	*Carvel or Clincher.* *Description of.* *Kind of.* *Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Additional Particulars for Steamers.*		
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)	Tons.	
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horse-power)	No. of Horses-power.	

(a) *Omit this Part if she has no Steam Power.*

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

I, the undersigned *A.B.*, Registrar of the Port of , hereby certify, that,

(1.) The Ship, the Description of which is prefixed to this my Certificate, has been duly surveyed, and that the above Description is true.

(2.) *C.D.* of is the Master of the said Ship.

(3.) The said Ship was built at [*naming the Country and Place*] on the Day of and her Foreign Name is [*these Words to be added if the Ship is Foreign.*] *or* is Foreign-built, and the Time when and the Place where she was built is not known, and her Foreign Name is *or* was condemned by the Court of [*naming Court*] on the Day of at

(4.) The several Persons and Bodies Corporate whose Names are hereunder written [*or endorsed*] are Owners of the above Ship, in the Proportions set opposite their respective Names.

(Signed) _____ Registrar.

Names of the several Owners above [*or* within] mentioned.	Number of Sixty-fourth Shares held by each Owner.
[*Name.*]	*Thirty-two.*
_____	*Sixteen.*
_____	*Eight.*
_____	*Eight.*

Dated at _____ (Signed) _____ Registrar.
the Day of 18 .

Notice.—A Certificate of Registry granted under The Merchant Shipping Act, 1854, is not a Document of Title. It does not necessarily contain Notice of *all* Changes of Ownership, and in no Case does it contain an Official Record of any Mortgages affecting the Ship.

FORM E. (See Section 55.)

BILL OF SALE.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks -		Build - - -	*Carvel or Clincher.*
Number of Masts -		Gallery - -	*Description of.*
Rigging - -	*Nature of, and whether Standing or running Bowsprit.*	Head - - -	*Kind of*
Stern - - -	*Round, square, or other Description.*	Framework - - -	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost - - - - - - - - - - - - -		
Main Breadth to Outside of Plank - - - - - - - - -		
Depth in Hold from Tonnage Deck to Ceiling at Midships - - - - -		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck - - - - - - - - - -	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks - - - - - - - -	
Poop - - - - - - - - - - -	
Roundhouse - - - - - - - - - -	
Other inclosed Spaces, if any, naming them - - - - - -	
Total - - - - - -	

(a) Omit this Part if she has no Steam Power.

(a) *Additional Particulars for Steamers.*		
Deduction for Space required for Propelling Power (say whether $\frac{27}{100}$ths or $\frac{32}{100}$ths, or as measured) - - - - - - - - - -	Tons.	
Length of Engine Room (if measured) - - - - - - -	Feet.	Tenths.
Engines - - - - - - - - - - - - -	Number of Engines.	
Combined Power (estimated Horse-power) - - - - - - -	No. of Horses-power.	
Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a) -		

Alter as necessary, if there be more than One Owner.

I, *A.B.*, of in the County of , being Owner of Shares in the Ship above particularly described, in consideration of £ paid to me by *C.D.* of in the County of hereby transfer to the said *C.D.* the said shares.

* *Omit, if no Incumbrances, the words in Italics.*

Further I, *A.B.*, for myself and my Heirs, covenant with the said *C.D.* and his Assigns that I have Power to transfer in manner aforesaid the said Shares, and that the same are free from Incumbrances* *save as appears by the Registry of the said Ship.*

In witness whereof I have hereunto subscribed my Name and affixed my Seal, this Day of 18 .

(L.S.) (Signed) _____

Executed by the above-named
in the Presence of

_____ [*insert Description and Place of Residence.*]

FORM F. (See Section 56.)

DECLARATION OF OWNERSHIP BY INDIVIDUAL TRANSFERREE.

No. _____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging	*Nature of, and whether standing or running Bowsprit.*	Head	*Kind of.*
Stern	*Round, square, or other Description.*	Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Additional Particulars for Steamers.*	Tons.	
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)		
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horse-power)	No. of Horses-power.	

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

(a) *Omit this Part if she has no Steam Power.*

I, the undersigned *A.B.*, of in the County of declare as follows:

(1.) I am a natural-born Subject of Her Majesty, born at [*naming Place of Birth*],

and have never taken the Oath of Allegiance to any Foreign State. *or* and have since I took the Oath of Allegiance to a Foreign State [*naming State*] and on the Day of taken the Oath of Allegiance to Her Majesty, and am resident* at [*naming Place*] being a Place within Her Majesty's Dominions.

or

I am

a Denizen by Letters of Denization dated the Day of *or* naturalized by Act of Parliament of the United Kingdom [*cite the Year in which the Act was passed, its Chapter and Title.*] *or* naturalized by an Ordinance of the proper legislative Authority of [*naming British Possession*] [*cite the Year in which the Ordinance was passed, its Chapter and Title.*]

and am resident at [*naming Place*], being a Place within Her Majesty's Dominions.

And I have

since I so became a Denizen, *or* since the passing of the said Act or Ordinance,

and on the Day of , taken the Oath of Allegiance to Her Majesty.

(2.) To the best of my Knowledge and Belief, no Person or Body of Persons, other than such Persons or Bodies of Persons as are by The Merchant Shipping Act, 1854, qualified to be Owners of British Ships, is entitled as Owner to any Interest whatever, either legal or beneficial, in the said Ship.

And I make this solemn Declaration conscientiously believing the same to be true.

(Signed) _____

Dated at
the Day of 18 .

Made and subscribed by the above-named *A.B.*
in the Presence of me

(Signed) _____ *Name of Registrar or Justice of the Peace acting in and for* .

* *If the Declarant is a natural-born Subject, who has taken the Oath of Allegiance to a Foreign State, or a Denizen or a naturalized Subject, and is resident in a Country not within Her Majesty's Dominions, he must declare in addition, that "he is "a Member of "some British "Factory, Part-"ner in some "House actually "carrying on "Business in the "United King-"dom or in some "British Pos-"session" [naming the House and also the Place where it carries on its Business.*

FORM G. (See Section 56.)

DECLARATION OF OWNERSHIP ON BEHALF OF A BODY CORPORATE AS TRANSFERREE.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddles or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging	*Nature of, and whether standing or running Bowsprit.*	Head	*Kind of.*
Stern	*Round, square, or other Description.*	Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Omit this Part if she has no Steam Power.*

(a) *Additional Particulars for Steamers.*	Tons.	
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)		
	Feet.	Tenths.
Length of Engine Room (if measured)		
	Number of Engines.	
Engines		
	No. of Horses-power.	
Combined Power (estimated Horse-power)		
Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)		

I, the undersigned *A.B.*, of in the County of [*Secretary*], or [*duly appointed public Officer*], of the Company, declare as follows:

(1.) The said Company was incorporated by or by virtue of an Act of Parliament of the United Kingdom [*cite the Year in which the Act was passed, its Chapter and Title*]. or a Charter granted by Her Majesty, and dated the Day of or an Act or Ordinance of the Legislature of [*cite Year in which the Act or Ordinance was passed, its Chapter and Title*]. or the Act 7 & 8 Vict. c. 110. from the Day of being the Date of the Certificate of complete Registration.

(2.) The said Company is subject to the Laws of the United Kingdom, or of the British Possession of_____, and has its principal Place of Business at

(3.) The said Company is entitled to be registered as Transferee of Shares in the said Ship.

And I make this solemn Declaration conscientiously believing the same to be true.

(Signed)_____

Dated at_____ the Day of 18

Made and subscribed by the above-named *A.B.* in the Presence of me

(Signed)_____ [*Name of Registrar.*]

FORM H. (See Section 58.)

DECLARATION BY OWNER TAKING BY TRANSMISSION.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts			
Rigging	*Nature of, and whether standing or running Bowsprit.*	Gallery	*Description of.*
		Head	*Kind of.*
Stern	*Round, square, or other Description.*	Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Additional Particulars for Steamers.*	Tons. / Feet. Tenths. / Number of Engines. / No. of Horses-power.
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)	Tons.
Length of Engine Room (if measured)	Feet. Tenths.
Engines	Number of Engines.
Combined Power (estimated Horse-power)	No. of Horses-power.

(a) *Omit this Part if she has no Steam Power.*

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

I, (b) the undersigned *A.B.*, of in the County of declare as follows:

(1.) I am a natural-born Subject of Her Majesty, born at [*naming Place of Birth*].

(b) *Alter accordingly if more than One Person makes the Declaration.*

and have never taken the Oath of Allegiance to any Foreign State. } *or* { and have since I took the Oath of Allegiance to a Foreign State [*naming State*] and on the Day of taken the Oath of Allegiance to Her Majesty, and am resident * at [*naming Place*] being a Place within Her Majesty's Dominions.

or

I am

a Denizen by Letters of Denization dated the Day of } *or* { naturalized by Act of Parliament of the United Kingdom [*cite the Year in which the Act was passed, its Chapter and Title.*] } *or* { naturalized by an Ordinance of the proper legislative Authority of [*naming British Possession*] [*cite the Year in which the Ordinance was passed, its Chapter and Title.*]

and am resident at [*naming Place*], being a Place within Her Majesty's Dominions.

And I have

since I so became a Denizen, } *or* { since the passing of the said Act or Ordinance,

and on the Day of , taken the Oath of Allegiance to Her Majesty.

* *If the Declarant is a natural-born Subject, who has taken the Oath of Allegiance to a Foreign State, or a Denizen or a naturalized Subject, and is resident in a Country not within Her Majesty's Dominions, he must declare in addition that "he is "a Member of some "British Factory, Part-"ner in some House "actually carrying on "Business in the United "Kingdom or in some "British Possession" [naming the House and also the Place where it carries on its Business].*

Alter according to Circumstances.

(2.) I declare that the Person appearing by the Register Book to be the Owner of Shares in the Ship above described† [*died at in the County of having first duly made his Will dated the Day of whereby he appointed me Executor, and I proved his said Will on the Day of in the Court of*] or [*died at in the County of on the Day of intestate, and that Letters of Administration of his Estate and Effects were on the Day of duly granted to me by the Court of*] *or* { We declare that *C.D.*, the Person appearing on the Register Book to be the Owner of Shares in the Ship above described, was on the Day of † [*duly adjudged a Bankrupt*], or [*declared insolvent*], and that we were on the Day of appointed Assignees of the said *C.D.*, and we are by Law entitled to be registered as Owners of the said Shares of the said Ship in place of the said *C.D.* } *or* { I declare that on the Day of I intermarried with and am now the Husband of *C.D.*, the Person appearing on the Register Book to be the Owner of Shares in the said Ship, and I declare that on such Marriage the Interest of the said *C.D.* became by Law vested in me, and that I am entitled to be registered as Owner of the said Shares in place of the said *C.D.*

(3.) To the best of my Knowledge and Belief, no Person or Body of Persons other than such Persons or Bodies of Persons as are by The Merchant Shipping Act, 1854, qualified to be Owners of British Ships, is entitled as Owner to any Interest whatever, either legal or beneficial, in the said Ship.

And I make this solemn Declaration conscientiously believing the same to be true.

(Signed) _____

Dated at
the Day of 18

Made and subscribed by the above-named *A.B.*
in the Presence of me

(Signed) _____ { *Name of Registrar or Justice of the Peace acting in and for*

FORM I. (See Section 66.)

FORM OF MORTGAGE.

No. _____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddle or Screw.

Number of Decks	*Nature of, and whether standing or running Bowsprit. Round, square, or other Description.*	Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging		Head	*Kind of.*
Stern		Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Additional Particulars for Steamers.*

Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths, or $\frac{35}{100}$ths, or as measured)	Tons.	
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horse-power)	No. of Horses-power.	

Register Tonnage (after making Deduction for Space for Propelling Power in Steamers) (a)

(a) *Omit this Part if she has no Steam Power.*

I, the undersigned *A.B.* of in the County of in consideration of £ this Day lent to me by *C.D.* of in the County of do hereby for myself and my Heirs covenant with the said *C.D.*, firstly, that I, or my Heirs, Executors, or Administrators, will pay to the said *C.D.* the said Sum of £ together with Interest thereon at the Rate of £ by the £100 in the Year, on the Day of next; and, secondly, that if the said Principal Sum is not paid on the said Day, I, or my Heirs, Executors, or Administrators, will, during such Time as the same or any Part thereof remain unpaid, pay to the said *C.D.* Interest on the whole or such Part thereof as may for the Time being remain unpaid at the Rate of £ by the £100 in the Year, by equal half-yearly Payments, on the Day of and Day of in every Year; and for better securing to the said *C.D.* the Repayment in manner aforesaid of the said Principal Sum and Interest I hereby mortgage to the said *C.D.* Shares of which I am the Owner in the Ship above particularly described.

Alter Covenant as may be necessary, so as to secure a general Balance of Accounts or otherwise, as the Case may require.

Lastly, I *A.B.*, for myself and my Heirs, covenant with the said *C.D.* and his Assigns, that I have Power to mortgage in manner aforesaid the above-mentioned Shares, and that the same are free from Incumbrances* *save as appears by the Registry of the said Ship.*

* *Omit, if no Incumbrances, the Words in Italics.*

In witness whereof I have hereto subscribed my Name and affixed my Seal, this Day of

(L.S.) (Signed) _____

Executed by the above-named *A.B.* in the Presence of *X.Y.*

FORM K. (See Section 73.)

TRANSFER OF MORTGAGE TO BE ENDORSED ON ORIGINAL MORTGAGE.

I, the within mentioned *C.D.* in consideration of £ this Day paid to me by *X.Y.* of in the County of hereby transfer to him the Benefit of the within written Security. In witness whereof I have hereunto subscribed my Name and affixed my Seal, this the Day of

(L.S.) (Signed _____

Executed by the above-named *C.D.* in the Presence of *E.F.*

FORM L. (See Section 74.)

DECLARATION BY MORTGAGEE TAKING BY TRANSMISSION.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddles or Screw.

Number of Decks Number of Masts Rigging Stern	*Nature of, and whether standing or running Bowsprit.* *Round, square, or other Description.*	Build Gallery Head Framework	*Carvel or Clincher.* *Description of.* *Kind of.* *Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Omit this Part if she has no Steam Power.*

(a) *Additional Particulars for Steamers.*	Tons. / Feet.	Tenths. / Number of Engines. / No. of Horses-power.
Deduction for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)		
Length of Engine Room (if measured)		
Engines		
Combined Power (estimated Horse-power)		

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

I, the undersigned *A. B.* of in the County of declare as follows:

* *Alter according to Circumstances.*

I declare that the Person appearing by the Register Book to be the Mortgagee of Shares in the Ship above described* [*died at in the County of having first duly made his Will, dated the Day of whereby he appointed me Executor, and I proved his said Will on the Day of in the Court of*], or [*died at in the County of on the Day of intestate, and that Letters of Administration of his Estate and Effects were on the Day of duly granted to me by the Court of*]

or

We declare that *C. D.*, the Person appearing on the Register Book to be the Mortgagee of Shares in the Ship above described* *was on the Day of duly adjudged a Bankrupt*], or [*was duly declared insolvent*], and that we were on the Day of appointed Assignees of the said *C. D.*, and we are by Law entitled to be registered as Mortgagees of the said Shares of the said Ship in place of the said *C. D.*

or

I declare that on the Day of I intermarried with and am now the Husband of *C. D.*, the Person appearing on the Register Book to be the Mortgagee of Shares in the said Ship, and I declare that on such Marriage the Interest of the said *C. D.* became by Law vested in me, and that I am entitled to be registered as Mortgagee of the said Shares in place of the said *C. D.*

And I make this solemn Declaration conscientiously believing the same to be true.

(Signed) _____

Taken and subscribed by the above-named *A. B.* in the Presence of me

(Signed) _____ *Registrar or Justice of the Peace.*

FORM M. (See Section 79.)

CERTIFICATE OF MORTGAGE.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddles or Screw.

Number of Decks -		Build - -	*Carvel or Clincher.*
Number of Masts -		Gallery - -	*Description of.*
Rigging - -	*Nature of, and whether standing or running Bowsprit.*	Head - -	*Kind of.*
Stern - -	*Round, square, or other Description.*	Framework -	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost - - - - - - - -		
Main Breadth to Outside of Plank - - - - - - -		
Depth in Hold from Tonnage Deck to Ceiling at Midships - - -		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck - - - - - -	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks - - - - - -	
Poop - - - - - - - - -	
Roundhouse - - - - - - - -	
Other inclosed Spaces, if any, naming them - - - - -	
Total - - -	

(a) *Additional Particulars for Steamers.*	Tons.	Feet.	Tenths.
Deduction for Space required for Propelling Power, (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured) - - - - - - - - -			
Length of Engine Room (if measured) - - - - -			
Engines - - - - - - - - - -	Number of Engines.		
Combined Power (estimated Horses-power) - - - - -	No. of Horses-power.		

(a) *Omit this Part if she has no Steam Power.*

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

ACCOUNT OF TITLE OF SUBSCRIBING OWNERS.		
Names of the several subscribing Owners.	Number of Sixty-fourth Shares held by each of the subscribing Owners.	Account of Mortgages or Certificates of Mortgage or Sale granted in respect of Shares of subscribing Owners.
(*Name and Description of Owner.*)		

Alter accordingly if there is only One Appointor or One Attorney.

(1.) We, the several above-mentioned Persons, whose Names are hereunto subscribed, being Owners of the above Ship in the Proportions set opposite our respective Names in the above Account of Title, (*but subject to the several Mortgages above mentioned,*) hereby appoint *A.B.* of and *C.D.* of and each of them, our Attornies and Attorney jointly or severally in our Names and on our Behalf to mortgage our Shares in the above Ship, and to execute and do all such Deeds, Matters, and Things as may be necessary for carrying into effect the Power hereby given.

(2.) We declare that the Amount of Money to be raised by Mortgage under this Power shall not exceed £ and that the Rate of Interest at which the same is raised shall not exceed £ for every £100 by the Year.

(3.) We declare that the Power of mortgaging hereby given may be exercised at

(4.) We declare that the above Power shall not be exercised after the Expiration of Months from the Date hereof.

In witness whereof, we have hereunto subscribed our Names and affixed our Seals, this Day of

(L.S.) *E.F.* of
(L.S.) *G.H.* of
&c.

I, *M.N.*, Registrar of hereby certify, that the above-written Particulars relating to the Ship _____, and to the Title of the several above-mentioned Owners, are correct; and I further certify, that the said Owners have executed this Certificate in manner above appearing.

Signed _____, Registrar.

N.B.—Mortgages created under this Power must be endorsed on the Certificate in the following Form, or as near thereto as Circumstances permit:—

The Day of

*The within mentioned Shares in the Ship _____ were this Day mortgaged to X. Y. of _____, to secure *£ _____ and Interest.*

Signed _____ { Registrar or Consular Officer.

** If the Mortgage is to cover Advances, insert "a Sum not exceeding £ ," or "General Balance of Account," as Case may be.*

FORM N. (See Section 79.)

CERTIFICATE OF SALE.

No. _____ *Date of Registry.*

N.B. All the Owners of the Ship must be Parties to this Document.

Name of Ship.	British or Foreign Built.	Port of Registry.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddles or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging	*Nature of, and whether standing or running Bowsprit.*	Head	*Kind of.*
Stern	*Round, square, or other Description.*	Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed spaces, if any, naming them	
Total	

(*) *Additional Particulars for Steamers.*		
Deduction for Space required for Propelling Power, (say whether $\frac{37}{100}$ths or $\frac{33}{100}$ths, or as measured)	Tons.	
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horse-power)	No. of Horses-power.	

(*) *Omit this Part if she has no Steam Power.*

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (*)

ACCOUNT OF TITLE TO THE ABOVE-MENTIONED SHIP.

Names of the Owners of the Ship above mentioned.	Number of Sixty-fourth Shares held by each Owner.	Account of Mortgages, or Certificates of Mortgage or Sale granted in respect of Ship.
(*Name.*)		

(1.) We, the several above-mentioned Persons, whose Names are hereunto subscribed, being Owners of the above Ship in the Proportions set opposite our respective Names in the above-mentioned Account of Title, (*but subject to the several Mortgages above mentioned,*) hereby appoint *A.B.* of , and *C.D.* of , and each of them, our Attornies and Attorney jointly or severally in our Names and on our Behalf to sell the above Ship, and to execute and do all such Deeds, Matters, and Things as may be necessary for carrying into effect the Power hereby given.

Alter accordingly if only One Appointor or One Attorney.

(2.) We declare that the Ship shall not be sold for a less sum than £

(3.) We declare that the Ship may be sold at

(4.) We declare that the above Power shall not be exercised after the Expiration of Months from the Date hereof.

In witness whereof, we have hereunto subscribed our Names and affixed our Seals, this Day of

(L.S.) *E.F.* of

(L.S.) *G.H.* of *&c.*

I, *M.N.*, Registrar of hereby certify, that the above-written Particulars relating to the Ship and to the Title of the several above-mentioned Owners are correct; and I further certify that the said Owners have executed this Certificate in manner above appearing.

Signed _____ Registrar

FORM O. (See Section 83.)

FORM OF REVOCATION.

*No.*_____ *Date of Registry.*

Name of Ship.	British or Foreign Built.	Port of Register.	How propelled.
			By Steam or Sails, and if by Steam, whether by Paddles or Screw.

Number of Decks		Build	*Carvel or Clincher.*
Number of Masts		Gallery	*Description of.*
Rigging	*Nature of, and whether standing or running Bowsprit. Round, square, or other Description.*	Head	*Kind of.*
Stern		Framework	*Wood or other Material.*

Measurements.	Feet.	Tenths.
Length from the Forepart of Stem under the Bowsprit to the Aftside of the Head of the Sternpost		
Main Breadth to Outside of Plank		
Depth in Hold from Tonnage Deck to Ceiling at Midships		

Tonnage.	No. of Tons.
Tonnage under Tonnage Deck	
Closed-in Spaces above the Tonnage Deck, if any; viz.	
Space or Spaces between Decks	
Poop	
Roundhouse	
Other inclosed Spaces, if any, naming them	
Total	

(a) *Omit this Part if she has no Steam Power.*

(a) *Additional Particulars for Steamers.*	Tons.	
Deduct for Space required for Propelling Power (say whether $\frac{37}{100}$ths or $\frac{32}{100}$ths, or as measured)		
Length of Engine Room (if measured)	Feet.	Tenths.
Engines	Number of Engines.	
Combined Power (estimated Horses-power)	No. of Horses-power.	

Register Tonnage, (after making Deduction for Space for Propelling Power in Steamers) (a)

(a) *Alter according to Circumstances the Words printed in Italics.*

(b) *Insert Names of Attornies.*

We (a) *Owners* of the Ship above described, hereby revoke the Power of mortgaging (or selling) the said Ship given *by us* to (b) by a Certificate of Mortgage (or Sale) dated the Day of

In witness whereof, we have hereunto subscribed our Names and affixed our Seals, this Day of

(L.S.) *E.F.* of
(L.S.) *G.H.* of
&c.

I, *M.N.*, Registrar of , hereby certify, that the said *Owners* have executed this Power of Revocation in manner above appearing.

(Signed) _____ Registrar.

TABLE P. (See Section 125.)

Fees to be charged for Matters transacted at Shipping Offices.

1. Engagement of Crews.

	£	s.	d.
In Ships under 60 Tons	0	4	0
60 to 100 „	0	7	0
100 to 200 „	0	15	0
200 to 300 „	1	0	0
300 to 400 „	1	5	0
400 to 500 „	1	10	0
500 to 600 „	1	15	0
600 to 700 „	2	0	0
700 to 800 „	2	5	0
800 to 900 „	2	10	0
900 to 1,000 „	2	15	0
Above 1,000 „	3	0	0

And so on for Ships of larger Tonnage, adding for every 100 Tons above 1,000, Five Shillings.

2. Engagement of Seamen separately.

Two Shillings for each.

3. Discharge of Crews.

	£	s.	d.
In Ships under 60 Tons	0	4	0
60 to 100 „	0	7	0
100 to 200 „	0	15	0
200 to 300 „	1	0	0
300 to 400 „	1	5	0
400 to 500 „	1	10	0
500 to 600 „	1	15	0
600 to 700 „	2	0	0
700 to 800 „	2	5	0
800 to 900 „	2	10	0
900 to 1,000 „	2	15	0
Above 1,000 „	3	0	0

And so on for Ships of larger Tonnage, adding for every 100 Tons above 1,000, Five Shillings.

4. Discharge of Seamen separately.

Two Shillings for each.

TABLE Q. (See Section 126.)

Sums to be deducted from Wages by way of partial Repayment of Fees in Table P.

1. In respect of Engagements and Discharges of Crews, upon each Engagement and each Discharge.

	s.	*d.*
From Wages of any Mate, Purser, Engineer, Surgeon, Carpenter, or Steward	1	6
all others, except Apprentices	1	0

2. In respect of Engagements and Discharges of Seamen separately, upon each Engagement and each Discharge.

One Shilling.

TABLE R. (See Section 133.)

Fees to be charged on Examinations.

	£	*s.*	*d.*
For a Certificate as Master	2	0	0
For a Certificate as Mate	1	0	0

TABLE S. (See Section 292.)

Number and Dimensions of Boats with which Seagoing Ships are to be provided.

Registered Tonnage.		Column 1. To be carried by Sailing Ships and Steam Ships.								Column 2. To be carried by Sailing Ships and by Steam Ships, when they do not carry the Boats in Col. 3.				Column 3. To be carried by Steam Ships which do not carry the Boat in Col. 2.								Total Number of Boats.	
		Boats.				Boats.				Launches.				Boats.				Life Boats.					
Sailing Ships.	Steam Ships.	Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.	Number.	Length.	Breadth.	Depth.	Sailing Ships.	Steam Ships.
Tons.	Tons.		Ft	Ft. In.	Ft. In.		Ft	Ft. In.	Ft. In.		Ft	Ft. In.	Ft. In.		Ft	Ft. In.	Ft. In.		Ft	Ft. In.	Ft. In.		
—	1,000 and upwards	1	18	5 6	2 3	2	24	5 6	2 6	1	27	8 6	3 8	2	22	5 6	2 6	2	28	8 6	3 6	—	7
—	800 to 1,000	1	18	5 6	2 3	2	26	6 6	2 8	1	26	8 0	3 8	2	22	5 6	2 6	—	—	—	—	—	4 or 5
800 and upwards	500 to 800	1	18	5 6	2 3	2	24	5 6	2 6	1	26	8 0	3 8	2	22	5 6	2 6	—	—	—	—	4	4 or 5
600 to 800	360 to 500	1	16	5 6	2 3	2	24	5 6	2 6	1	25	7 0	3 6	2	22	5 6	2 6	—	—	—	—	4	4 or 5
400 to 600	240 to 360	1	16	5 6	2 3	1	22	5 6	2 5	1	22	6 6	3 3	2	22	5 6	2 6	—	—	—	—	3	3 or 4
200 to 400	120 to 240	1	14	5 0	2 2	—	—	—	—	1	20	6 0	3 0	2	22	5 6	2 6	—	—	—	—	2	2 or 3
100 to 200	60 to 120	1	14	5 0	2 2	—	—	—	—	1	16	5 6	2 9	2	18	5 6	2 4	—	—	—	—	2	2 or 3
Under 100	Under 60	1	14	5 0	2 2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	1

as the Case may be.

Note.—In Sailing Ships carrying the Number of Boats above specified, and Steam Ships carrying the larger of the Two Numbers above specified, the Boats are to be considered sufficient, if their aggregate Cubic Contents are equal to the aggregate Cubic Contents of the Boats specified.

In Steam Ships carrying the smaller of the Two Numbers above specified, One of the Boats must be a Launch of the Capacity specified in Col. 2.

In Sailing Ships of 200 Tons Burden and under, not carrying Passengers, a Dingy may be substituted for the Boat in Col. 1.

In Sailing Ships of 150 Tons Burden and under, not carrying Passengers, a substantial Boat of Capacity sufficient to carry the Crew may be substituted for those above specified.

In all Steam Ships, Two Paddlebox Boats may be substituted for any Two of the Boats in Col. 3.

TABLE T. (See Section 314.)

Fees to be charged for the Survey of Passenger Steamers.

	£	s.	d.
For Steamers not exceeding 100 Tons	2	0	0
For Steamers exceeding 100 and not exceeding 300 Tons	3	0	0
For Steamers exceeding 300 and not exceeding 600 Tons	4	0	0
For every additional 300 Tons an additional	1	0	0

TABLE U. (See Section 333.) - - - -

Rates of Pilotage to be Demanded and Received by Qualified Pilots

OUTWARDS. - - - - -

From	To	7 Feet, and under.	8 Feet.	9 Feet.	10 Feet.	11 Feet.	12 Feet.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
The Sea, Orfordness, the Downs, Hoseley Bay, and vice versâ	Nore Warps - -	3 13 6	4 2 9	4 12 0	5 1 3	5 5 9	6 5 0
	Gravesend, Chatham, Standgate Creek, or Blackstakes -	4 12 0	5 7 9	6 3 3	6 18 0	7 11 9	8 5 6
	Long Reach - -	4 16 6	5 12 3	6 8 0	7 2 6	7 18 3	8 14 9
	Woolwich or Blackwall -	5 5 9	6 1 6	6 17 0	7 11 9	8 10 3	9 4 0
	Moorings or London Docks	5 16 0	6 9 9	7 3 6	7 17 3	8 19 6	9 13 3
The Nore or Warps, and vice versâ -	Gravesend, Standgate Creek, or Blackstakes	1 18 9	2 3 3	2 7 0	2 10 6	2 19 9	3 6 3
	Long Reach or Chatham -	2 6 0	2 10 6	2 15 3	2 19 9	3 9 0	3 18 3
	Woolwich or Blackwall -	2 15 3	3 1 9	3 8 0	3 13 6	4 2 9	4 10 3
	Moorings or London Docks	3 4 6	3 10 9	3 17 3	4 2 9	4 16 6	5 5 9
Gravesend Reach, and vice versâ -	Long Reach - -	0 9 3	0 14 9	1 0 3	1 5 3	1 10 0	1 14 6
	Woolwich or Blackwall -	1 3 0	1 7 6	1 12 3	1 16 9	2 4 3	2 13 6
	Moorings or London Docks	1 7 6	1 14 0	2 0 6	2 6 0	2 15 3	3 4 6
	Sheerness, Standgate Creek, or Blackstakes	2 15 3	2 19 0	3 1 9	3 4 6	3 13 6	4 2 9
	Chatham - -	3 4 6	3 8 0	3 10 9	3 13 6	4 2 9	4 12 0
Long Reach, and vice versâ - -	Woolwich or Blackwall -	0 18 6	1 2 0	1 4 9	1 7 6	1 16 9	2 6 0
	Moorings or London Docks	1 7 6	1 11 3	1 14 0	1 16 9	2 6 0	2 15 3
	Sheerness, Standgate Creek, or Blackstakes	3 4 6	3 8 0	3 10 9	3 13 6	4 2 9	4 12 0
	Chatham - -	3 13 6	3 17 3	4 0 0	4 2 9	4 12 0	5 1 3
Woolwich or Blackwall, and vice versâ	Moorings or London Docks	0 18 6	1 2 0	1 4 9	1 7 6	1 10 0	1 12 3
	Sheerness, Standgate Creek, or Blackstakes	3 13 6	3 17 3	4 0 0	4 2 9	4 12 0	5 1 3
	Chatham - -	4 2 9	4 6 6	4 9 3	4 12 0	5 1 3	5 10 6

TABLE U. (See Section 333.)

for Piloting Ships within the under-mentioned Limits.

OUTWARDS.

13 Feet.	14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet and upwards.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
6 13 6	7 7 3	7 16 6	8 14 9	9 8 6	10 17 0	11 10 0	12 17 6	14 5 3	16 11 3	18 8 0
8 19 6	9 13 3	10 7 0	11 0 9	11 14 6	14 1 6	16 13 0	19 6 6	21 5 0	23 3 9	25 2 3
9 8 6	10 0 0	10 16 3	11 10 0	13 3 6	15 9 0	18 11 9	21 5 0	23 0 0	24 16 9	26 13 6
10 2 6	11 0 9	11 14 6	12 8 6	14 3 6	16 5 9	19 11 0	22 1 6	24 16 9	27 12 0	—
10 11 6	11 10 0	12 8 6	13 2 3	14 14 6	17 0 6	20 10 3	23 4 6	—	—	—
3 11 9	3 15 6	4 2 9	4 10 3	5 1 3	5 16 0	6 8 9	7 14 6	8 14 0	9 13 3	10 12 6
4 2 9	4 7 0	4 13 9	5 5 0	5 16 0	6 15 3	8 5 6	9 13 3	10 12 6	11 11 9	12 15 3
4 19 0	5 8 6	5 16 0	6 4 3	7 2 6	8 3 9	9 4 0	11 11 9	12 11 3	13 16 0	—
5 15 0	6 4 3	6 13 6	7 2 6	8 1 0	9 4 0	11 0 9	12 17 6	13 16 0	—	—
1 19 0	2 3 9	2 8 3	2 13 0	2 17 6	3 2 0	3 6 9	3 11 3	4 12 0	5 10 6	—
3 2 6	3 11 9	3 18 3	4 5 6	4 13 9	5 1 2	6 4 3	7 11 9	8 19 6	9 13 3	—
3 13 6	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	7 7 3	8 14 9	—	—	—
4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 5	—	—	—
5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 5	8 5 6	—	—	—
2 15 3	3 4 6	3 13 6	4 2 9	4 12 0	5 3 6	5 16 0	6 8 9	8 5 6	9 4 0	—
3 4 6	3 13 6	4 2 9	4 12 0	5 3 6	5 16 0	6 8 9	7 7 3	9 4 0	—	—
5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 17 6	8 5 6	8 14 9	—	—
5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	9 4 0	—	—
1 16 9	2 1 6	2 6 0	2 10 6	2 15 3	2 19 9	3 4 6	3 9 0	—	—	—
5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	—	—	—
5 19 6	6 8 9	6 18 0	7 7 3	7 17 6	8 5 6	8 14 9	9 4 0	—	—	—

(continued.)

TABLE U. (*continued.*)

INWARDS.

From	To	Under 7 Feet.	From 7 Feet to 10 Feet.	11 Feet.	12 Feet.	13 Feet.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
The Downs	Nore, Sheerness, Standgate Creek, Gravesend	5 5 0	7 17 6	8 13 3	9 9 0	10 4 9
	Longreach	5 16 0	8 8 6	9 9 0	10 4 10	11 3 0
	Blackwall or London	6 12 3	8 19 6	10 4 9	11 0 6	12 1 6
Standgate Creek	Gravesend	3 6 2	3 17 0	4 8 2	4 19 0	5 10 3

Note 1. Foreign Ships are to pay One Fourth more than British Ships, except when privileged to enter the Ports Ships are to pay the same Rates of Pilotage only as are payable by British Ships.

Note 2. For Half a Foot exceeding the above Draughts of Water, the medium Price between the Two

For putting a Pilot on board, and for Pilotage of Ships to the Anchorage to the Downs.*	60 Tons, and under 150.	150 Tons, and under 250.	250 Tons, and under 400.	400 Tons, and under 600.	600 Tons, and upwards.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
From off Dungeness to off Folkestone; the Church bearing N.N.W. by Compass	2 0 0	3 0 0	3 10 0	4 0 0	5 5 0
From off Folkestone to the South Foreland, the Lights in one	1 10 0	2 0 0	2 10 0	3 0 0	4 4 0
From off the South Foreland to the Downs	1 5 0	1 5 0	1 10 0	2 0 0	3 3 0

* When the Pilot is put on board by a Boat from the Shore, One Seventh to the Pilot, and the remaining Six Sevenths to the Boat and Crew.

TABLE U. (*continued*).

INWARDS.

14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet and upwards.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
11 0 6	11 16 3	12 12 0	13 7 9	16 1 3	19 0 0	22 1 0	24 5 0	26 9 2	28 13 3
11 18 10	12 18 3	13 14 0	15 0 9	17 14 4	21 4 2	24 5 1	26 9 2	28 13 3	30 17 4
12 17 3	14 0 4	14 16 0	16 13 9	19 7 5	23 8 3	26 9 2	28 13 3	—	—
6 1 3	6 12 3	7 3 3	7 14 4	5 4	8 16 4	9 7 4	—	—	—

of the United Kingdom upon paying the same Duties of Tonnage as are paid by British Ships, in which Cases such

Limits.—For intermediate Distances a proportionate Rate.

In the River Thames, above Gravesend, { For a Boat of a Class carrying an Anchor of above 4 Cwt. with a corresponding Tow Line - - - £2 2 0 / - - - Do. Do. - - 2 Cwt. 1 1 0 / - - - Do. Do. - - under 2 Cwt. 0 15 0 } Per Trip for the whole Distance from Gravesend to London; and in proportion for any Part of that Distance.

And for each Man's Service in those Boats, 8*s.* per Tide.

For removing a Ship from Moorings into a Dry or Wet Dock:

For a Ship under 300 Tons - - - - - - £0 15 0
- - - 300 to 600 „ - - - - - - 1 1 0
- - - 600 to 1,000 „ - - - - - - 1 11 6
- - - above 1,000 „ - - - - - - 2 2 0

TABLE V.—(See Section 455.)

FEES AND REMUNERATION OF RECEIVERS.

	£	s.	d.
For every Examination on Oath instituted by a Receiver with respect to any Ship or Boat which may be or may have been in Distress, a Fee not exceeding - - - - -	1	0	0
But so that in no Case shall a larger Fee than Two Pounds be charged for Examinations taken in respect of the same Ship and the same Occurrence, whatever may be the Number of the Deponents.			
For every Report required to be sent by the Receiver to the Secretary of the Committee for managing the Affairs of Lloyd's in London, the Sum of - - - - - - -	0	10	0
For Wreck taken by the Receiver into his Custody, a Per-centage of Five Per Cent. upon the Value thereof,			
But so that in no Case shall the whole Amount of Per-centage so payable exceed Twenty Pounds.			
In Cases where any Services are rendered by a Receiver, in respect of any Ship or Boat in Distress, not being Wreck, or in respect of the Cargo or other Articles belonging thereto, the following Fees instead of a Per-centage; that is to say,			
If such Ship or Boat with her Cargo equals or exceeds in Value Six hundred Pounds, the Sum of Two Pounds for the first, and the Sum of One Pound for every subsequent Day during which the Receiver is employed on such Service, but if such Ship or Boat with her Cargo is less in Value than Six hundred Pounds, One Moiety of the above-mentioned Sum.			

TABLE W.—(See Section 486.)

SALVAGE BOND.

[*N.B.—Any of the Particulars not known, or not required, by reason of the Claim being only against the Cargo, &c., may be omitted.*]

WHEREAS certain Salvage Services are alleged to have been rendered by the Ship [*insert Names of Ship and of Commander*], Commander, to the Merchant Ship [*insert Names of Ship and Master*], Master, belonging to [*Name and Place of Business or Residence of Owner of Ship*], freighted by [*the same of the Freighter*], and to the Cargo therein, consisting of [*state very shortly the Descriptions and Quantities of the Goods, and the Names and Addresses of their Owners and Consignees*]:

And whereas the said Ship and Cargo have been brought into the Port of [*insert Name and Situation of Port*], and a Statement of the Salvage Claim has been sent to [*insert the Name of the Consular Officer or Vice-Admiralty Judge, and of the Office he fills*], and he has fixed the Amount to be inserted in this Bond at the Sum of [*state the Sum*]:

Now I, the said [*Master's Name*], do hereby, in pursuance of the Merchant Shipping Act, 1854, bind the several Owners for the Time being of the said Ship and of the Cargo therein, and of the Freight payable in respect of such Cargo, and their respective Heirs, Executors, and Administrators to pay among them such Sum not exceeding the said Sum of [*state the Sum fixed*], in such Proportions and to such Persons as [*if the Parties agree on any other Court, substitute the Name of it here,*] the High Court of Admiralty in England shall adjudge to be payable as Salvage for the Services so alleged to have been rendered as aforesaid.

In witness whereof I have hereunto set my Hand and Seal, this [*insert the Date*] Day of

Signed, sealed, and delivered by the said [*Master's Name*].

(L.S.)

In the Presence of [*Name of Consular Officer or Vice-Admiralty Judge, and of the Office he fills*].

CAP. CV.

An Act to amend the Laws relating to the Militia in *England* and *Wales*. [11th *August* 1854.]

'WHEREAS it is necessary to amend certain Provisions of the Laws now in force relating to the Militia in *England* and *Wales*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Parts of 16 & 17 Vict. c. 116. repealed.

I. The Thirty-seventh, Thirty-eighth, Thirty-ninth, Fortieth, and Forty-first Sections of the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and sixteen, shall be and the same are hereby repealed.

II. In

II. In all Cases where any Place provided for the Purpose of keeping therein the Arms, Accoutrements, Clothing, and other Stores belonging to any Regiment, Battalion, or Corps of Militia when not embodied is or may become from any Cause insecure, insufficient, or unfit for the safe Custody of such Arms, Accoutrements, Clothing, or other Stores, or in case the Public Service or Convenience require the Site of the same to be changed, or in case no such Place has been provided, the Justices of the Peace for such County at their General or Quarter Sessions next ensuing assembled, upon the Representation of the Lord Lieutenant of such County, and of the Colonel or Commandant of such Regiment, Battalion, or Corps, that no such Place has been provided, or that the Place provided is insecure, insufficient, or unfit, being duly satisfied thereof, may and they are hereby required to provide a secure and suitable Place for that Purpose, and to that End they may in their Discretion from Time to Time resolve either to purchase or hire any suitable Buildings or Premises, and if necessary, to enlarge, alter, or improve the same, or from Time to Time to enlarge, alter, or improve any Buildings or Premises already purchased or hired, or to purchase or take on Lease for any Term not less than Sixty Years any Portion of Land for the Purpose of building and to build or rebuild thereupon secure and suitable Buildings and Premises for the Purpose aforesaid, and, with reference to any such Purchase as is hereby authorized, the Clauses and Provisions of the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement, shall be incorporated with this Act; and the Words "Promoters of the Undertaking" in those Clauses shall mean the Persons by this Act authorized to purchase Land; and the Word "Undertaking" shall mean the building or rebuilding, enlarging, or altering of a Place for Militia Stores: Provided always, that the Place to be so hired, purchased, built, altered, or enlarged shall contain an Orderly and Guard Room and Magazine, and a sufficient Yard or Place wherein the Men may be mustered for the Issue and Return of such Arms, Accoutrements, Clothing, and other Stores; provided also, that it shall be at any Time lawful for such Justices, if they think fit, to add to such Buildings Quarters for such Number of the Permanent Staff as may appear to them desirable, and Cells, together with such other Conveniences as may be suitable for the Custody and Accommodation of the Stores; and no Place provided for the keeping of Militia Stores under this or the recited Acts, nor any Buildings or Premises appurtenant thereto, shall be liable to be assessed to any County, Borough, Parochial, or other local Rates or Assessments; and all or any Person or Persons by the Lands Clauses Consolidation Act, 1845, and this Act authorized to sell may grant Leases instead of selling, and for such Term of Years as may be agreed on, and under such Terms and Provisions in all respects as may be agreed on, and either at Rackrent or otherwise, and any Fine or Premium paid on the granting any such Lease shall be paid and applied under the Provisions of the Lands Clauses Consolidation Act, 1845, as if the same had arisen from a Sale made by the Party making the Lease; and the Party taking any Lease for the Purposes of this Act shall be indemnified against the Rent and the Performance of the Covenants in such Lease by and out of the County Rates, and the same shall be raised and paid out of the County Rates in the Manner after provided for the raising and Payment of Interest on Monies borrowed on Mortgage.

Place for Militia Storehouse to be provided.

Storehouse to be exempt from local Rates.

III. Whenever any Place which shall have been provided for keeping the Stores of the Militia shall have become insecure, insufficient, or unfit for that Purpose, or in case the Public Service or Convenience require the Site of the same to be changed, and the Justices of the Peace for the County at General or Quarter Sessions assembled as aforesaid shall have so determined, the Persons in whom such Place may be vested, upon Service upon them of an Order made at any Court of Quarter Sessions of the Peace, setting forth that another and more convenient and proper Place has been provided for the Purpose aforesaid, whereby the Place theretofore provided has become useless, shall proceed forthwith, in such Manner as they shall think best, to sell and convey the same to any Purchaser thereof, freed and discharged from the Uses or Trusts to which it had theretofore been subject, and shall give Receipts and Acquittances for the Purchase Money thereof, and shall pay over such Money, after deducting thereout all Costs and Charges attending such Sale, unto the Treasurer of such County, to be by him applied and paid towards the Cost of purchasing any Ground for the Purpose of building, or of purchasing, building, rebuilding, enlarging, altering, improving, or fitting up any Place, Buildings, or Premises for the Purposes aforesaid, under the Powers of this Act, and the Residue of such Purchase Money (if any) shall be invested in the Public Funds, and the Interest thereof applied in aid of the Rate of such County, according as the Justices of the same, assembled as aforesaid, may direct; provided that no Person purchasing any Place so sold as aforesaid shall be bound to inquire into any Circumstances relating to the Sale thereof, nor be bound to see to the Application nor be answerable for the Non-application or Misapplication of the Purchase Monies; and when and as soon as the Persons in whom such Place shall have been so vested as aforesaid shall have paid to the said County Treasurer the clear Proceeds arising from such Sale, and shall have procured from such Treasurer his Receipt for the same, then and from thenceforth such Persons shall be forthwith discharged from all Liability, Claim, or Demand in respect of the said Place, and of the Proceeds arising from the Sale thereof.

Sale of Place which is not required.

IV. The Sums that may be required for the Hire, Purchase, Enlargement, Alteration, building of, or Addition to any such Place, in case the same shall be approved by the said Lord Lieutenant and Colonel or Commandant, shall, together with the Sums required for the Cost of Fuel and other necessary Expenses incidental to the Use and Maintenance of the Premises, be paid by the Treasurer of such County out of any Monies in his Hands arising from County Rates; or if such Treasurer shall at any Time not have

Expense of Storehouse, how to be provided for.

have sufficient Monies in his Hands, the Justices of such County, in their General or Quarter Sessions assembled, are hereby authorized and required, as soon as may be after receiving Notice that such Monies are or will be required, forthwith to cause the same to be raised by such additional County Rate as shall in their Judgment be sufficient; and the Monies so raised, according to the Laws in force for the Time being relating to County Rates, shall be applied accordingly.

Power to borrow on Mortgage of the County Rates.

V. In order to distribute over a Term of Years the Expenses of purchasing, building, enlarging, or altering such Place as aforesaid hereby directed to be paid out of the County Rate, the Justices of such County in their General or Quarter Sessions assembled may, if they think fit, borrow all or any Part of the Money necessary for the aforesaid Purposes upon Mortgage of the Rates of such County; and every such Mortgage may be in the Form in the Schedule (A.) to this Act annexed, or to the like Effect, and shall be executed by the Chairman and any two of the Justices present at the General or Quarter Sessions at the Time being, and shall be effectual for securing to the Person advancing the Sum in such Mortgage expressed, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest after the Rate, at the Times and in the Manner in such Mortgage specified; and any Person entitled to any such Mortgage may transfer his Right and Interest therein to any other Person, such Transfer being made according to the Form in Schedule (B.) to this Act annexed, or to the like Effect; and the Persons to whom such Mortgages or the Transfers thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed to be charged, in an equal Degree one with another according to the respective Sums in such Mortgages mentioned to be advanced by them.

Justices to provide for Interest on Mortgages and Repayment of Principal.

VI. The said Justices in General or Quarter Sessions assembled shall in every Year provide for and cause to be paid out of the County Rate, in the Manner and at the Times in such Mortgages specified, the Monies required for the Time being to pay the Interest on the several Sums borrowed under this Act or the first-recited Act, and then unpaid, and shall also set apart and appropriate a further Sum, not being less than One Thirtieth Part of the Principal Sum originally borrowed upon such Mortgages, and shall apply the same in the Repayment of so much of the said Principal Sums then unpaid as it will extend to discharge, Year by Year, until the whole of such Principal Sums have been repaid; and the said Justices shall, by Agreement with the Parties entitled to such Mortgages, or in default of Agreement, by such other Means as they deem most equitable and convenient, determine the Order of Priority in which the several Sums advanced shall be repaid.

Power to reborrow.

VII. It shall be lawful for the said Justices, with the Consent of the Parties entitled to such Mortgages, to pay off from Time to Time any of the Monies so borrowed as aforesaid, and to reborrow from Time to Time the Sums necessary for that Purpose, but so nevertheless that all Monies borrowed under this or the first-recited Act shall be repaid within Thirty Years from the Time of first borrowing the same.

Mortgages under former Acts saved.

VIII. All Mortgages made under the Powers of the first-recited Act shall be and remain as valid and effectual, and the Persons entitled to the same shall continue to have the same Rights and Remedies in respect thereof, as they would have had if this Act had not been passed.

Acts done and Contracts made by Deputy Lieutenants shall be valid.

IX. All Acts done by the Deputy Lieutenants of any County for or with reference to the providing of a Place for keeping the Militia Stores, under any of the Acts heretofore in force, shall be deemed good and valid, and all Contracts, Covenants, and Leases made by them for the said Purposes, and under the Powers of the said Acts, are hereby confirmed: Provided, that the Justices of such County shall be deemed to be substituted for the Deputy Lieutenants as the contracting Parties thereto, and such Contracts, Covenants, and Leases shall be respectively construed and put in force as if the same had originally been made and entered into by and with such Justices: Provided also, that in the Case of any Lease subsisting at the Time of the passing of this Act, it shall be lawful for the Justices of the County assembled as aforesaid, with the Consent of the Lessors or their Representatives, and in such Manner and upon such Terms as may be mutually agreed upon, to determine such Lease, and such Justices are hereby authorized to do all such Acts as may be necessary for carrying into effect such Agreement and the Avoidance of such Lease.

Powers given by this Act to extend to Militia of the City of London.

X. All and every the Powers, Authorities, and Directions in and by this Act given to or vested in the Lords Lieutenant, Deputy Lieutenants, and Treasurers of Counties, and the Justices of the Peace in their General or Quarter Sessions assembled, shall extend to and include the Commissioners of Lieutenancy for the City of *London* and their Treasurer for the Time being, so far as the same may be applicable to the Militia of the said City.

Municipal Boroughs exempt from County Rate to contribute in due Proportion.

XI. ‘ And whereas there are certain Corporate Towns and Places not liable by Law to the Payment ‘ of County Rates, but to which the Provisions of the Acts relating to the Militia in other respects apply, ‘ and it is just that such Towns and Places should contribute in fair and rateable Proportion to the ‘ Expenses incurred for the efficient Maintenance of the Militia:’ Be it therefore enacted, That a proportionate Part of the Expense to be incurred or which may have been incurred by the Counties subsequently to the passing of the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty, in providing, building, enlarging, or altering Places for Militia Stores, and of the Expenses incident to the Use and Maintenance of the Premises, shall be paid and borne, in manner herein-after provided, by all Boroughs incorporated under the Act of the Sixth Year of King *William* the Fourth, Chapter Seventy-six, or any Act amending the same, or under the Provisions of any Charter granted or to be granted under any of such Acts, and which Boroughs are not liable by Law to the Payment of County Rates.

XII. In

Mode of assessing the Proportions payable by the Boroughs.

XII. In order to determine the Proportion to be contributed by any such Borough to the Expenditure for the Purposes aforesaid of the County in which such Borough is locally situated, the Justices of every such County are hereby authorized and required at some General or Quarter Sessions held by them within Six Calendar Months after the passing of this Act, and the Council of every such Borough are authorized and required at some Meeting of the Council to be held within Three Months after the passing of this Act, to appoint respectively Two Justices of such County and Two Members of such Council, which said Four Persons shall, as soon as conveniently may be after their Appointment, meet together, and shall jointly determine and award the respective Proportions in which the said County and Borough shall contribute to the Expenditure incurred or to be incurred under the recited Acts respectively or this Act, according to the respective annual Values of the Property as rated to the Relief of the Poor within such Borough, and of the Property as rated to the Relief of the Poor and chargeable to the County Rate within such County.

Manner in which the Award is to be made.

XIII. The said Four Persons shall certify the Sum so found by them to be contributable by such County and Borough respectively, by an Award in Duplicate under their Hands and Seals, and shall transmit One Copy of such Award to the Clerk of the Peace for the County, and the other Copy thereof to the Town Clerk of the Borough, who shall respectively keep the same in their Custody, and shall allow all Persons contributing to the County Rates or Borough Rates (as the Case may be) to inspect and take Copies of or Extracts from the same, at all seasonable Hours, without Fee or Reward, and such Award shall, until revoked as herein-after provided, be final and conclusive.

Arbitrator to be appointed in default of Agreement.

XIV. In case the said Four Persons, or any of them, shall not be appointed as herein-before provided, or, being appointed, shall be unable to agree together as to the Proportion of such Contribution, or shall neglect to meet together, or fail to make any Award within Three Months from the Time of the Appointment of the Two Persons last appointed, it shall be lawful for One of Her Majesty's Principal Secretaries of State, and he is hereby authorized, upon the Memorial of the Justices of such County at their General or Quarter Sessions assembled, to appoint One competent Person to act as Arbitrator between such County and Borough respectively, and such Arbitrator shall be empowered to determine, upon the Basis of the annual Value of Property as assessed as aforesaid, the Proportion of Expenditure which such Borough ought to contribute, and he shall make his Award upon the Matter so determined under his Hand and Seal in Duplicate, and shall transmit the several Copies thereof to the Clerk of the Peace and Town Clerk, who shall perform the same Duties as before provided in respect thereof, and any such Award, until revoked as herein-after mentioned, shall be final and conclusive.

Vacancies in Arbitrators to be supplied.

XV. In case of the Death or Inability to act of any of such Four Persons or of such Arbitrator, as the Case may be, the Vacancy shall be supplied by the Justices, or the Council, or the Secretary of State by whom the Person so dying or unable to act was appointed within Three Months after such Vacancy has occurred, and so from Time to Time.

Power to inspect Rates.

XVI. All Persons appointed under this Act for the Purpose of determining the respective Proportions contributable by any Counties or Boroughs may, without Fee or Reward, inspect or take Copies or Extracts of and from all County or Borough Rates, or Rates made for the Relief of the Poor in any Place whereto their Inquiry extends, and which they may think necessary to be examined, and any Person having the Care or Custody of any such Rate who shall refuse to permit such Inspection, or the taking of Copies or Extracts as hereby authorized, shall be liable on Conviction to a Penalty not exceeding Ten Pounds.

Penalty.

The Borough Treasurer to pay the Sums awarded to the County Treasurer.

XVII. The Sum or Sums which shall be determined, in accordance with such Award as aforesaid, to be contributable by any Borough to the Expenditure incurred or to be incurred by the County under this or the recited Acts or either of them in respect of any Place for Militia Stores, and for their Use and Maintenance, shall be paid from Time to Time by the Treasurer of such Borough to the Treasurer of the County, upon a Warrant under the Hands and Seals of any Two of the Justices present at the General or Quarter Sessions of the County, and such Payment, for which a Receipt shall be given by the Treasurer of the County, shall be made from Time to Time out of the Borough Rate or Borough Fund of such Borough, or in case at any Time the Monies arising from such Rate or Fund then in the Hands of such Treasurer shall not be sufficient for the Purpose, the Council of such Borough shall forthwith cause the Sum or further Sums so required to be raised by means of a Borough Rate, and to be paid over, according to the Exigency of the said Warrant, to the Treasurer of the County.

Borough may borrow Money on Mortgage.

XVIII. In order to distribute over a Term of Years the Proportion payable by any Borough of the Expense incurred or to be incurred by the County in purchasing, erecting, enlarging, or altering a Place for Militia Stores, it shall be lawful for the Council to borrow any Sum of Money, not exceeding the Proportion so payable by them, and, for the Purpose of securing such Money, to mortgage, with the Consent of Three or more Commissioners of Her Majesty's Treasury, any Part of the Lands, Tenements, and Hereditaments of such Borough, and to repay the Money so borrowed, and the Interest thereof, according to the Terms of such Mortgages, out of the Borough Fund or Borough Rate, and from Time to Time to reborrow, for the Purpose of paying off any Sums so borrowed; provided always, that the whole of the Monies so borrowed, with the Interest thereon, shall be repaid within the Period of Thirty Years from the Time of first borrowing the same.

How Mortgages are to be made.

XIX. Such Mortgages shall be made in the Form in Schedule (A.) to this Act annexed, *mutatis mutandis*, or to the like Effect, and shall be effectual for securing to the Person advancing the Sum in such Mortgage expressed, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest, according to the Terms of such Mortgage, and any Person entitled to any such Mortgage may transfer his Right and Interest therein to any other Person, such Transfer being made according to the Form in Schedule (B.), *mutatis mutandis*, or to the like Effect.

Instruments exempted from Stamp Duty.

XX. All Conveyances, Leases, Mortgages, Awards, Contracts, Receipts, and other Instruments made for the Purpose of carrying into effect the Provisions of this Act shall be exempt from Stamp Duty.

Stannaries charged to be apportioned.

XXI. 'Whereas it is necessary to determine by Law the Proportions in which the Counties of *Cornwall* and *Devon* respectively shall contribute to the Expenses incurred or to be incurred in respect to providing a Place for Militia Stores for the Stannaries Corps of Militia, called the *Devon* and *Cornwall* Miners Artillery Militia:' Be it therefore enacted, That the Lord Warden of the Stannaries shall, within Three Months after the passing of this Act, appoint Four of the Deputy Wardens of the Stannaries, of whom Two shall be Persons acting as Deputy Wardens of the Stannaries of *Devon*, and Two shall be Persons acting as Deputy Wardens of the Stannaries of *Cornwall*, who shall, as soon as conveniently may be after their Appointment, meet together, and shall jointly determine and award the respective Proportions in which the Two said Counties shall respectively contribute, and shall certify the Sum so found by them to be contributable by each of the said Counties by an Award in Triplicate under their Hands and Seals, and shall transmit One Copy thereof to the Clerk of the Peace for the County of *Devon*, and One Copy thereof to the Clerk of the Peace for the County of *Cornwall*, and One Part thereof to the Clerk to the Warden, who shall respectively keep the same in their Custody, and shall allow all Persons contributing to the County Rates of the said Counties to inspect the same at all reasonable Hours without Fee or Reward, and such Award shall, until revoked as herein-after provided, be final and conclusive; but in case the said Four Persons shall be unable to agree together as to the Proportions of such Contribution, or shall fail to make any Award within Three Months from the Date of their Appointment, then the Lord Warden may appoint some other competent Person who shall be empowered to determine and shall award the fair and just Proportion to be contributed by each of the said Counties, and he shall make his Award under his Hand and Seal in Triplicate, and shall transmit the several Parts thereof to the Clerks of the Peace and to the Clerk to the Warden, and such Award shall, until revoked in manner herein-after provided, be final and conclusive: In case of the Death or Inability to act of any of such Four Persons, or of such Arbitrator, as the Case may be, the Vacancy shall be supplied by the Lord Warden of the Stannaries of *Devon* and *Cornwall* within Three Months after such Vacancy has occurred, and so from Time to Time.

Award may be revoked in certain Events.

XXII. At any Time, not being less than Three Years after the Date of any Award made under this Act, it shall be lawful for One of Her Majesty's Principal Secretaries of State, upon the Memorial of the Justices of any County in General or Quarter Sessions assembled, or of the Mayor, Aldermen, and Burgesses of any Borough at a Special Meeting of their Council agreed to, if he shall be satisfied that adequate Reasons exist for a Re-adjustment of the Proportions contributable by such County and Borough respectively, to declare by Writing under his Hand that such Award shall be revoked and that a new Award shall be made in the Premises, and thereupon the same Proceedings shall be had and taken with respect to the Appointment of Persons to determine such Proportions, and of an Arbitrator if necessary, and with respect to the making of the Award and carrying the same into execution, and all Proceedings consequent thereupon in like Manner as are herein-before directed with respect to such Matters respectively in the first instance.

Three Parts of the County of Lincoln, how to be dealt with under this Act.

XXIII. 'And whereas it is necessary to determine by Law the Proportions in which the several Divisions of the County of *Lincoln* known as the Parts of *Kesteven*, *Holland*, and *Lindsey* respectively should contribute to the Expenditure incurred or to be incurred by the said County in respect to a Place for Militia Stores under this or the recited Acts:' Be it therefore enacted, That of the Sums which have been subsequently to the passing of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or which may be hereafter expended from Time to Time for the Purposes aforesaid in respect to the whole Number of Militia raised or to be raised in and for the said County, the Proportions chargeable on the said Parts respectively shall be as follows, namely, on *Lindsey* One Moiety of the whole Sum or Sums, and on *Kesteven* Four Sevenths, and on *Holland* Three Sevenths of the remaining Moiety thereof.

How the several Quotas shall be paid.

XXIV. 'And whereas a separate and distinct County Rate is now raised, and a separate Commission of the Peace exists in and for each of the said Three Parts or Divisions:' Be it enacted, That the Proportion of the whole Charge hereby made payable by each such Part shall be separately raised in and for each Part, and shall be paid and accounted for by the respective Treasurer of each Part, and may be borrowed and secured upon Mortgage of the Rate leviable in each Part respectively, and under the Authority and Control of the Justices acting in and for each Part, and at the General or Quarter Sessions held in and for the same respectively, in like Manner for the Purposes now specified as if each of the said Parts were a distinct and separate County.

Parts of Lincolnshire to be separate Coun-

XXV. Each of the said Parts of the County of *Lincoln* shall also be deemed to be a separate County for the Purpose of determining the Proportion in which the several Boroughs and other Places not liable

to

to County Rates situated therein respectively shall contribute to the Expenses incurred or to be incurred as aforesaid under this or the recited Acts, the said several Boroughs and Places being deemed liable to contribute in aid of the several Parts in which they are locally situated respectively; and for the Purposes of this Act the City of *Lincoln* shall be held to be in the Parts of *Lindsey*, and the Borough of *Stamford* in the Parts of *Kesteven*.

ties, with reference to Contributions from Boroughs and Franchises.

XXVI. 'And whereas by the Act of the Seventh Year of King *William* the Fourth and the First 'Year of Her present Majesty, Chapter Fifty-three, it was among other things enacted, that the *Isle of* '*Ely*, being locally situated in the County of *Cambridge*, should, for the Purposes of Statutes made or to 'be passed, be deemed and taken to be a Division of a County, but nevertheless the Justices of the said '*Isle of Ely* act under a separate Commission of the Peace, and a separate County Rate is made and 'levied for the said Isle, and it is necessary that Provision be made for the Removal of Doubts touching 'the respective Liabilities of the said Isle and of the County of *Cambridge*, and the proportionate Sums 'contributable by each of them respectively to the Expenses incurred and to be incurred by the County 'under this and the recited Acts in respect to the Militia of the said County and Isle:' Be it therefore enacted, That of the Sums which have been subsequently to the passing of the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or which may be hereafter expended, from Time to Time, for the Purposes aforesaid, in respect of the whole Number of Militia raised or to be raised in and for the County of *Cambridge*, including the said *Isle of Ely*, the Proportions chargeable on the said County and Isle respectively shall be as follow, namely, on the said County, including the Proportion to be received from the Borough of *Cambridge*, Twelve Nineteenth Parts, and on the said Isle Seven Nineteenth Parts of the whole, and the Proportion so chargeable on the said Isle shall, as to the Amount expended before the passing of this Act, (on Notice in Writing of the Amount thereof being transmitted by Post by the Clerk of the Peace of the County of *Cambridge* to the Clerk of the Peace of the said Isle,) be forthwith paid by the Treasurer of the said Isle, and as to the Amount which may hereafter be expended from Time to Time on the like Notice be paid from Time to Time by the Treasurer of the said Isle to the Treasurer of the said County.

Isle of Ely to contribute in certain Proportion to County of Cambridge.

XXVII. The Sums contributable according to the said Proportions shall be separately raised in and for the said County and Isle, and shall be separately paid and accounted for by their respective Treasurers, and may be borrowed and secured upon Mortgage of the Rates leviable in and for them respectively, and under the Authority and Control of their respective Justices and Courts of General or Quarter Sessions, in like Manner, for the Purposes now specified, as if the said County and the said Isle were Two separate and distinct Counties.

Quotas of the County and Isle to be raised separately.

XXVIII. For the Purpose of determining the Proportion of Contribution to be made under this Act to the County of *Cambridge* by any Borough or other Place not liable to County Rates situated therein, the *Isle of Ely* shall be deemed to be Part of such County.

Isle of Ely to be included in the County.

XXIX. The Provisions of this Act with respect to Boroughs incorporated under the Acts relating to Municipal Corporations, and not liable to County Rates, and with respect to the Mode of determining the Proportion of the Expense incurred by Counties under this or the recited Acts which shall be contributable by such Boroughs, shall apply, *mutatis mutandis*, to every Franchise, Liberty, Borough, or Place not liable by Law to the Payment of County Rates, but not being such Municipal Borough; and the Proportion of the Expenditure incurred or to be incurred by the County in which any such Franchise, Liberty, Borough, or Place is locally situated which shall be contributable by such Franchise, Liberty, Borough, or Place shall be jointly determined by Two Justices of such County appointed as aforesaid, and Two Justices of or Persons appointed to act on behalf of such Franchise, Liberty, Borough, or Place by the Justices thereof at any Meeting specially convened for that Purpose, or if there be not Two Justices then by the Mayor or chief Municipal Officer thereof, or in default of any such Appointment or of the Agreement or Determination of the Persons so respectively appointed, then by an Arbitrator to be nominated as herein-before provided, and the Amount of Contribution so determined shall be paid out of the Liberty Rate or other local Rate in the Nature of a County Rate leviable within such Franchise, Liberty, Borough, or Place, and the other Provisions herein-before contained with respect to the Revocation of the Award, and to the borrowing of Money, and other Matters incidental thereto, shall apply in like Manner to such Franchise, Liberty, Borough, or Place as aforesaid.

Proportions contributable by Franchises and Places exempt from County Rates.

XXX. For the Purposes of this Act, the Borough and Town of *Berwick-upon-Tweed* shall be deemed to be situate within the County of *Northumberland*.

Situation of Berwick-upon-Tweed.

XXXI. 'And whereas the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, 'contains Provisions concerning the Qualifications in respect of Property to be possessed by Deputy 'Lieutenants and Officers of the Militia, which Provisions were altered and modified by the recited Act of 'the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty; but it is expedient further 'to relax the Restrictions imposed in that Behalf by the first-recited Act:' Be it enacted, That the Qualification by Possession or Expectancy of Landed Estate in the Manner and of the Value prescribed by the first-recited Act shall be sufficient to qualify any Deputy Lieutenant or other Officer of the Militia for whom by the secondly-recited Act a Qualification in respect of Property is still required, in whatever Part of the United Kingdom such Landed Estate may happen to be situated, and Officers of the Regular Army, the Marines, or *East India* Company's Service, who have served Five Years in the Regular

Landed Estate to qualify Officers of Militia may be in any Part of the United Kingdom.

Regular Army or *East India* Company's Service, shall be admissible as Captains into the Militia Force without any Qualification being required.

Section 65 of 42 G. 3. c. 90. repealed.

XXXII. 'And whereas the Penalty imposed by the Sixty-fifth Section of the recited Act of the Forty-second Year of King *George* the Third, Chapter Ninety, has been found to be unnecessary:' The said Sixty-fifth Section is hereby repealed.

Drummers offending in certain Cases, how to be dealt with.

XXXIII. If any Drummer or Bugler of the Permanent Staff shall absent himself without Leave for a Period exceeding Five Days, and shall not account for such Absence to the Satisfaction of his Commanding Officer, and if any Drummer or Bugler of the Permanent Staff shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any other Punishment which he is authorized to award, order that such Drummer or Bugler be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Drummer or Bugler shall forfeit his Pay for the Day or Days of such Imprisonment; and any Drummer or Bugler who shall have absented himself as aforesaid may, in addition to or instead of such Imprisonment and Forfeiture or other Punishment which the Commanding Officer has Authority to inflict, be further deprived, by Order of his Commanding Officer, of his Pay for the Day or Days of such Absence; provided that such Drummer or Bugler so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, be entitled to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeitures; and if any Person who shall have served in Her Majesty's Forces, and shall afterwards have been enrolled as a Non-commissioned Officer on the Permanent Staff of the Militia, shall be discharged from any Regiment or Corps for Misconduct, the Cause of his Discharge shall be certified by the Colonel or Commandant of such Regiments or Corps on the Back of the Certificate of his Discharge from Her Majesty's Army, and a Copy of the same forwarded to the Adjutant General of Her Majesty's Forces, the Secretary of State for the Home Department, and the Secretary-at-War.

Permanent Staff to be billeted.

XXXIV. Innkeepers and others who, according to the Provisions of the Act for punishing Mutiny and Desertion, are liable to have Soldiers billeted upon them, shall in like Manner be subject to have the Permanent Staff of the Militia, when disembodied, billeted upon them, and in default of their providing convenient Lodging, with Fire and Candle, as prescribed in the Ninety-fourth Section of the Act of the Forty-second Year of *George* the Third, Chapter Ninety, shall be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets as prescribed by the said Acts for punishing Mutiny and Desertion.

Repeal of 16 & 17 Vict. c. 133., except ss. 1. 2.

XXXV. The Sections numbered from Three to Twenty inclusive of the Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and thirty-three, shall be repealed, provided that such Repeal shall not revive the Provisions of any former Acts which by any of the said Sections were repealed.

Deputy Lieutenants to aid in raising Volunteers for the Militia.

XXXVI. The Deputy Lieutenants of Counties shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties in raising and enrolling Volunteers for such Militia in the several Parishes where such Deputy Lieutenants may be resident, and otherwise as the Lieutenants of such Counties may from Time to Time direct, but no General or Subdivision Meeting shall be holden for that Purpose, unless such Meeting be convened pursuant to any special Order made in this Behalf by One of Her Majesty's Principal Secretaries of State.

Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post.

XXXVII. Notices of the Days and Places of holding General Meetings of Lieutenancy shall be sent by the Post by the Clerk of the General Meetings to the several Deputy Lieutenants of the County Seven Days at the least before the Days appointed for holding such Meetings respectively; and any Notices of Subdivision Meetings required to be given to Deputy Lieutenants or others shall be sent by the Clerk of General Meetings by Post.

Times and Places of Exercise to be appointed without General Meetings of Lieutenancy.

XXXVIII. No General Meeting of Lieutenancy shall be holden for appointing the Times and Places of Training and Exercise of the Militia in *England*, except by the special Order of One of Her Majesty's Principal Secretaries of State; but the Times and Places of Training and Exercise of the Militia-men serving for each County in *England* shall be appointed, with the Approbation of Her Majesty, by the Lieutenant of such County, or by the Vice-Lieutenant in case of the Illness or Absence of the Lieutenant, or in case of the Non-appointment of any Vice-Lieutenant, then by Three Deputy Lieutenants authorized by Her Majesty to act as or in the Place of such Lieutenant when such Lieutenant is out of *Great Britain*, or when there is no such Lieutenant: Provided always, that nothing herein contained shall prejudice or affect the Powers vested in Her Majesty under Sections Twenty-six and Twenty-seven of the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty.

How Notices of Times and Places of Exercise to be given.

XXXIX. Notices to Men who are enrolled in the Militia in *England* to attend Training and Exercise shall be sent, by the Order of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which such Men belong, by the Post to the Residences of the several Men as stated on their Attestations, or as subsequently notified by them, and Notices shall also be sent by the Post to the Constables, Tithingmen, Headboroughs, and other Officers of the respective Parishes, Tithings, and Places in which such Men are so stated to be resident, with Directions to cause the same to be affixed on the Door or the outer Wall near the Door of every Church and Chapel in their respective Parishes, Tithings, or Places, including

including Places of Public Worship which do not belong to the Established Church; and if any Place have no Church or Chapel, then in such Manner as Public Notices are usually made known in such Places, and on the Doors or outer Walls as aforesaid of the Churches or Chapels of some Parish, Tithing, or Place adjoining; and every such Constable, Tithingman, Headborough, and other Officer as aforesaid shall, within Three Days after the Receipt of any such Notice, cause the same or Copies thereof to be affixed accordingly; and any such Constable, Tithingman, Headborough, or Officer who wilfully neglects so to do, shall for every such Offence, on Conviction thereof before Two Justices, forfeit any Sum not exceeding Twenty Pounds; and such Notice shall be deemed a sufficient Notice to every Person enrolled by virtue of the recited Act of the Fifteenth and Sixteenth Years of Queen *Victoria*, Chapter Fifty, notwithstanding any Omission in the Notices by Post; and any such Man not appearing at the Time and Place appointed in any such Notice shall be subject to be punished and dealt with accordingly.

Penalties for fraudulent Re-enlistment.

XL. Any Militia Volunteer who, before the expiration of his Engagement as a Militia-man in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of Militia, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names, (save in the Way of lawful Renewal of his Engagement,) shall, upon Conviction thereof before any One Justice of the Peace, forfeit and pay any Sum not exceeding Ten Pounds, and in default of such Payment shall be committed to the Common Gaol or House of Correction to be imprisoned, with or without Hard Labour, for any Time not exceeding Three Months, and shall also be liable to the Deduction out of the Bounty which he might otherwise have received in respect of his original Enlistment of a Sum equal to what he may have received upon his fraudulent Re-enlistment, and of such further Sum as the Colonel or Commanding Officer of the Regiment, Battalion, or Corps in which he may have originally enlisted shall think proper, or as the Secretary-at-War may from Time to Time direct, not exceeding the Expenses of his Attestation and Enrolment on such fraudulent Re-enlistment.

The Justice before whom a Militiaman is convicted of Re-enlistment in the Militia to send Report of Conviction to Secretary-at-War.

XLI. The Justice before whom a Militia Volunteer shall be convicted of having enrolled or offered to enrol himself in another Regiment, Battalion, or Corps of Militia, or more than once in the same Regiment, Battalion, or Corps of Militia, shall send or cause to be sent to the Secretary-at-War a Report of such Conviction, stating the Name of such Volunteer, the Regiment, Battalion, or Corps of Militia to which he belongs, the Offence of which he has been convicted, and the Sentence or Decision of the Justice thereon, and where such Volunteer shall be imprisoned in pursuance of such Conviction, the Period when the Imprisonment will expire; and for such Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings, and no more; and the Secretary-at-War may transmit to the Justice so convicting an Order for the Payment to any Person who has apprehended and procured the Conviction of such Offender of such Sum not exceeding Twenty Shillings as he shall think fit.

Power to discharge Men from the Militia who have enlisted in the regular Forces.

XLII. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer for Misconduct, Unfitness, or other Cause, upon such Conditions as he may from Time to Time direct, and such Volunteer shall have no Claim to future Pay or Bounty, or to release from future Attendance in the Militia any Volunteer who may have fraudulently enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, or who may have fraudulently entered into Her Majesty's Navy, and who has been sentenced to Imprisonment, or to Forfeiture for a Period not exceeding Eighteen Calendar Months of One Penny a Day from his Pay in such Forces or Navy; and any Man so released shall serve with the Force which he may have enlisted into or entered in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier or Seaman in such respective Force, and his Place in the Militia shall be supplied in like Manner as if his Term of Service as a Militia-man had expired by Efflux of Time.

Provision for withholding Payment of Bounty from Men wrongfully absent from Training.

XLIII. Any Bounty which, under the Regulations made or to be made under the said Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty, may be payable during or in respect of Attendance at Training and Exercise shall be forfeited by any Man who wholly absents himself from such Training and Exercise without Leave lawfully granted, or Sickness, certified according to such Regulations; and any such Bounty which would otherwise be payable to any Man who partially absents himself as aforesaid without such Leave, or Sickness, certified as aforesaid, or who misconducts himself during the Training, shall be wholly withheld, or issued only in such Manner and in such Portions as the Secretary-at-War, upon the Report of the Commanding Officer, shall determine.

Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.

XLIV. No Man by reason of his Enrolment or Service in the Militia, or in the Naval Coast Volunteers, shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess, or may have possessed at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations, of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

Punishment of Men not attending, or absenting themselves during Training, and not taken till after.

XLV. Every Militiaman raised under the recited Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Fifty, (not labouring under any certified Infirmity or Incapacity,) who shall not appear at the Time and Place appointed for his being exercised (Notice having been given as by Law required), or who, having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Companies, or any Detachment or Division thereof, shall desert or absent himself during the

the Time of any such Exercise, shall be deemed a Deserter, and, upon Conviction thereof before any Justice of the Peace, be liable to forfeit and pay a Sum not exceeding Ten Pounds; and if such Penalty shall not be immediately paid, the said Justice shall sentence such Militia-man to the House of Correction or to the Common Goal, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Three Months, unless the said Penalty be sooner paid; provided, that any Information may be laid against such Militia-man under this Section at any Time within the Period of his Engagement in the Militia.

Provision for Apprehension of Militiamen not attending or absenting themselves during Training.

XLVI. The Commanding Officer of any Regiment, Battalion, or Corps of Militia shall notify to the Secretary-at-War, and to the Constables, Tithingmen, Headboroughs, or other Officers of the Parishes, Tithings, and Places in which Militia-men reside who have not attended Training and Exercise, or who may have absented themselves during the Time of Training and Exercise of their respective Regiments, Battalions, or Corps, the Names and Descriptions of all such Militia-men who have so absented themselves; and it shall be lawful for any Constable, Tithingman, Headborough, or Officer, or for any Officer or Soldier in Her Majesty's Service or in the Militia, to apprehend or cause any such Militia-man to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace, at any Time within the Period of his Engagement in the Militia, to be dealt with as herein-before mentioned, or to be committed to safe Custody until an Escort can be sent for him, if such Regiment, Battalion, or Corps be then out for Training and Exercise; and such Justice shall transmit a Report, in the Form prescribed in Schedule (C.) annexed to this Act, to the Secretary-at-War, and the Secretary-at-War shall transmit to such Justice an Order for the Payment to the Person or Persons by whom such Militia-man was apprehended and secured of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Penalty for inducing Militiamen to absent themselves, &c.

XLVII. Any Person who by Words or other Means shall persuade any Militia-man improperly to absent himself from his Duty, and every Person who shall assist or procure any such Volunteer improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, knowing him to be so improperly absent, shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Penalty for buying Arms or Militia Stores.

XLVIII. The One hundred and second Section of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, shall be repealed, and if any Person shall knowingly and wilfully buy, take in exchange, conceal, or otherwise receive any Militia Arms, Clothes, or Accoutrements, or any such Articles belonging to a Militia-man as are generally deemed Regimental Necessaries according to the Custom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or any Public Stores or Ammunition delivered for the Militia, upon any Account or Pretence whatsoever, contrary to the true Intent and Meaning of this Act, and of the other Acts in force relating to the Militia, the Person so offending shall for every such Offence forfeit and pay not exceeding Ten Pounds; and if such Penalty be not immediately paid, and the Offender shall not have sufficient Goods and Chattels whereon to levy the same, the Justice by whom such Offender was convicted shall commit him to the House of Correction or Common Gaol, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Six Months, unless the said Penalty be sooner paid.

Recovery of Penalties.

XLIX. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales* under the Provisions of an Act passed in the Twelfth Year of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders.*

11 & 12 Vict. c. 43.

Application of certain Penalties.

L. One Moiety of every pecuniary Penalty or Forfeiture imposed under this Act upon any Person duly convicted of buying, taking in exchange, concealing, or otherwise receiving contrary to Law any Militia Arms, Clothes, Accoutrements, or Regimental Necessaries belonging to any Militiaman, or any Public Stores or Ammunition for the Service of the Militia, and every pecuniary Penalty or Forfeiture imposed under this Act upon any Person assisting, procuring, or persuading any Militia Volunteer improperly to absent himself from his Duty, or concealing, employing, or continuing to employ any such Volunteer, knowing him to be so improperly absent, shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall be proved by the Person who shall inform then the whole of the Penalty, shall be paid over and applied in such Manner as the Secretary-at-War shall direct, anything in any other Act to the contrary notwithstanding; and every Justice who shall adjudge any such Penalty or Forfeiture shall, within Four Days at the furthest, report the same and his Adjudication thereof to the Secretary-at-War.

Application of Penalties on Militiamen.

LI. All Penalties imposed by this Act upon Militia-men (except the Deductions from Bounty, which shall be brought to Public Credit,) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties to which the Militia-man belongs, and shall be made and accounted for as Part of the Public Stock of such Regiment, Battalion, or other Body of Militia respectively.

LII. Section Ninety-eight of the Act of the Forty-second Year of *George* the Third, Chapter Ninety, which requires Returns of the State of the Classes of the Men belonging to each Company of Militia called out to Exercise, shall be and remain suspended so long as the raising of the Militia by Ballot shall be suspended. Section 98. of 42 G. 3. c. 90. suspended.

LIII. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces, or Permanent Staff of a Regiment of Militia, shall for such Time be deemed to be under the Operation of the Mutiny Act, and under the Command of the Officer commanding such Regiment, Battalion, Depôt, or Permanent Staff of a Regiment of Militia. Volunteers under Instruction in the Army to be under Mutiny Act.

LIV. All Things in this Act contained shall be construed to extend, and shall be applicable, as far as may be, to the Stannaries of *Cornwall* and *Devon*, to the Lord Warden and to the Deputy Wardens of the Stannaries, and to the Corps of Miners of *Cornwall* and *Devon*. Act to extend to Stannaries of Cornwall and Devon.

LV. The Secretary of State shall have Power to move any Regiment of Militia not embodied into any Quarters in any Part of the United Kingdom during the Period of their Training. Secretary of State may move Regiment.

LVI. All Persons possessing Diplomas, Certificates, or Qualifications held to qualify such Persons to act as Surgeons or Assistant Surgeons in the Army shall be held to be duly qualified to serve as Surgeons or Assistant Surgeons in the Militia. As to Qualifications of Surgeons.

LVII. This Act may be cited for all Purposes as "The Militia Law Amendment Act, 1854." Short Title.

LVIII. The Word "County" in this Act shall include any Riding or Division of a County, having a separate Commission of the Peace, unless there be something in the Subject or Context repugnant to such Construction; and the Word "Treasurer" in this Act shall include the Treasurer of any Riding, Division, or Portion of a County for which there shall be a separate Treasurer, although such Riding, Division, or Portion of a County shall not have a separate Commission of the Peace. Interpretation.

SCHEDULES to this Act.

SCHEDULE (A.)

Form of Mortgage.

By virtue of the "Militia Law Amendment Act, 1854," we *A.B.* the Chairman, and *C.D.* and *E.F.* Justices of the Peace, assembled at the Court of General or Quarter Sessions of the Peace for the County of [*or* the Mayor, Aldermen, and Burgesses of the Borough of , *or as the Case may be*], in consideration of the Sum of paid to the Treasurer of the said County [*or* Borough] by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, such Proportion of the [*here describe the Rates or Property intended to be mortgaged*] as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said , to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied (the Principal Sum to be repaid within not less than Years from the Date hereof). In witness whereof we have hereunto set our Hands and Seals, (*or* given under our Corporate Seal,) this Day of 18 .

(L.S.)

SCHEDULE (B.)

Form of Assignment of Mortgage.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of do hereby assign* to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, numbered , made by the Justices of the County of [*or* the Mayor, Aldermen, and Burgesses of the Borough of *or as the Case may be*,] bearing Date the Day of for securing the Sum of and Interest thereon, [*or, (if such Transfer be by Indorsement)** the within Security,] and all my Right and Interest to and in the Monies thereby secured, and the Rates (*or* Lands, Tenements, and Hereditaments,) thereby assigned. In witness whereof I have hereunto set my Hand and Seal this Day of 18 .

(L.S.)

SCHEDULE (C.)

REPORT.

DESCRIPTIVE RETURN of committed to Confinement at on the Day of as an Absentee from the Training of the Regiment of Militia.

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable Date of Enrolment, and where	
Probable Date of absenting himself, and from what Place	
Name, Occupation, and Address of the Person by whom apprehended*	
Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds, and whether committed for safe Custody only, or as a Deserter under this Act, and if so, for what Period	

* It is important for the Public Service, and for the Interest of the Prisoner, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my presence that he † absent himself from the before-mentioned Corps.

———— *Signature and Address of Magistrate.*
———— *Signature of Prisoner.*
———— *Signature of Informant.*

† Insert "did" or "did not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

———— *Signature of Military Medical Officer, or* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

CAP. CVI.

An Act for amending the Laws relating to the Militia, and raising a Volunteer Militia Force, in *Scotland*. [11th *August* 1854.]

'WHEREAS it is expedient to amend the Laws relating to the Militia in *Scotland*, and to make 'Provision for raising a Militia Force in *Scotland* by voluntary Enlistment:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. I. This Act may be cited for all Purposes as "The Militia (*Scotland*) Act, 1854."

Appointment

Appointment of Lieutenants, Deputy Lieutenants, and Officers.

Her Majesty to appoint Lieutenants of Counties, who shall appoint Deputies and Officers of Militia, and certify Names and Ranks to Her Majesty.

II. In regard to the Appointment of Lieutenants and other Officers for the Purposes of the Militia in *Scotland*, the same shall be regulated as follows: It shall be lawful for Her Majesty from Time to Time to constitute and appoint Lieutenants for the several Counties in *Scotland;* and the said Lieutenants severally shall from Time to Time constitute and appoint such Persons as they shall think fit, being qualified as herein-after directed, and living within their respective Counties, to be their Deputy Lieutenants (the Names of such Persons having been first presented to and approved by Her Majesty); and the said Lieutenants shall, in manner herein-after mentioned, also appoint such Colonels, Lieutenant Colonels, Majors, and other Officers to be hereafter made for the Militia of such County as may be authorized, and being qualified as herein-after directed.

Vice-Lieutenant, authorized by the Lieutenant, may, in his Illness, &c., grant Commissions, and act as Lieutenant.

III. It shall be lawful for the Lieutenant of any County to constitute and appoint any One of the Deputy Lieutenants of such County to be Vice-Lieutenant thereof; and it shall be lawful for such Vice-Lieutenant, in any Case of the Illness or necessary Absence from such County of such Lieutenant, and being in the Case of such Absence authorized for that Purpose by the Lieutenant, to grant Commissions to Officers to serve in the Militia of such County, in like Manner as the Lieutenant thereof, and to do all Acts which might lawfully be done by the Lieutenant, and the same shall be good and valid in Law as if done by or to the Lieutenant himself.

Three Deputy Lieutenants may act when the Lieutenant shall be out of the Kingdom.

IV. When the Lieutenant of any County shall be out of the Kingdom of *Great Britain*, or when there shall be no Lieutenant, it shall be lawful for Her Majesty to authorize any Three Deputy Lieutenants of such County to grant Commissions to Officers to serve in the Militia for such County, in such Manner as such Lieutenant could do, and to do all other Acts which might lawfully have been done by the said Lieutenant, and the same shall be good and valid in the Law as if done by or to the said Lieutenant himself.

Commissions not to be vacated by the Revocation of the Power of the Grantor.

V. No Commission of any Deputy Lieutenant, nor any Commission of any Officer in the Militia to be henceforth granted by any Lieutenant, Vice-Lieutenant, or Deputy Lieutenants, shall be vacated by reason of the Revocation, Expiration, or Discontinuance of the Commission by which any such Lieutenant, Vice-Lieutenant, or Deputy Lieutenants as aforesaid was or were appointed.

Qualifications of Deputy Lieutenants and Officers.

Qualifications of Vice-Lieutenants, Deputy Lieutenants, and Officers, except within the City of Edinburgh.

VI. All Persons to be hereafter appointed Deputy Lieutenants or Officers of the Militia (except within the City of *Edinburgh* and its Liberties) shall be qualified as follows; (that is to say,) every Person so to be appointed a Deputy Lieutenant shall be in possession, either in his own Right or in right of his Wife, of a Real Estate in Property in the United Kingdom of Three hundred Pounds of Real Rent, or shall be Heir Apparent of some Person who shall be in possession in like Manner of a like Estate; and every Person so to be appointed a Colonel shall be in possession in like Manner of a like Estate as aforesaid of Six hundred Pounds Real Rent, or shall be Heir Apparent of some Person who shall be in possession in like Manner of a like Estate; and every Person so to be appointed a Lieutenant Colonel shall be in possession in like Manner of a like Estate as aforesaid of Four hundred Pounds of Real Rent, or shall be Heir Apparent of some Person who shall be in possession in like Manner of a like Estate; and every Person so to be appointed a Major or a Captain shall be in possession in like Manner of a like Estate as aforesaid of Three hundred Pounds of Real Rent, or shall be Heir Apparent of some Person who shall be in possession in like Manner of a like Estate, or shall be a younger Son of some Person who shall be or at the Time of his Death was in possession in like Manner of a like Estate; of which said Estates required as Qualifications for Deputy Lieutenants, Colonels, Lieutenant Colonels, Majors, and Captains respectively it shall not be necessary that any Portion shall be situate or arising within the respective Counties in which they shall be appointed to serve, or within *Scotland.*

Qualifications within the City and County of the City of Edinburgh.

VII. Within the City and County of *Edinburgh* and Liberties thereof the Lieutenant of the said City or where there is no Lieutenant appointed then the Chief Magistrate thereof, shall appoint the Deputy Lieutenants within the said City; and shall also appoint Officers of the Militia, whose Number and Rank shall be proportionable to the Number of Militia Men which the said City shall raise as its Quota towards the Militia of the County to which the said City may be united for the Purposes aforesaid, and Provisions made by this Act with respect to the Counties at large and the Militia thereof shall take place and be in force with respect to the said City and its Liberties and the Militia thereof; and the Qualifications of Deputy Lieutenants and Officers of the Militia of such City and its Liberties shall be as follows: Every Deputy Lieutenant shall be in possession, either in his own Right or in right of his Wife, of a Real Estate in Property within the said City and Liberties thereof of One hundred Pounds of Real Rent; and every Lieutenant Colonel shall be in possession in like Manner of a like Estate as aforesaid of Two hundred Pounds of Real Rent; and every Major or Captain shall be in possession in like Manner of a like Estate as aforesaid of One hundred Pounds of Real Rent: Saving always and reserving to the Royal College of Surgeons in *Edinburgh* all Rights, Immunities, Privileges, and Exemptions of which the said College may have been and still are in the lawful Possession, and the Benefit of any Act or Acts of Parliament passed heretofore in their Favour.

VIII. Where

The Lieutenant, with the Approbation of Her Majesty, may appoint the Provost of any Royal Burgh, &c.

VIII. Where it shall appear necessary to any Lieutenant of a County that a Deputy Lieutenant or Deputy Lieutenants should be resident in any Royal Burgh within the County of which he is Lieutenant, it shall be lawful for such Lieutenant, with the Approbation of Her Majesty, to appoint the Provost of such Burgh for the Time being, or any Persons, not being more than Three, resident in such Burgh, who shall be respectively in possession of a Real Estate in Property within such Burgh of One hundred Pounds of Real Rent, to be Deputy Lieutenant or Deputy Lieutenants of the Subdivision of such County within which such Burgh is situated.

Qualification of Deputy Lieutenant or Officer may arise from Personal Estate.

IX. For the Purpose of the Qualification of any Deputy Lieutenant and of any Officer in the Militia, a clear yearly Income arising from any Personal Estate within the United Kingdom of *Great Britain* and *Ireland*, of or to which Personal Estate and the yearly Income thereof such Deputy Lieutenant or Officer, or the Wife of such Deputy Lieutenant or Officer, is possessed or entitled for his or her own Use and Benefit, shall be deemed equivalent to an Estate in Lands or other Heritage within the United Kingdom, or, in the Case of the City of *Edinburgh*, or Burghs within the City or Burgh respectively, of the same Amount of Real Rent, and such yearly Income from Personal Estate shall be admitted in whole or in part of any such Qualification accordingly.

Persons holding certain Military Ranks may be appointed Field Officers, though not possessed of Property Qualifications.

X. Officers of the Regular Army, the Marines, or *East India* Company's Service, who have served Five Years in the Regular Army or *East India* Company's Service, shall be admissible as Captains into the Militia Force without any Qualification; and any Person holding or having held the Rank of Major or any higher Rank in any of the said Forces may, without any such Qualification, be appointed a Lieutenant Colonel or Colonel of the Militia; and any Person who shall have been qualified to receive and shall have received a Commission of Major or Lieutenant Colonel in the Militia shall be qualified to receive and hold a Commission of higher Rank in the Militia.

No Qualification required under Rank of Captain.

XI. No Property or other Qualification shall be required in the Case of Persons to be appointed Officers in the Militia, save as respects Appointments to the Rank of Captain or any higher Rank.

General Meetings of Lieutenancy.

General Meetings of Lieutenancy.

XII. No General Meeting of Lieutenancy shall be held in any County under the Powers of the Militia Acts, except when called under the Authority of One of Her Majesty's Principal Secretaries of State.

Mode of Appointment and Rank of Officers.

Secretary of State may make Regulations as to Appointment of Officers.

XIII. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to make Regulations limiting the Ages at which Persons may be appointed Officers of the several Ranks in the Militia, and for securing the Appointment of Persons as such Officers who are qualified to discharge the Duties of Officers of their respective Ranks, and also for that Purpose to prescribe by such Regulations any Conditions, as to Drill, Training, and Exercise, or otherwise, under or subject to which any such Appointment shall be made.

Existing Officers who are qualified for Service may continue.

XIV. All Officers now holding Commissions in the Regular Militia may, subject to such Regulations as may hereafter be made by the Secretary of State, continue to hold such Commissions in the Militia to be raised under this Act, and to rank in the Militia Service according to the Dates of the Commissions now held by them respectively; and all Officers now holding such Commissions as aforesaid who shall not be so continued under this Act shall, notwithstanding, continue to hold their present Titles and Ranks as Officers of the Militia; and nothing herein contained shall extend to deprive such Officers not so continued of any Allowances to which they may now be entitled in respect of having held Commissions in the Militia when the same was last disembodied, or otherwise in respect of past Services, or to affect the Provisions authorizing the Grant of any retired or other Allowances to such Officers in respect of having held Commissions or of past Services as aforesaid.

Officers not so continued shall retain their Ranks.

Rank of Officers accepting Commissions in other Regiments.

XV. Every Officer of any Militia Regiment or Battalion who may have accepted or shall accept a Commission or Appointment of the same Rank in any other Militia Regiment or Battalion, and shall thereby vacate his former Commission, shall continue to rank in the general Service according to the Date of his Commission or Appointment of the same Rank in the Militia so vacated as aforesaid.

How the Field Officers shall be appointed.

XVI. The different Field Officers commanding Battalions shall be appointed as follows: Where Two or more Counties are joined together to form a Battalion, the Lieutenant Colonel shall be appointed by the Lieutenant of the County furnishing the greatest Number of Private Men, and the Major shall be appointed by the Lieutenant of the County furnishing the next greatest Number; and where One County of itself forms One Battalion, then the Lieutenant Colonel and Major shall be appointed by the Lieutenant of the County forming such Battalion: Provided always, that when the Appointment of a Colonel shall be authorized, such Appointment shall be made by the Lieutenant entitled to appoint the Lieutenant Colonel: Provided further, that where any County does not furnish Men sufficient to form a Company, the Lieutenant of such County shall not appoint any of the Field Officers.

As to a County not furnishing sufficient Men for a Company.

Where Commandant shall be absent from Great Britain, Her Majesty may direct the

XVII. When any Colonel or other Commandant of any Regiment or Battalion of Militia shall be absent from *Great Britain*, and until he shall return to *Great Britain*, and shall have notified his Arrival to the Clerk of the General Meeting of Lieutenancy of the District to which such Regiment or Battalion shall belong, and to the Commanding Officer and Adjutant thereof, it shall be lawful for Her Majesty, by Warrant

Warrant under Her Sign Manual, to direct and order that the Officer next in Command, who shall be residing in *Great Britain*, shall in all Cases act and serve as the Commandant of such Regiment or Battalion; and such Officer shall thereupon exercise all Powers and Rights and perform all Duties which might or ought to be performed or exercised by such Colonel or other Commandant as aforesaid, as fully and to the same Effect as he might have done if resident, and shall be subject to the same Responsibility in so acting as such Colonel or other Commandant would have been: Provided always, that such Officer so next in Command as aforesaid who shall assume the Powers so given to him as aforesaid, in consequence of the Absence from *Great Britain* of his Colonel or other Commandant, shall within Seven Days after he shall assume any such Powers notify the Absence from *Great Britain* of such Colonel or other Commandant to the Lieutenant of the County, and also, when the Regiment or Battalion shall be in actual Service, to the Secretary-at-War; provided also, that any Order, for Clothing or other Necessaries, or for Accoutrements, being given by proper Authority at the Time for the Use of the Regiment or Battalion, shall be completed, and the Money to be issued in respect thereof shall be paid to the Order of the Officer who gave the same, notwithstanding the Absence or Return of the Colonel or other Commandant as aforesaid.

Officer next in Command to act for him, who shall be vested with the same Powers till the Commandant shall return, and notify his Arrival.

Orders given by the Commandant, &c. for Clothing or Accoutrements shall be completed.

XVIII. The Captains and Subalterns of Companies shall be appointed as follows: Where the Men furnished by Three or more Counties only form One Company, the Lieutenant of the County furnishing the greatest fractional Part of a Company shall appoint the Captain, the Lieutenant of the County furnishing the next greatest fractional Part of a Company shall appoint the Lieutenant, and the Lieutenant of the County furnishing the next greatest fractional Part of a Company shall appoint the Ensign; and where the Men furnished by Two Counties only form One Company, the Lieutenant of the County furnishing the largest fractional Part of such Company shall appoint the Captain, and the Lieutenant of the other County shall appoint the Lieutenant and Ensign; and where any County shall furnish Men sufficient for One or more complete Company or Companies, the Captains, Lieutenants, and Ensigns of such Company or Companies shall be appointed by the Lieutenant of such County.

How the Captains and Subalterns shall be appointed.

XIX. If Her Majesty shall at any Time direct that any Proportion of the said Militia shall be trained and exercised to the Service of any Artillery that may be attached to any Regiment or Battalion of Militia, it shall be lawful for Her Majesty to direct that a Supernumerary Officer or Officers of the said Regiment or Battalion of such Rank as Her Majesty shall order, and being duly qualified as aforesaid, shall be appointed to and for the said Men so directed to be trained and exercised as aforesaid.

Her Majesty may direct Supernumerary Officers to be appointed to Men trained for Artillery.

XX. It shall be lawful for the Lieutenant of the County, who is authorized by this Act to name the Lieutenant Colonel of any Regiment or Battalion of Militia, with the Approbation of Her Majesty, to appoint One fit and proper Person, who shall possess a Diploma, Certificate, or Qualification which is held to qualify such Person to act as Surgeon or Assistant Surgeon in the Army, to be Surgeon of such Regiment or Battalion; and every such Appointment shall recite the Diploma or Certificate of the Person so appointed, and an attested Copy thereof shall be transmitted to and deposited with the Clerk of the General Meetings of Lieutenancy; and every such Surgeon so appointed as aforesaid shall, during the Time of the Militia to which he shall belong being embodied, be subject to the like Rules, Restrictions, and Directions in every respect as a Surgeon of Infantry in Her Majesty's other Forces, as far as the same may be applicable; and no such Surgeon shall be capable of holding any other Commission in such Militia during the Time of his being such Surgeon as aforesaid.

The Lieutenant authorized to name the Colonel may, with the Approbation of Her Majesty, appoint a Surgeon.

XXI. Her Majesty may and shall appoint One proper Person, who shall have served in some of Her Majesty's other Forces, or in the Militia of *England* or of *Scotland*, while embodied, for the Term of Five Years at the least, to be an Adjutant to each Regiment or Battalion of Militia; and such Adjutant, if appointed out of Her Majesty's other Forces, shall, during his Service in the Militia, preserve his Rank in the Army in the same Manner as if he had continued in that Service; and it shall be lawful for the Lieutenant of any County, on the Recommendation of the Colonel or other Commandant of any Regiment or Battalion of Militia, to appoint the Adjutant of such Regiment or Battalion to serve with the Rank of Captain, although such Adjutant may not have the Qualification required by this Act for Captains: Provided always, that no such Appointment to the Rank of Captain shall be valid unless in the Instrument granting the same it be specified in what Regiment or Battalion of the Militia while embodied, or of Her Majesty's other Forces, such Adjutant hath served for the Period aforesaid, and what was or were the Date or Dates of his Commission or Commissions: Provided also, that no Adjutant so appointed to serve with the Rank of Captain shall, by virtue of the Date of such Appointment as aforesaid, or otherwise, be entitled to rank above or to command any Captain of a Company in the Militia: Provided further, that no such Adjutant shall, by reason of any such Appointment as aforesaid, be entitled to receive any greater or other Pay than that of Adjutant.

Her Majesty to appoint Adjutants from the Army or Militia, who shall preserve their Rank in the Army, and may be appointed to the Rank of Captain.

XXII. It shall be lawful for Her Majesty to appoint from Time to Time such Persons as to Her Majesty may seem proper to be Quartermasters, Paymasters, Sergeant Majors, and Sergeants of the Militia; and Corporals and Drummers of the Militia shall be appointed by the Colonel or other Commandant of each Regiment or Battalion in such Proportions as Her Majesty may direct; and the Colonel or other Commandant of every Regiment or Battalion in actual Service may appoint a Drum Major; and all Sergeants, Corporals, and Drummers, having received any Pay as such from any Regiment or Battalion,

Her Majesty to appoint Quartermasters, &c., and Colonels to appoint Corporals, Drummers, and Drum Majors.

talion, shall be deemed to be engaged and compellable to serve in such Regiment or Battalion until they shall be legally discharged; and any Sergeant, Corporal, or Drummer may be discharged by the Colonel or other Commandant: Provided always, that while any Regiment, Battalion, or Corps of Militia is drawn out and embodied, it shall be lawful for the Colonel or Commanding Officer of such Regiment, Battalion, or Corps to appoint from Time to Time the Sergeant Major and Sergeants of such Regiment, Battalion, or Corps, as Occasion may require, for supplying any Vacancy or Vacancies, or completing the full Number of such Sergeants; provided also, that no Person who shall keep any House of public Entertainment, or who shall sell any Ale or Wine, or any Brandy or other Spirituous Liquors, by Retail, shall be capable of being appointed or of serving or receiving Pay as a Sergeant, Corporal, or Drummer in the Militia.

While Militia is embodied, Colonels to appoint Sergeants; but no Publican shall be a Sergeant, Corporal, or Drummer.

No Adjutant, &c. to be appointed Captain of a Company.

XXIII. No Adjutant, Paymaster, or Quartermaster in the Militia shall be capable of being appointed Captain of a Company, nor shall any Person holding the Commission of Captain of a Company be capable of being appointed Adjutant, Paymaster, or Quartermaster of Militia.

Extra Drummers may be kept as Fifers or Musicians, at the Expense of the Regiment.

XXIV. In case Her Majesty's Lieutenant for any County, or the Colonel or Commandant of any Regiment or Battalion of Militia shall be desirous of keeping up a greater Number of Drummers than is herein directed to be employed as Fifers or Musicians for the Use of any such Regiment or Battalion, and shall be willing to defray the Expense of such additional Drummers, it shall and may be lawful for such Lieutenant or Colonel or other Commandant to engage and retain in their respective Regiments or Battalions any Number of the Drummers employed or to be employed over and above the Number established by this Act, to act as Fifers or Musicians in their respective Regiments or Battalions; and all such Drummers so engaged or retained to serve in any such Regiment or Battalion as Fifers or Musicians shall be deemed as Drummers of Militia within the Meaning of this Act, to all Intents and Purposes whatsoever, and shall be subject to the same Orders, Regulations, Penalties, and Punishments as other Drummers of Militia are by this Act subject, and shall continue to serve as Drummers so long as they shall receive from the Lieutenant of the County or Colonel or Commandant by whom they were appointed the same Pay and Clothing as other Drummers have, or better Clothing in lieu thereof, and no longer.

Oath to be taken by Persons entering Militia.

XXV. All Persons, on their first entering the Militia, whether as Sergeants, Corporals, Drummers, or Private Militia Men, shall, on their so entering the Militia, and previous to their being enrolled therein, take the following Oath; (that is to say,)

'I *A.B.* do solemnly promise and swear, That I will be faithful to Her Majesty Queen Victoria, Her Heirs and Successors, and that I will faithfully serve in the Militia in any Part of Great Britain or Ireland, for the Defence of the same, until I shall be discharged.'

And it shall be lawful for any One Deputy Lieutenant or Justice of the Peace or Commissioned Officer of the Regiment to administer the said Oath.

Raising of Men for the Militia.

Number of Militia to be raised.

XXVI. And in regard to the raising of Men for the Militia, it shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, to raise and from Time to Time to keep up any Number not exceeding Ten thousand Private Militia Men, to serve for the several Counties in *Scotland*.

Quotas of Counties to be fixed by Order in Council.

XXVII. It shall be lawful for Her Majesty, with the Advice of Her Privy Council, forthwith after the passing of this Act, and afterwards from Time to Time as Occasion may appear to Her Majesty to require, to ascertain and fix the Number of Militia Men who shall serve for each County, and the Numbers so fixed as aforesaid shall be transmitted to the respective Lieutenants of the said Counties from Time to Time, and Notice of the same shall be published in the "*Edinburgh Gazette*," and the Numbers so from Time to Time appointed by Her Majesty shall be the Quotas of the several Counties and Places until other Quotas are appointed in like Manner.

Her Majesty may direct into what Regiments, &c. Militia shall be formed, and with what Officers and Staff.

XXVIII. It shall be lawful for Her Majesty, by Order signified by One of Her Principal Secretaries of State, from Time to Time to direct the Lieutenants to form the Militia of their several Counties into such Companies, Regiments, Battalions, or Corps as to Her Majesty may seem fit, and to direct what Number of Officers and of what respective Ranks, shall be appointed thereto, and what shall constitute the Staff thereof; and where the Number of Militia Men required to be raised for any County appears to Her Majesty insufficient to be conveniently formed into a separate Regiment, Battalion, or Corps, to direct the Militia of such County to be united with the Militia of any County or Counties adjoining.

Militia Men to be raised by voluntary Enlistment.

XXIX. For the Purpose of raising the Number of Men required to be raised under this Act, the Lieutenants of the several Counties shall, in the Year One thousand eight hundred and fifty-four, as soon as conveniently may be after the passing of this Act, and in the Year One thousand eight hundred and fifty-five at such Time as Her Majesty shall, by Order made with the Advice of Her Privy Council, appoint for that Purpose, direct the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties, without Delay, to proceed to raise and enrol Volunteers to serve for the Term of Five Years in the Militia of such Counties or Places, not exceeding the Numbers of Men authorized by Order in Council to be therein raised for the Time being, and such Colonels or Commanding

Commanding Officers, and the Commissioned and Non-commissioned Officers of the Militia duly authorized by such Colonels or Commanding Officers, shall forthwith proceed to raise, by Beat of Drum or otherwise, such Volunteers, being resident in the County in which such Men are directed to be raised, or in any County immediately adjoining thereto, and being able-bodied Men between such Ages and of such Height as shall be from Time to Time fixed by Regulations made by Her Majesty's Secretary-at-War as herein provided, and for such Bounties or other Payments as shall be from Time to Time authorized by such Regulations; and the Deputy Lieutenants of Counties shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties in raising and enrolling Volunteers for such Militia in the several Parishes where such Deputy Lieutenants may be resident, and otherwise as the Lieutenants of such Counties may from Time to Time direct, but no General or Subdivision Meeting shall be holden for that Purpose unless such Meeting be convened pursuant to any special Order made by One of Her Majesty's Principal Secretaries of State.

Provision where Number not raised by Enlistment in any County.

XXX. Provided always, That where the Number of Men for the Time being required to be raised under this Act for any County has not been raised by voluntary Enlistment, it shall be lawful for Her Majesty, if it appear to Her advisable so to do, by Order signed by One of Her Principal Secretaries of State, to authorize and direct all or any Part of such Number of Men as shall be deficient to be raised by voluntary Enlistment in any County in which the full Quota may have been raised and kept up.

Volunteers to be raised for supplying the Places of Men whose Time is about to expire, and for supplying Vacancies by Death, &c.

XXXI. The Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia shall from Time to Time, and so long before the Expiration of the respective Terms of Service of the Militia Men belonging to their respective Regiments, Battalions, or Corps as shall be directed by Regulations to be made by the Secretary-at-War, raise and enrol or cause to be raised and enrolled Volunteers to supply the Places of such Militia Men; and such Colonels or Commanding Officers shall from Time to Time, subject to any Regulations to be so made, raise and enrol or cause to be raised and enrolled Volunteers for supplying casual Vacancies by reason of Militia Men dying before the Expiration of their Term of Service, or being promoted to be Non-commissioned Officers or Drummers (except where they are so promoted in the Room of Non-commissioned Officers or Drummers reduced to the Ranks), or being discharged as unfit for Service, or in pursuance of the Sentence of a Court-martial, or having deserted, and the Deputy Lieutenants of each County shall give Assistance as aforesaid in raising such Volunteers.

Volunteers to be sworn and enrolled.

XXXII. Every Volunteer so raised as aforesaid shall, when he has been examined and approved according to such Regulations as shall be made by the Secretary-at-War, and shall have taken the Oath herein-before directed to be taken, be enrolled in a Roll to be prepared and kept by or under the Direction of the Colonel or Commanding Officer, to serve in the Militia for the County or Place for which he is raised, as a Militia Man, for the Space of Five Years.

Secretary-at-War may make Regulations for Bounties, and Age, Height, &c. of Men.

XXXIII. It shall be lawful for Her Majesty's Secretary-at-War from Time to Time to make Regulations as to the Amount of the Sums to be paid to Volunteers under this Act by way of Bounty or periodical Payment or Allowance in consideration of their enlisting in the Militia (such Bounty in no Case to exceed Six Pounds, and such periodical Payment or Allowance in no Case to exceed after the Rate of Two Shillings *per* Month during the Term of Service for which the Volunteer is enrolled), and as to the Time or respective Times, Conditions, and Manner of the Payment thereof, and as to the Ages between which Men may be received as such Volunteers, and as to the Height and for the Examination and Approval by Medical Men of all Men to be raised for the Militia under this Act, and as to all other Matters which, under the Provisions herein contained, are made subject to Regulations to be made by such Secretary-at-War.

Regulations to be laid before Parliament.

XXXIV. All Regulations made under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the making thereof, if Parliament be then sitting, or if Parliament be not then sitting then within Twenty-one Days after the next Meeting of Parliament.

Regulations for keeping of Arms and Stores.

Arms, &c. to be kept in a Place appointed by Commandant, to be under the Care of the Quartermaster.

XXXV. And in regard to the keeping of Arms and Stores, the Arms, Accoutrements, Clothing, and other Stores belonging to every Regiment, Battalion, or Corps of Militia, when not embodied, shall be kept in such convenient Place as the Colonel or Commandant shall direct, with the Approbation of the Lieutenant of the County; and the Quartermaster to such Regiment, Battalion, or Corps of Militia shall have the Charge and Care of such Arms, Accoutrements, Clothing, and other Stores, under the Superintendence of the Colonel or other Commandant.

Place for Militia Storehouse to be provided.

XXXVI. If such fit and convenient Place has not been provided, or is or may become from any Cause insecure, insufficient, or unfit for the safe Custody of such Arms, Accoutrements, Clothing, or other Stores, or in case the Public Service or Convenience require the Site of the same to be changed, the Commissioners of Supply of the County within which such Arms and Stores shall be directed to be kept, at the First General Meeting which shall be held after the Representation of the Lieutenant of such County, and of the Colonel or Commandant of such Regiment, Battalion, or Corps, that no such Place has been provided, or that the Place provided is insecure, insufficient, or unfit, or in case the Public Service or Convenience require the Site of the same to be changed, being duly satisfied thereof, may and are hereby required to provide a secure and suitable Place for that Purpose, and to that end may, in their

their Discretion, from Time to Time resolve either to purchase or hire any suitable Buildings or Premises, and, if necessary, to enlarge, alter, or improve the same, or from Time to Time to enlarge, alter, or repair any Buildings or Premises already purchased or hired, or to purchase or take on Lease for any Term not less than Sixty Years any Portion of Land for the Purpose of building and to build or rebuild thereupon secure and suitable Buildings and Premises for the Purpose aforesaid; and with reference to any such Purchase as is hereby authorized, the Clauses and Provisions of the "Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Purchase of Lands by Agreement, shall be incorporated with this Act; and the Words "Promoters of the Undertaking" in those Clauses shall mean the Persons by this Act authorized to purchase Land, and the Word "Undertaking" shall mean the building or rebuilding, enlarging or altering of a Place for Militia Stores: Provided always, that the Place to be so hired, purchased, built, altered, or enlarged shall contain an Orderly and Guard Room, and a Magazine; and there shall also be provided a suitable Yard or Place wherein the Men may be mustered for the Issue and Return of such Arms, Accoutrements, Clothing, and other Stores: Provided always, that it shall be lawful at any Time for the said Commissioners assembled as aforesaid to provide such Quarters for the Permanent Staff as may appear to them desirable, together with Cells and such convenient Premises as may be necessary for the safe Custody of the Stores; and no Place provided for the keeping of Militia Stores under this or any former Act, nor any Buildings or Premises appurtenant thereto, shall be liable to be valued or assessed to any County, Burgh, Parochial, or other Local Rates or Assessments.

Expense of Storehouse, how to be provided for.

XXXVII. The Sums that may be required for the Hire, Purchase, Enlargement, Alteration, Building of or Additions to any such Place, in case the same shall be approved by the said Lieutenant and Colonel or Commandant, together with the Cost of Fuel and other necessary Expenses incidental to the Use and Maintenance of the Premises, shall be certified by the Lieutenant of the County to the Clerk or Clerks of Supply of each County contributing to the Regiment, Battalion, or Corps; and such Certificate shall be laid by such Clerk before the First Meeting of the Commissioners of Supply which shall thereafter be held in each County, and such Meeting shall raise the Sum so certified, or, in the Case of Two or more Counties so contributing, a Proportion of the Sum so certified corresponding to the Proportion of the Real Rent of such County to the Real Rent of the whole of the Counties so contributing, including the Burghs within the same, and that by Assessment, to be laid on and recovered by the said Commissioners, in like Manner and subject to like Provisions as Assessments for local Prison Purposes are laid on and recovered by the Prison Board in Counties in *Scotland*, and the said Commissioners shall for that Purpose have all the Powers which the General and County Prison Boards have by Law for the apportioning between the County and the Burghs within the same, and the raising of such Assessments, and the borrowing of Money on the Credit thereof, subject to the Provisions of this Act: Provided always, that on such fitting Place being duly provided, the Parties in whom any Place formerly used for such Purposes was vested for such Purposes shall sell the same or their Interest therein, and pay over the Proceeds to the Commissioners of Supply of such County or Counties in the Proportion of the Sums raised by each, and the same shall be applied in diminution of any future Assessment on Real Rent for Prison Purposes in such Counties.

Commissioners may raise Sums required by Assessment or by borrowing.

XXXVIII. It shall be lawful for the Commissioners of Supply either to raise the whole of the Sums which they may be required to raise at any one Time under this Act, whatever be the Amount of such Sums, by Assessment at once, or to borrow the whole or any Part thereof, on the Security of the Assessments, on such Terms that the whole Sum borrowed shall be paid off by equal annual Instalments within Thirty Years at furthest from the Date of borrowing, and the necessary Bonds therefor shall be signed by the Chairman and any Two of the Commissioners present at the Meeting at which it was resolved so to borrow, and the Creditors in such Bonds shall have like Powers for enforcing Payment of the Principal and Interest thereof, as the same shall fall due, as are given by this Act to the Lord Advocate, on being authorized by the Secretary-at-War, for enforcing the raising of Assessments.

Apportionment of Assessment on Burghs.

XXXIX. In the Case of Burghs contributing to the Assessment for Prison Purposes separately from the Landward Part of the County in which they are situated, the Portion of the Assessment to be levied under this Act payable by such Burghs shall be apportioned by the Commissioners of Supply of such County in accordance with the Proportion of the Real Rent of each such Burgh to the Real Rent of the whole County; and in the event of Dissatisfaction with such Apportionment it shall be lawful for the Magistrates of such Burgh to apply by summary Petition to the Sheriff of the County, whose Decision thereon shall be final.

Queen's Advocate may raise and apply Assessments.

XL. It shall be lawful for Her Majesty's Advocate for *Scotland*, on being authorized to that Effect by the Secretary-at-War, to exercise, for compelling the raising and Application of Assessments under this Act, all the Powers which the General Board of Prisons in *Scotland* may by Law exercise for compelling the raising of Assessments for Prison Purposes.

Conveyances, &c. exempt from Duty.

XLI. All Conveyances, Leases, Bonds, Contracts, Receipts, and other Deeds and Instruments made for the Purpose of carrying into effect the Provisions of this Act shall be exempt from Stamp Duty.

Penalty for Neglect in Clerks of Supply.

XLII. If any Clerk of Supply shall refuse or wilfully neglect to receive or present any Certificates under this Act which he is herein-before directed to receive or present, according to the Directions and

true

true Meaning of this Act, every such Clerk of Supply so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds.

Regulations for Training and Exercise.

Lieutenants to provide Places for Exercise.

XLIII. It shall be lawful for the Lieutenants of the several Counties, with the Approbation of One of Her Majesty's Principal Secretaries of State, to take on Lease or hire, for or during such Terms or Periods as they may think necessary, Pieces of Ground convenient for the Training and Exercise of the Militia of such Counties, and the Expense thereof shall be paid by the Secretary-at-War.

Regulations for sending Notice of the Times and Places of Exercise.

XLIV. The Times and Places of Exercise of the Militia-men to be raised by virtue of this Act shall be appointed, with the Approbation of Her Majesty, by the Lieutenant of the County furnishing the whole or the greater Part of the Militia-men of each Regiment; and Notice of such Times and Places shall be sent by Order of the Colonel or other Commandant of the Regiment by Post to the Residences of the several Men as stated in their Attestations or as subsequently notified by them, and also to the Parochial Schoolmasters and Inspectors of the Poor within the respective Parishes or other Divisions of the County or Counties contributing Men to such Regiment; and such Schoolmasters or Inspectors shall, subject to a Penalty of Twenty Pounds, cause such Notice as aforesaid to be affixed within Two Days of Receipt thereof on the Doors of all the Churches or Chapels within their respective Parishes or Places, which Notice shall be deemed a sufficient Notice to every Person enrolled by virtue of this Act, notwithstanding any Omission in the Delivery of written Notices; and all such Militia-men shall duly attend at the Time and Place of Exercise according to such Notices.

Her Majesty may cause Militia to be called out for Training more than once in a Year.

XLV. The Period of Training and Exercise shall, save as herein-after provided, be Twenty-one Days in every Year; and Her Majesty may, if She see fit, direct all or any Part of the Militia of any County to be called out for Training and Exercise more than once in every or any Year, and at such Time or Times as Her Majesty may think fit, so as the whole Period of Training and Exercise of any Militia-man do not exceed Twenty-one Days in any Year, save as herein-after provided.

Militia may be exercised out of their own Counties, and Her Majesty may extend or reduce the Period of Exercise.

XLVI. It shall be lawful for the Secretary of State at any Time to move any Regiment of Militia not embodied out of their own respective Counties into any Quarters in any Part of the United Kingdom during the Period of their Training; and it shall be lawful for Her Majesty, where, with the Advice of Her Privy Council, She may see fit so to do, to extend or reduce the Period of Training and Exercise of all or any Part of the Militia, so that the whole Period of Training and Exercise in any Year shall not exceed Fifty-six Days nor be less than Three Days, and no fresh Notice shall be necessary where such Extension or Reduction is made during the Time of actual Training.

Regulations for embodying Militia.

In Cases of actual Invasion, Rebellion, &c., Her Majesty may order the Militia to be embodied, and put under the Command of General Officers, &c.

XLVII. In all Cases of actual Invasion, or upon imminent Danger thereof, and in all Cases of Foreign War, or of Rebellion or Insurrection, it shall be lawful for Her Majesty to order and direct the Lieutenants of the said several Counties, with all convenient Speed, to draw out and embody all the Regiments or Battalions of Militia within their respective Counties herein-before appointed to be raised and trained, or so many of them, or such Part or Proportion of them or any of them, as Her Majesty shall in Her Wisdom judge necessary, and in such Manner as shall be best adapted to the Circumstances of the Danger, and to put the said Forces under the Command of such General Officers as Her Majesty shall be pleased to appoint, and to direct the said Forces to be led by their respective Officers into any Parts of the United Kingdom.

When Militia is ordered out, Notice to be given to Men.

XLVIII. When the Militia of any Regiment shall be ordered to be embodied, the Colonel or Commandant of such Regiment shall forthwith give Notice to the Men, in like Manner as is directed in the Case of the Times of Training and Exercise; and Parochial Schoolmasters or Inspectors of the Poor shall, subject to like Penalty, affix such Notice in manner directed for such Occasion.

While any Part of the Militia shall continue embodied, Her Majesty may order any not embodied to be drawn out, to be mustered, trained, and exercised.

XLIX. If during such Time as any Part of the Militia which shall have been drawn out and embodied for Service shall continue embodied Her Majesty shall deem it expedient that the Militia of any County, or any Part thereof, which shall not at such Time be actually embodied for Service, should be drawn out, in order to be mustered, trained, and exercised for a limited Time, instead of being so embodied for Service, according to the Provisions of this Act, it shall be lawful for Her Majesty to direct the Lieutenants or Deputy Lieutenants of all or any of the said Counties to cause the said Militia not actually embodied, or any Part thereof, to be drawn out, in order to be mustered, trained, and exercised, in such Proportion and for such Time and at such Place or Places as shall be appointed, with the Approbation of Her Majesty, by the Lieutenant or Deputy Lieutenants, in manner as is herein-before directed for training and exercising the Disembodied Militia, and the same shall be mustered, trained, and exercised accordingly.

Billeting, &c. of Militia-men.

Justices, &c. may billet the Militia when called out to

L. It shall be lawful for all Justices of the Peace, and Magistrates of Cities, Towns, and Places, and they and each of them are and is respectively hereby required, to quarter and billet the Officers, Non-commissioned Officers, Drummers, and Private Men serving in the Militia, at the Times when they shall be

annual Exercise, and, when not called out, may order Quarters for the Non-commissioned Officers and Drummers.

be called out to annual Exercise, or be embodied in the same Way and Manner as Her Majesty's Regular Forces are so furnished and provided in that Part of *Great Britain* called *Scotland*, upon Application made to any such Justices of the Peace or Magistrates by Her Majesty's Lieutenant, or by the Colonel or other Commanding Officer of the Regiment or Battalion of Militia so called out to exercise or embodied as aforesaid, or of any Division or Detachment thereof; and when the Militia is not embodied nor called out to exercise as aforesaid, all Justices of the Peace and Magistrates aforesaid may and they and each of them are and is hereby respectively required to order and provide convenient Quarters in such Manner as aforesaid for the Sergeants, Corporals, and Drummers of the Permanent Staff of the Militia; and all Innkeepers and others who, according to the Provisions of the Mutiny Act, are liable in *Scotland* to have Soldiers billeted upon them, shall in like Manner be subject to have the Militia Non-commissioned Officers and Men in such Cases billeted upon them, and in default of their providing convenient Lodging as prescribed in the said Act shall be liable to the Penalties imposed upon Civil Subjects offending against the Laws relating to Billets prescribed by the said Act.

Directing how Militia-men falling sick on the March are to be relieved.

LI. In case any Militia-man shall, on his March to the Place where he shall be ordered to attend for the annual Exercise, be disabled by Sickness or otherwise, it shall be lawful for any One Justice of the Peace of the County where such Man shall then be, by Warrant in Writing, to order the Inspector of the Poor to grant him such Relief as such Justice shall think reasonable, and upon such Warrant being produced to the Secretary-at-War he shall pay all such Expenses as shall be incurred pursuant to such Warrant, upon an Account thereof to be certified in Writing by such Justice of the Peace.

Regulation of Punishment of Militia during Exercise or when embodied.

Officers, &c. may be tried by a Court-martial for Offences committed;

LII. Every Officer, Non-commissioned Officer, Drummer, and Private of the Militia shall, during the Period of his Regiment being assembled for Training and Exercise or being embodied, and if on permanent Pay shall at all Times be subject to any Act which shall be in force for punishing Mutiny and Desertion and for the better Payment of the Army and their Quarters, and to the Articles of War, and it shall be lawful for the Colonel or other Commandant of any Regiment or Battalion of Militia to direct the holding of Courts-martial, as herein-after directed, for the Trial of any Officer, Non-commissioned Officer, Drummer, or Private of such Regiment or Battalion by either a General or Regimental Court-martial, for any Offence against the said Act or Articles of War committed during the Time such Person was subject thereto, although such Time shall then have elapsed, but so that no Punishment shall extend to the Loss of Life or Limb.

but Charges to be made out and delivered within Six Months after training or being disembodied;

LIII. Provided always, That no such Officer, Non-commissioned Officer, Drummer, or Private shall be liable to be tried or punished by Court-martial for any such Offence committed during the Period of any such Regiment, Battalion, or Corps being assembled for the Purpose of Training and Exercise or embodied, except for Desertion, unless the Charges against such Officer, Non-commissioned Officer, Drummer, or Private shall have been made out and delivered within Six Months after the Regiment, Battalion, or Corps shall have been dismissed after training and exercising or disembodied.

Volunteers under Instruction in the Army to be under Mutiny Act.

LIV. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces, or Permanent Staff of a Regiment of Militia, shall for such Time be deemed to be under the Operation of the Mutiny Act, and under the Command of the Officer commanding such Regiment, Battalion, Depôt, or Permanent Staff of a Regiment of Militia.

Constitution of Courts-martial.

General Courts-martial may be appointed.

LV. Whensoever in any of the said Cases it shall be necessary that a General Court-martial should be held for any such Trial, it shall be lawful for Her Majesty to signify Her Pleasure to such and so many Lieutenants of Counties in *Scotland* as Her Majesty shall deem necessary, that Officers of their respective Counties will be required to assemble to form such Court, and every such Lieutenant shall thereupon give Orders to such Number of Officers as shall be required, who shall forthwith attend to form such Court; and all Officers who shall refuse or neglect to attend any such Courts-martial shall be liable to be tried by a General Court-martial, to be assembled according to the Regulations of this Act, for such Disobedience of Orders; and all Officers attending to form such Courts shall be entitled to Pay during such Attendance, and to Two Shillings for every Mile for going to such Court-martial at the Commencement thereof, and returning after the Conclusion of the Proceedings of the Court; and every General Court-martial so appointed shall be sworn and held in the same Manner, and shall have all such and the like Powers and Authorities, and shall be of the same Force and Effect, in all respects, whether the Militia from which the Officers thereof are assembled was then drawn out and embodied or not.

Pay and Allowance to Officers.

Regimental Courts-martial may be appointed.

LVI. For holding a Regimental Court-martial, in any of the said Cases for which such Court-martial shall be proper, it shall be lawful for the Colonel or other Commandant of the Regiment or Battalion, whether it shall then be embodied or not, and in his Absence for the senior Field Officer, to appoint any Place which he shall think proper, within the County, City, or District to which such Regiment or Battalion shall belong, and to order any Officers of such Regiment or Battalion to attend and assist as Members of such Court-martial, who shall thereupon attend at the Time required, and assist accordingly, and

and in default of such Attendance shall be liable to be tried by a General Court-martial, to be assembled pursuant to the Regulations of this Act, for such Disobedience of Orders; and the Officers who shall be Members of such Court-martial shall be entitled to the same Pay and Allowances as Officers who shall be Members of any General Court-martial under the Authority of this Act: Provided always, that no Officer of any of Her Majesty's other Forces shall sit upon any Court-martial for the Trial of any Officer or Soldier of Militia: Provided further, that no Sentence of any Court-martial held as aforesaid on any Sergeant Major, Sergeant, Corporal, Drum Major, or Drummer, or Private Man as aforesaid, shall be put in execution until it shall have been confirmed by the Colonel or other Commandant, or by the Field Officer by whose Order such Court-martial was assembled.

Non-commissioned Officers may be reduced to Privates for a certain Period, and if not then restored they shall be discharged.

LVII. Any Sergeant, Corporal, or Drummer of the Militia may, by Sentence of a Court-martial, be reduced to the Condition of a Private Militia Man, to serve as such during any Time not exceeding Fifteen Months, in case the Regiment or Battalion to which he belongs shall not be then embodied or called out into actual Service, and in case the Regiment or Battalion to which he belongs shall be then embodied or called out into actual Service, to serve as aforesaid until the disembodying of the said Regiment or Battalion, after which Time, or at the End of the said Fifteen Months, as the Case may be, if not regularly re-appointed to the Rank of a Non-commissioned Officer or Drummer, he shall be discharged from the Service.

Punishment of Desertion from Militia, when not embodied.

Men not appearing at the Time and Place of Exercise, or absenting themselves during that Time, if not taken till afterwards, shall forfeit 10*l.*, &c.;

LVIII. Every Militia-man (not labouring under any certified Infirmity or Incapacity) who shall not appear at the Time and Place appointed for his being exercised according to the Directions of this Act (Notice having been published and given as by this Act required), or who, having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Detachment or Division thereof, shall desert or absent himself during the Time of any such Exercise, shall be deemed a Deserter, and if not taken until after the Time of any such Exercise shall, on Conviction thereof before any One Justice of the Peace, be liable to a Penalty not exceeding Ten Pounds; and if such Penalty shall not be immediately paid shall be committed to Prison, with or without Hard Labour, for any Period not exceeding Three Months, or until he shall have paid the said Penalty.

Penalties for fraudulent Re-enlistment.

LIX. Any Militia Volunteer who, before the Expiration of his Engagement as a Militia-man in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of Militia, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names (save in the Way of lawful Renewal of his Engagement), shall, upon a Conviction thereof before any One Justice of the Peace, incur a Penalty not exceeding Ten Pounds, and in default of Payment shall be committed to Prison for any Time not exceeding Three Months, and shall also be liable to the Deduction out of the Bounty which he might otherwise have received in respect of his original Enlistment of a Sum equal to what he may have received upon his fraudulent Re-enlistment, and of such further Sum as the Colonel or Commanding Officer of the Regiment, Battalion, or Corps in which he may have originally enlisted shall think proper, or as the Secretary-at-War may from Time to Time direct, not exceeding the Expenses of his Attestation and Enrolment on such fraudulent Re-enlistment.

The Justice before whom a Militia-man is convicted of Enlistment in the Regular Forces, &c. to send Report to Secretary-at-War.

LX. The Justice before whom a Militia Volunteer shall be convicted of having enrolled or offered to enrol himself in another Regiment, Battalion, or Corps of Militia, or more than once in the same Regiment, Battalion, or Corps of Militia, shall send or cause to be sent to the Secretary-at-War a Report of such Conviction, stating the Name of such Volunteer, the Regiment, Battalion, or Corps of Militia to which he belongs, the Offence of which he has been convicted, and the Sentence or Decision of the Justice thereon, and, where such Volunteer shall be imprisoned in pursuance of such Conviction, the Period when the Imprisonment will expire; and for such Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more.

Power to discharge Men from the Militia who have enlisted in the Regular Forces.

LXI. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer for Misconduct, Unfitness, or other Cause, upon such Conditions as he may from Time to Time direct, and such Volunteer shall have no Claim to future Pay or Bounty, or to release from future Attendance in the Militia any Volunteer who may have fraudulently enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, or who may have fraudulently entered into Her Majesty's Navy, and who has been sentenced to Imprisonment, or to Forfeiture for a Period not exceeding Eighteen Calendar Months of One Penny a Day from his Pay in such Forces; and any Man so released shall serve with the Force in which he may have enlisted or entered in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier or Seaman in such respective Force, and his Place in the Militia shall be supplied in like Manner as if his Term of Service as a Militia-man had expired by Efflux of Time.

Withholding Payment of Bounty from Men wrongfully absent from Training.

LXII. Any Bounty which, under the Regulations to be made under this Act, may be payable during or in respect of Attendance at Training and Exercise, shall be forfeited by any Man who wholly absents himself from such Training and Exercise without Leave lawfully granted, or Sickness certified according to such Regulations; and any such Bounty which would otherwise be payable to any Man who partially absents himself as aforesaid without such Leave, or Sickness certified as aforesaid, or who misconducts himself

himself during the Training, shall be wholly withheld, or issued only in such Manner and in such Portions as the Secretary-at-War, upon the Report of the Commanding Officer, shall determine.

Drummers or Buglers offending in certain Cases, how to be dealt with.

LXIII. If any Drummer or Bugler of the Permanent Staff shall absent himself without Leave for a Period exceeding Five Days, and shall not account for such Absence to the Satisfaction of his Commanding Officer, and if any Drummer or Bugler of the Permanent Staff shall be guilty of any other Offence which the Commanding Officer may not think necessary to bring before a Court-martial, the Commanding Officer may, in addition to any other Punishment which he is authorized to award, order that such Drummer or Bugler be imprisoned for any Period not exceeding One hundred and sixty-eight Hours, with or without Hard Labour, or with or without Solitary Confinement, as the said Commanding Officer may think fit, and such Drummer or Bugler shall forfeit his Pay for the Day or Days of such Imprisonment; and any Drummer or Bugler who shall have absented himself as aforesaid may, in addition to or instead of such Imprisonment and Forfeiture or other Punishment which the Commanding Officer has Authority to inflict, be further deprived, by Order of his Commanding Officer, of his Pay for the Day or Days of such Absence: Provided that such Drummer or Bugler so ordered to suffer Imprisonment or Forfeiture of Pay shall, if he so request, be entitled to be tried by a Court-martial for his Offence, instead of submitting to such Imprisonment or Forfeitures.

In case of Discharge for Misconduct, the Cause to be certified on Certificate of Discharge.

LXIV. If any Person who shall have served in Her Majesty's Forces, and shall afterwards have been enrolled as a Non-commissioned Officer on the Permanent Staff of the Militia, shall be discharged from any Regiment or Corps for Misconduct, the Cause of his Discharge shall be certified by the Colonel or Commandant of such Regiments or Corps on the Back of the Certificate of his Discharge from Her Majesty's Army, and a Copy of the same forwarded to the Adjutant-General of Her Majesty's Forces, the Secretary of State for the Home Department, and the Secretary-at-War.

Provision for Apprehension of Militia-men not attending or absenting themselves during Training.

LXV. The Commanding Officer of any Regiment, Battalion, or Corps of Militia shall notify to the Secretary-at-War, and to the Constables or other Officers of the Counties, Parishes, and Places in which Militia-men reside who have not attended Training and Exercise, or who may have absented themselves during the Time of Training and Exercise of their respective Regiments, Battalions, or Corps, the Names and Descriptions of all such Volunteers who have so absented themselves; and it shall be lawful for any Constable or Officer, or for any Officer or Soldier in Her Majesty's Service or in the Militia, to apprehend or cause any such Volunteer to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace at any Time within the Period of his Engagement in the Militia, to be dealt with as herein-before mentioned, if the Battalion or Corps to which he belongs has ceased Training and Exercise, or to be committed to safe Custody until an Escort can be sent for him if such Regiment, Battalion, or Corps be then out for Training and Exercise; and such Justice shall transmit an Account thereof, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, and the Secretary-at-War shall transmit to such Justice an Order for the Payment to the Person or Persons by whom such Deserter was apprehended of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Penalty for inducing Militia-men to absent themselves, or harbouring, &c. Militia-men absenting themselves.

LXVI. Any Person who, by Words or other Means, shall persuade any Militia-man improperly to absent himself from his Duty, and every Person who shall assist or procure any such Volunteer improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any such Volunteer, knowing him to be so improperly absent, shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Punishment for Sale, &c. of Arms, &c.

Muskets to be marked, and Penalty for losing or neglecting to return Arms in good Order.

LXVII. All Muskets delivered for the Service of the Militia shall be marked distinctly in some visible Place with the Letter (M.), and the Name of the County to which they belong; and in case any Militia-man shall sell, pawn, or lose any of his Arms, Clothes, Accoutrements, or Ammunition, or neglect or refuse to return the same in good Order to his Captain, or to the Person appointed to receive the same, every such Militia-man shall, on Conviction thereof before any Justice of the Peace, for every such Offence incur a Penalty not exceeding Three Pounds; and if such Militia-man shall not immediately pay such Penalty, shall be committed to Prison, to be kept to Hard Labour for any Time not exceeding Three Months, or until he shall have paid the said Penalty.

Penalty for buying Militia Arms, &c.

LXVIII. If any Person shall knowingly and wilfully buy, take in exchange, conceal, or otherwise receive any Militia Arms, Clothes, or Accoutrements, or any such Articles belonging to any Militia-man as are generally deemed Regimental Necessaries, according to the Custom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or any public Stores or Ammunition whatever delivered for the Militia, upon any Account or Pretence whatsoever, contrary to the true Intent and Meaning of this Act, the Person so offending shall for every such Offence incur a Penalty not exceeding Ten Pounds, and in default of Payment shall be liable to Imprisonment for any Period not exceeding Six Months, or until he or she shall have paid the said Fine.

Miscellaneous Provisions.

Enrolment in Militia not to cause Forfeiture

LXIX. No Man, by reason of his Enrolment or Service in the Militia or in the Naval Coast Volunteers, shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess or may have possessed

sessed at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

of any Interest in any Benefit Society.

LXX. If any Servant whatever, hired by the Year or otherwise, shall be enrolled as a Militia-man by virtue of this Act, such Enrolment shall not vacate or rescind the Contract or alter the Engagement between such Servant and his Master, Mistress, or Employer or Employers, unless the Militia of the County for which such Servant shall be enrolled shall be embodied or called out by Her Majesty, or be ordered so to be, in pursuance of this Act, or unless such Person so enrolled shall leave the Service of his Master, Mistress, or Employer or Employers, for the Purpose of being trained and exercised for the Period directed by this Act, and shall not return again to the same Service at the End of such Period, or as soon after as reasonably may be, allowing to his Master, Mistress, or Employer or Employers an Abatement from his Wages in proportion to the Duration of his Absence from his said Service; and in every such Case, where any Dispute shall arise between such Servant and his Master, Mistress, or Employer touching any Sum or Sums of Money due to such Servant for or on account of his Service performed before the Time of his Departure from Service, under the Conditions of the said Enrolment, or by being called out to join the Militia in which he shall have been so enrolled, or touching any Abatement to be made by such Servant by reason of his Absence for the Purpose of being trained and exercised, it shall be lawful for the Sheriff of the County, or any Two or more Justices of the Peace for the County or Place where such Master, Mistress, or Employer is resident, to hear and determine the same in a summary Way where the Wages or Balance of Wages claimed shall not exceed Twenty Pounds, in like Manner as if the Sum claimed were within the Amount to which their Jurisdiction under the Acts for the Recovery of Small Debts respectively for the Time being extends, and to grant Warrant for the Recovery of the Sum decerned for by Poinding and Sale in common Form.

Enrolment of Servants shall not vacate their Contracts with their Masters, unless the Militia shall be embodied, &c.

Sheriff or Two Justices may settle Disputes touching Wages under 20*l.* under Small Debt Acts.

Recovery of Penalties, &c.

LXXI. All Fines, Penalties, and Forfeitures, by this Act imposed, the Manner of Recovery whereof is not by this Act particularly provided for, which shall exceed the Sum of Twenty Pounds, shall be recovered by Action at the Suit of Her Majesty's Advocate for *Scotland* in the Court of Exchequer in *Scotland;* and all Fines, Penalties, and Forfeitures by this Act imposed, the Manner of Recovery whereof is not by this Act particularly provided for, which shall not exceed the Sum of Twenty Pounds, shall, on Conviction of the Offence in any Action or Complaint at the Instance of the Procurator Fiscal of the County where the Offence shall be committed, or where the Offender may at any Time be, or at the Instance of any Party to whom the same or Part thereof is made payable, or the Performance of whose Duty under this Act may require the Enforcement of the Provisions in respect of the Breach of which such Penalty is imposed, with Concurrence of the Procurator Fiscal, before the Sheriff or any Two or more Justices of the Peace of such County, be levied by Poinding and Sale of the Offender's Goods and Effects, by Warrant under the Hands of such Sheriff or Justices, or by Imprisonment for any Time not exceeding Three Months.

How Penalties shall be recovered, and how applied, where not otherwise directed by this Act.

LXXII. No Conviction or Decree by the Sheriff or by any Justice or Justices of the Peace, by virtue of this Act, shall be removable by Advocation or Suspension, or any other Process to any other Court, or be subject to any Sist of Execution.

No Conviction shall be removed out of the County.

LXXIII. One Half of every pecuniary Penalty or Forfeiture imposed upon any Person duly convicted of buying, taking in exchange, concealing, or otherwise receiving, contrary to Law, any Militia Arms, Clothes, Accoutrements, or Regimental Necessaries belonging to any Militia-man, or any public Stores or Ammunition for the Service of the Militia, and every pecuniary Penalty or Forfeiture imposed upon any Person assisting, procuring, or persuading any Militia Volunteer improperly to absent himself from his Duty, or concealing, employing, or continuing to employ any such Volunteer, knowing him to be so improperly absent, shall go to the Person who shall inform or sue for the same, and the other Half, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty shall be paid over and applied in such Manner as the Secretary-at-War shall direct; and every Justice who shall adjudge any such Penalty or Forfeiture shall, within Four Days at the furthest, report the same, and his Adjudication thereof to the Secretary-at-War.

Application of certain Penalties.

LXXIV. All Penalties imposed by this Act upon Militia Men (except the Deductions from Bounty, which shall be brought to Public Credit,) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties, Ridings, or Places to which the Volunteer belongs, and shall be made and accounted for as Part of the Public Stock of such Regiment, Battalion, or other Body of Militia respectively.

Application of Penalties on Militia-men.

LXXV. In all Cases in the Execution of this Act when any Matter or Thing is directed to be inquired of or examined into before any Justice or Justices of the Peace, any such Justice or Justices of the Peace is and are hereby authorized to grant Warrant for the Citation of Witnesses, and to administer Oaths to Witnesses, with the same Powers as Justices of the Peace have under the Acts for the Recovery of Small Debts.

Justices may grant Warrants for the Citation of Witnesses.

LXXVI. The

Provisions of Twopenny Acts to extend to County Lieutenants and Deputies.

LXXVI. The Provisions of any Acts passed for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants, shall extend to all Her Majesty's Lieutenants and to all Deputy Lieutenants acting in the Execution of this Act, in like Manner and as fully and effectually as the same extend to Justices of the Peace acting in the Execution of their Office.

Limitation of Actions. Treble Expenses.

LXXVII. If any Action shall be brought against any Person or Persons for anything done in pursuance of this Act, such Action shall be commenced within Six Months next after the Fact committed, and not afterwards; and if the Defender or Defenders shall be assoilzied in any such Action, the Defender or Defenders shall have Decree for Three Times his Expenses in such Action, and have the like Remedy for the same as any Defender hath in other Cases to recover Expenses by the Law of *Scotland.*

SCHEDULE referred to in this Act.

SCHEDULE A.

DESCRIPTIVE RETURN of committed to Confinement at on the Day of as an Absentee from the Training of the Regiment of Militia.

Age		
Height	Feet.	Inches.
Complexion		
Hair		
Eyes		
Marks		
Probable Date of Enrolment, and where		
Probable Date of absenting himself, and from what Place		
Name, Occupation, and Address of the Person by whom apprehended *		
Particulars in the Evidence on which the Prisoner is committed; and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds, and whether committed for safe Custody only, or as a Deserter under this Act, and if so, for what Period		

* It is important for the Public Service, and for the Interest of the Prisoner, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my Presence that he† absent himself from the before-mentioned Corps.

——— *Signature and Address of Magistrate.*

——— *Signature of Prisoner.*

——— *Signature of Informant.*

† Insert "did" or "did not," as the Case may be.

I certify, that I have inspected the Prisoner and consider him‡ for Military Service.

——— *Signature of Military Medical Officer, or of* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

CAP. CVII.

An Act to amend the Laws relating to the Militia, and for raising a Volunteer Militia Force, in *Ireland*. [11th *August* 1854.]

'WHEREAS it is expedient to amend the Laws relating to the Militia in *Ireland*, and to make 'Provision for raising a Militia Force in *Ireland* by Voluntary Enlistment:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Number of Militia to be raised.

I. It shall be lawful for the Lord Lieutenant of *Ireland*, by and with the Advice of the Privy Council of *Ireland*, to raise and from Time to Time to keep up in *Ireland* any Number not exceeding Thirty thousand Private Militia-men, to serve for the several and respective Counties for which Regiments or Battalions of Militia are under the Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and twenty, required to be raised.

Quotas of Counties to be fixed by Order in Council.

II. It shall be lawful for the said Lord Lieutenant, with the Advice of the said Privy Council, forthwith after the passing of this Act, and afterwards from Time to Time as Occasion may appear to him to require, to ascertain and fix the Number of Militia-men who shall, until other Quotas shall be fixed in like Manner, serve for each County, and the Number so fixed as aforesaid shall be transmitted to the Lieutenant of such County from Time to Time, and Notice of the same shall be published in the *Dublin Gazette*, and the Number so from Time to Time appointed shall be the Quota of such County, until some other Quota is appointed in like Manner.

Lord Lieutenant may direct into what Regiments, &c. Militia shall be formed, and with what Officers and Staff.

III. It shall be lawful for the Lord Lieutenant, by Order signified by his Chief or Under Secretary, from Time to Time to direct the Lieutenants of Counties in *Ireland* to form the Militia of their Counties into such Companies, Regiments, Battalions, or Corps as to the Lord Lieutenant may seem fit, and to direct what Number of Officers and of what respective Ranks shall be appointed thereto, and what shall constitute the Staff thereof; and where the Number of Militia-men required to be raised for any County appears to the Lord Lieutenant insufficient to be conveniently formed into a separate Regiment, Battalion, or Corps, to direct the Militia of such County to be united with the Militia of any County adjoining.

Lord Lieutenant may make Regulations as to Qualification for Service of Officers.

IV. It shall be lawful for the Lord Lieutenant from Time to Time to make Regulations limiting the Ages at which Persons may be appointed Officers of the several Ranks in the Militia, and for securing the Appointment of Persons as such Officers who are qualified to discharge the Duties of Officers of their respective Ranks, and also for that Purpose to prescribe by such Regulations any Conditions, as to Drill, Training, and Exercise, or otherwise, under or subject to which any such Appointment shall be made.

Provisions as to certain Property Qualifications repealed.

V. So much of any Act now in force as requires Property Qualifications in the Case of Persons to be appointed Officers in the Militia in *Ireland* shall, save as respects Appointments to the Rank of Captain or any higher Rank, be repealed.

Qualification of Deputy Lieutenant, Captain, or Officer of higher Rank.

VI. For the Purposes of the Qualification of any Captain or Officer of higher Rank in the Militia, it shall not be necessary that all or any Part of the Estate required to confer such Qualification be situate in *Ireland*, but such Estate may be situate in any Part of the United Kingdom, and a clear yearly Income arising from any Personal Estate within the United Kingdom, of or to which Personal Estate or the yearly Income thereof such Officer is possessed or entitled at Law or in Equity for his own Use and Benefit, in possession for his own Life, or for the Life of his Wife, or for some greater Estate or Interest, shall be deemed equivalent to an Estate in Lands of a yearly Value of the same Amount with such yearly Income, and such yearly Income from Personal Estate shall be admitted in whole or in part of any such Qualification accordingly.

Persons holding certain Military Ranks may be appointed Officers without Property Qualification.

VII. Any Person holding or having held the Rank of Captain or any higher Rank in Her Majesty's other Forces, or in the Forces of the *East India* Company, may, without any Property Qualification, be appointed a Captain or Major of the Militia; and any Person holding or having held the Rank of Major or any higher Rank in any of the said Forces may, without any Property Qualification, be appointed a Lieutenant-Colonel or Colonel of the Militia; and any Person who shall have been qualified to receive and shall have received a Commission of Major or Lieutenant-Colonel in the Militia shall be qualified to receive and hold a Commission of higher Rank in the Militia.

Power to Lord Lieutenant to appoint Adjutants, &c.

VIII. It shall be lawful for the Lord Lieutenant to appoint from Time to Time such Persons as to him may seem proper to be Adjutants, Quartermasters, Paymasters, Serjeants Major, and Serjeants of the Militia; and the Provisions of the Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and Twenty, applicable to Adjutants appointed by the Colonels as therein provided shall be applicable to Adjutants to be appointed as aforesaid, and any Person who shall actually have served Three Years in the Forces of the *East India* Company may be appointed an Adjutant; and the Corporals and Drummers of each Regiment, Battalion, or Corps shall be appointed from Time to Time by the Colonel or Commandant thereof: Provided always, that while any Regiment, Battalion, or Corps of Militia is drawn out and embodied, it shall be lawful for the Colonel or Commanding Officer of such Regiment,

Corporals and Drummers to be appointed by the Colonel.

Regiment, Battalion, or Corps to appoint from Time to Time the Serjeant Major and Serjeants of such Regiment, Battalion, or Corps, as Occasion may require, for supplying any Vacancy or Vacancies, or completing the full Number of such Serjeants.

Qualification of Surgeons in Militia same as in the Army.

IX. Any Person shall be qualified to serve in the Militia as Surgeon or Assistant Surgeon who shall possess a Diploma, Certificate, or Qualification such as shall be held to qualify such Person to act as Surgeon or Assistant Surgeon in the Army, anything in the said Act of the Forty-ninth of King *George* the Third, Chapter One hundred and twenty, to the contrary notwithstanding.

Existing Officers who are qualified for Service may continue. Officers not so continued shall retain their Ranks.

X. All Officers now holding Commissions in the Regular Militia in *Ireland* may, subject to such Regulations as may hereafter be made by the Lord Lieutenant, continue to hold such Commissions in the Militia to be raised under this Act, and to rank in the Militia Service according to the Dates of the Commissions now held by them respectively; and all Officers now holding such Commissions as aforesaid who shall not be so continued under this Act shall notwithstanding continue to hold their present Titles and Ranks as Officers of the Militia; and nothing herein contained shall extend to deprive such Officers not so continued of any Allowances to which they may now be entitled in respect of having held Commissions in the Militia when the same was last disembodied, or otherwise in respect of past Services, or to affect the Provisions authorizing the Grant of any retired or other Allowances to such Officers in respect of having held Commissions or of past Services as aforesaid.

Militia Men to be raised by voluntary Enlistment.

XI. For the Purpose of raising the Number of Men required to be raised under this Act, the Lieutenants of the said several Counties shall, in the Year One thousand eight hundred and fifty-four, as soon as conveniently may be after the passing of this Act, and in the Year One thousand eight hundred and fifty-five at such Time as the Lord Lieutenant shall, by Order made with the Advice of the Privy Council of *Ireland*, appoint for that Purpose, direct the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties, without Delay, to proceed to raise and enrol Volunteers to serve for the Term of Five Years in the Militia of such Counties, not exceeding the Numbers of Men for the Time being authorized to be therein raised under this Act, and such Colonels or Commanding Officers, and the Commissioned and Non-commissioned Officers of the Militia duly authorized by such Colonels or Commanding Officers, shall forthwith proceed to raise such Volunteers, being resident in the County in which such Men are directed to be raised, or in any County immediately adjoining thereto, and being able-bodied Men between such Ages and of such Height as shall be from Time to Time fixed by Regulations made by Her Majesty's Secretary-at-War, as herein provided, and for such Bounties or other Payments as shall be from Time to Time authorized by such Regulations; and the Deputy Lieutenants of Counties shall severally aid the Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia of their respective Counties in raising and enrolling Volunteers for such Militia in the several Parishes and Places where such Deputy Lieutenants may be resident, and otherwise as the Lieutenants of such Counties may from Time to Time direct; but no General or Sub-division Meeting shall be holden for that Purpose, unless such Meeting be convened pursuant to any special Order made in this Behalf by the Lord Lieutenant of *Ireland*.

Deputy Lieutenants to aid in raising Volunteers for the Militia.

How Number of Men to be raised.

XII. Provided always, That where the Number of Men for the Time being required to be raised under this Act for any County has not been raised by voluntary Enlistment, it shall be lawful for the Lord Lieutenant, if it appear to him advisable so to do, by Order signed by his Chief or Under Secretary, to authorize and direct all or any Part of such Number of Men as shall be deficient to be raised by voluntary Enlistment in and for any County in which the full Quota may have been raised and kept up.

Secretary-at-War may make Regulations.

XIII. It shall be lawful for Her Majesty's Secretary-at-War from Time to Time to make Regulations as to the Amount of the Sums to be paid to Volunteers under this Act by way of Bounty or periodical Payment or Allowance in consideration of their enlisting in the Militia, such Bounty in no Case to exceed Six Pounds, and such periodical Payment or Allowance in no Case to exceed after the Rate of Two Shillings and Sixpence *per* Month during the Term of Service for which the Volunteer is enrolled, and as to the Time or respective Times, Conditions, and Manner of the Payment thereof, and as to the Ages between which Men may be received as such Volunteers, and as to the Height and for the Examination and Approval by Medical Men of all Men to be raised for the Militia under this Act, and as to all other Matters which, under the Provisions herein contained, are made subject to Regulations to be made by such Secretary-at-War; and all such Bounties shall be paid out of such Monies as shall be provided by Parliament in this Behalf.

Regulations to be laid before Parliament.

XIV. All Regulations made under this Act shall be laid before both Houses of Parliament within Twenty-one Days next after the making thereof, if Parliament be then sitting, or if Parliament be not then sitting then within Twenty-one Days after the next Meeting of Parliament.

Volunteers to be raised for supplying the Places of Men whose Time is about to expire, and for supplying Vacancies by Death, &c.

XV. The Colonels or Commanding Officers of the Regiments, Battalions, or Corps of Militia, shall from Time to Time, and so long before the Expiration of the respective Terms of Service of the Militia-men belonging to their respective Regiments, Battalions, or Corps as shall be directed by Regulations to be made by the Secretary-at-War, raise and enrol or cause to be raised and enrolled Volunteers to supply the Places of such Militia-men; and shall from Time to Time, subject to any Regulations to be so made, raise and enrol or cause to be raised and enrolled Volunteers for supplying casual Vacancies by reason of Militia-men dying before the Expiration of their Term of Service, or being promoted to be Non-

Non-commissioned Officers or Drummers (except where they are so promoted in the Room of Non-commissioned Officers or Drummers reduced to the Ranks), or being discharged as unfit for Service, or in pursuance of the Sentence of a Court-martial, or having deserted.

Volunteers to be sworn and enrolled.

XVI. Every Volunteer so raised as aforesaid shall, when he has been examined and approved according to such Regulations as shall be made by the Secretary-at-War, take the following Oath:

'I *A.B.* do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, and that I will faithfully serve in the Militia in any Part of the United Kingdom of Great Britain and Ireland, for the Defence of the same during the Time of Five Years for which I am enrolled, unless I shall be sooner discharged:'

inserting therein the Name of the Sovereign for the Time being, which Oath shall and may be administered by any Justice of the Peace or Deputy Lieutenant for the County in which such Volunteer shall have been raised, or in which the Regiment, Battalion, or Corps for which he shall have been raised shall be at the Time of his joining the same; and every such Volunteer shall be enrolled in a Roll, to be prepared and kept by or under the Direction of the Colonel or Commanding Officer, to serve in the Militia for the County for which he is raised as a Militia-man, for the Space of Five Years.

Period of Training and Exercise.

XVII. The Period of Training and Exercise of the Militia in *Ireland* shall, save as herein-after provided, be Twenty-one Days in every Year; and such Militia or any Part thereof may be called out for Training and Exercise more than once in every or any Year, so as the whole Period of Training and Exercise of any Militia-man do not exceed Twenty-one Days in any Year, save as herein-after provided; and the Times and Places of Training and Exercise of the Militia-men serving for each County shall be appointed, with the Approbation of the Lord Lieutenant of *Ireland*, by the Lieutenant of such County.

Lord Lieutenant may, by Order in Council, cause Militia to be exercised out of their own Counties, &c.

XVIII. Provided always, That it shall be lawful for the Lord Lieutenant from Time to Time, where, with the Advice of the Privy Council of *Ireland*, he may see fit, to order all or any Part of the Militia to be marched out of their own respective Counties into any Part of *Ireland*, for the Purpose of Training and Exercise, and also where, with such Advice as aforesaid, the Lord Lieutenant may see fit so to do, to extend or reduce the Period of Training and Exercise of all or any Part of the Militia, so as the whole Period of Training and Exercise in any Year shall not exceed Fifty-six Days nor be less than Three Days; and no fresh Notice shall be necessary where such Extension or Reduction is made during the Time of actual Training.

Time of Drill not to be reckoned.

XIX. In case any of the Commissioned Officers or Privates of any Regiment, Battalion, or Corps shall previously to the assembling of the same for Training and Exercise, have been sent to their Head Quarters or attached to any Corps of Her Majesty's Regular Forces for Purposes of Instruction, the Time during which they shall have remained at their own Head Quarters or with the said Corps for Instruction as aforesaid shall not be reckoned as any Part of the Period during which any Commissioned Officers and Privates may be kept assembled for Training and Exercise as herein-before provided.

Lieutenant to provide Places for Exercise.

XX. It shall be lawful for the Lieutenants of the several Counties, with the Approbation of the Lord Lieutenant, to take on Lease or Hire, for or during such Terms or Periods as they may think necessary, Pieces of Ground convenient for the Training and Exercise of the Militia of such Counties.

Notices of Times and Places of Exercise, and in case of embodying Militia, how to be given.

XXI. Notices to Men who are enrolled in the Militia to attend Training and Exercise, or where any Order is made for drawing out and embodying the Militia or any Part thereof, to attend at any Place in pursuance of such Order, shall be sent by the Order of the Colonel or Commanding Officer of the Regiment, Battalion, or Corps to which such Men belong, by the Post to the Residences of the several Men as stated on their Attestations, or as subsequently notified by them; and Public Notices shall also be sent to the County Inspector or other Chief Officer of the Police of the County, or in the *Dublin* Metropolitan District to the Superintendent of Police, who shall cause the same to be affixed by the Constables of such County or District on the Door or the outer Wall near the Door of every Church and Chapel in each Parish or Place in such County or District, including Places of Public Worship which do not belong to the Established Church; and if any Place have no Church or Chapel, then in such Manner as Public Notices are usually made known in such Places, and on the Doors or outer Walls as aforesaid of the Churches or Chapels of some Parish or Place adjoining; and such Notice so affixed as aforesaid shall be deemed a sufficient Notice to every Person enrolled by virtue of this Act, notwithstanding any Omission to send Notices by Post; and any such Man not appearing at the Time and Place appointed in any such Notice shall be subject to be punished and dealt with accordingly.

Lord Lieutenant may order increased Pay to Militia-men attached to the Artillery.

XXII. It shall be lawful for the Lord Lieutenant, if he think fit, to order and direct that any Militia-men who shall be attached to the Service of the Artillery, and shall do Duty as Artillery-men, shall receive increased Pay, not exceeding such and the like Pay, during the Time of their serving and doing Duty as Artillery-men as aforesaid, as any of the Men serving in the Royal Corps of Artillery are or may be entitled to, and it shall also be lawful for the Lord Lieutenant to direct the same to be paid for such Periods, and under and subject to such Regulations and Restrictions, as he may from Time to Time deem proper and necessary.

Penalties for fraudulent Re enlistment.

XXIII. Any Militia Volunteer who, before the Expiration of his Engagement as a Militia-man in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of Militia, whether of the Militia raised in *Ireland* or of the Militia raised in any other Part of the United Kingdom, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names

(save in the Way of lawful Renewal of his Engagement), shall, upon Conviction thereof before any One Justice of the Peace, forfeit and pay any Sum not exceeding Ten Pounds, and in default of such Payment shall be imprisoned, with or without Hard Labour, for any Time not exceeding Three Months, and shall also be liable to the Deduction out of the Bounty which he might otherwise have received in respect of his original Enlistment of a Sum equal to what he may have received upon his fraudulent Re-enlistment, and of such further Sum as the Colonel or Commanding Officer of the Regiment, Battalion, or Corps in which he may have originally enlisted shall think proper, or as the Secretary-at-War may from Time to Time direct, not exceeding the Expenses of his Attestation and Enrolment on such fraudulent Re-enlistment.

The Justice before whom a Militia-man is convicted of Re-enlistment in the Militia to send Report of Conviction to Secretary-at-War.

XXIV. The Justice before whom a Militia Volunteer shall be convicted of having enrolled or offered to enrol himself in another Regiment, Battalion, or Corps of Militia, or more than once in the same Regiment, Battalion, or Corps of Militia, shall send or cause to be sent to the Secretary-at-War a Report of such Conviction, stating the Name of such Volunteer, the Regiment, Battalion, or Corps of Militia to which he belongs, the Offence of which he has been convicted, and the Sentence or Decision of the Justice thereon, and where such Volunteer shall be imprisoned in pursuance of such Conviction, the Period when the Imprisonment will expire; and for such Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings, and no more; and the Secretary-at-War may transmit to the Justice so convicting an Order for the Payment to any Person who has apprehended and procured the Conviction of such Offender of such Sum not exceeding Twenty Shillings as he shall think fit.

Power to discharge Men from the Militia who have enlisted in the Regular Forces.

XXV. It shall be lawful for the Secretary-at-War at any Time to discharge any Militia Volunteer for Misconduct, Unfitness, or other Cause, upon such Conditions as he may from Time to Time direct, and such Volunteer shall have no Claim to future Pay or Bounty, or to release from future Attendance in the Militia any Volunteer who may have fraudulently enlisted into Her Majesty's Regular Forces or into the Forces of the *East India* Company, or who may have fraudulently entered into Her Majesty's Navy, and who has been sentenced to Imprisonment, or to Forfeiture for a Period not exceeding Eighteen Calendar Months of One Penny a Day from his Pay in such Forces or Navy, and any Man so released shall serve with the Force which he may have enlisted into or entered in the United Kingdom or elsewhere, with the like Liabilities in all respects as any Soldier or Seaman in such respective Force, and his Place in the Militia shall be supplied in like Manner as if his Term of Service as a Militia-man had expired by Efflux of Time.

Provision for withholding Payment of Bounty from Men wrongfully absent from Training.

XXVI. Any Bounty which, under the Regulations made under this Act, may be payable during or in respect of Attendance at Training and Exercise shall be forfeited by any Man who wholly absents himself from such Training and Exercise without Leave lawfully granted, or Sickness, certified according to such Regulations; and any such Bounty which would otherwise be payable to any Man who partially absents himself as aforesaid without such Leave, or Sickness, certified as aforesaid, or who misconducts himself during the Training, shall be wholly withheld, or issued only in such Manner and in such Portions as the Secretary-at-War, upon the Report of the Commanding Officer, shall determine.

Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.

XXVII. No Man, by reason of his Enrolment or Service in the Militia, shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess, or may have possessed at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

Punishment of Men not attending, or absenting themselves during Training, and not taken till after.

XXVIII. Every Militia-man raised under this Act (not labouring under any certified Infirmity or Incapacity) who shall not appear at the Time and Place appointed for his being exercised (Notice having been given as by this Act required), or who, having joined the Regiment, Battalion, or Corps to which he belongs, or any Company or Companies or any Detachment or Division thereof, deserts or absents himself during the Time of any such Exercise, shall be deemed a Deserter, and if not taken until after the Time of such Exercise such Deserter shall, upon Conviction thereof before any Justice of the Peace, be liable to forfeit and pay a Sum not exceeding Ten Pounds; and if such Penalty be not immediately paid the said Justice shall sentence such Militia-man to be imprisoned, with or without Hard Labour, for any Period not exceeding Three Months, unless the said Penalty be sooner paid: Provided, that any Information may be laid against such Militia-man under this Section at any Time within the Period of his Engagement in the Militia.

Provision for Apprehension of Militia-men not attending or absenting themselves during Training.

XXIX. The Commanding Officer of any Regiment, Battalion, or Corps of Militia shall notify to the Secretary-at-War and to the Constables or other Officers of the Parishes and Places in which Militia-men reside who have not attended Training and Exercise, or who may have absented themselves during the Time of Training and Exercise of their respective Regiments, Battalions, or Corps, the Names and Descriptions of all such Militia-men who have so absented themselves; and it shall be lawful for any Constable or Officer, or for any Officer or Soldier in Her Majesty's Service or in the Militia, to apprehend or cause any such Militia-man to be apprehended, and to bring him or cause him to be brought before any Justice of the Peace, at any Time within the Period of his Engagement in the Militia, to be dealt with as herein-before mentioned, if the Battalion or Corps to which he belongs has ceased Training and Exercise, or to be committed to safe Custody until an Escort can be sent for him, if such Regiment, Battalion, or Corps be then out for Training and Exercise; and such Justice shall transmit a Report, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, and the Secretary-at-War

at-War shall transmit to such Justice an Order for the Payment to the Person or Persons by whom such Militia-man was apprehended and secured of such Sum not exceeding Twenty Shillings as the Secretary-at-War may think fit.

Penalty for inducing Militia-men to absent themselves, &c.

XXX. Any Person who by Words or other Means shall persuade any Militia-man improperly to absent himself from his Duty, and every Person who shall assist or procure any Militia-man improperly to absent himself as aforesaid, or shall conceal, employ, or continue to employ any Militia-man, knowing him to be so improperly absent, shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Penalty for buying Arms or Militia Stores.

XXXI. The Forty-fifth Section of the Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and twenty, shall be repealed, and if any Person shall knowingly and wilfully buy, take in exchange, conceal, or otherwise receive any Militia Arms, Clothes, or Accoutrements, or any such Articles belonging to a Militia-man as are generally deemed Regimental Necessaries according to the Custom of the Army, being provided for the Soldier, and paid for by Deductions out of his Pay, or any Public Stores or Ammunition delivered for the Militia, upon any Account or Pretence whatsoever, contrary to the true Intent and Meaning of this Act, and of the other Acts in force relating to the Militia, the Person so offending shall for every such Offence forfeit and pay not exceeding Ten Pounds; and if such Penalty be not immediately paid, and the Offender shall not have sufficient Goods and Chattels whereon to levy the same, the Justice by whom such Offender was convicted shall commit him to the House of Correction or Common Gaol, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Six Months, unless the said Penalty be sooner paid.

Recovery of Penalties.

XXXII. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *Ireland* under the Provisions of an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in* Ireland *with respect to summary Convictions and Orders.* 12 & 13 Vict. c. 50.

Application of certain Penalties.

XXXIII. One Moiety of every pecuniary Penalty or Forfeiture imposed under this Act upon any Person duly convicted of buying, taking in exchange, concealing, or otherwise receiving contrary to Law any Militia Arms, Clothes, Accoutrements, or Regimental Necessaries belonging to any Militia-man, or any Public Stores or Ammunition for the Service of the Militia, and every pecuniary Penalty or Forfeiture imposed under this Act upon any Person assisting, procuring, or persuading any Militia Volunteer improperly to absent himself from his Duty, or concealing, employing, or continuing to employ any such Volunteer, knowing him to be so improperly absent, shall go to the Person who shall inform or sue for the same, and the other Moiety, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty, shall be paid over and applied in such Manner as the Secretary-at-War shall direct, anything in any other Act to the contrary notwithstanding; and every Justice who shall adjudge any such Penalty or Forfeiture shall, within Four Days at the farthest, report the same and his Adjudication thereof to the Secretary-at-War.

Application of Penalties on Militia-men.

XXXIV. All Penalties imposed by this Act upon Militia-men (except the Deductions from Bounty, which shall be brought to Public Credit) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or other Bodies of Militia of the respective Counties to which the Militia-man belongs, and shall be made and accounted for as Part of the Public Stock of such Regiment, Battalion, or other Body of Militia respectively.

Volunteers under Instruction to be under Mutiny Act.

XXXV. Any Militia Volunteer attached for a Time for the Purpose of Instruction to any Regiment, Battalion, or Depôt of Her Majesty's Forces shall for such Time be deemed to be under the Operation of the Mutiny Act, in the same Manner as any Soldier enlisted in such Regiment, Battalion, or Depôt.

The Provisions of 49 G. 3. c. 120. as amended to extend to this Act.

XXXVI. All the Provisions of the Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and Twenty, and of any Act amending the same, or otherwise applicable to the Militia of *Ireland*, not hereby repealed, shall, subject to the Provisions of this Act, and so far as the same are not inconsistent herewith, extend and be applicable to the Militia to be raised under this Act, and to all the Purposes thereof: Provided always, that no general or other Meeting of Lieutenancy shall be held except when specially convened for such Purposes as are by this Act directed to be carried into effect by a General Meeting, or when convened under the Authority of the Lord Lieutenant of *Ireland*.

Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post.

XXXVII. Notices of the Days and Places of holding General Meetings of Lieutenancy shall be sent by the Post by the Clerk of the General Meetings to the several Deputy Lieutenants of the County Seven Days at the least before the Days appointed for holding such Meetings respectively; and any Notices of Subdivision Meetings required to be given to Deputy Lieutenants or others shall be sent by the Clerk of General Meetings by Post.

Expenses of House for depositing Arms and Stores of the Militia in Ireland to be

XXXVIII. The Cost of providing any House or Place for the keeping of the Arms, Accoutrements, Clothing, or other Stores of the Militia, in each County or County of a City in *Ireland*, when not embodied, shall be defrayed by the County and County of a City respectively, and the necessary Sum for that Purpose, and all Arrears in respect of such Cost which shall have become due before the Certificate thereof shall be transmitted as hereafter mentioned, and all Arrears which may be due in respect

defrayed by the County or County of a City.

of the Allowance payable by the County or County of a City, under the Act now in force, to the Adjutant in respect of his Residence and Accommodation, and for the Cost of providing a House or Place for the Purposes aforesaid, shall be raised by the Presentment of the Grand Jury of such County and County of a City, and in the City of *Dublin* by the Town Council of the Borough of *Dublin*, under the Provisions of an Act of the Twelfth and Thirteenth of Her present Majesty, Chapter Ninety-seven, which Presentment the Grand Jury of the County or Town Council respectively shall pass, on a Certificate of the Sum required, signed by the Chief Secretary of the Lord Lieutenant, or in the Absence of such Chief Secretary by the Under Secretary or by the Assistant Under Secretary, without any Application at Presentment Sessions, and the Certificate shall be transmitted by such Chief or Under Secretary or Assistant Under Secretary to the Clerk of the Crown for such County at any Time prior to the First Day of Assizes for such County, or if in the County or County of the City of *Dublin*, then prior to the First Day of the Presenting Term.

Power to borrow on Mortgage of the County Rates.

XXXIX. In order to distribute over a Term of Years such Portion of the Expenses of purchasing, building, enlarging, or altering such Places as aforesaid as are hereby directed to be raised by such Grand Jury and Town Council respectively, the Grand Jury of such County, County of a City and County of a Town, at the Assizes, and in the City of *Dublin* the Town Council of the Borough of *Dublin*, may, if they think fit, borrow all, or any Part of the Money necessary for the aforesaid Purposes upon Mortgage of the County Cess and Rates of such County, County of a City and County of a Town respectively; and every such Mortgage may be in the Form in the Schedule (A.) to this Act annexed, or to the like Effect, and shall be executed by the Foreman of the Grand Jury present at the Assizes at the Time being, and in the City of *Dublin* by the Lord Mayor of *Dublin* and any Two of the Town Council, and shall be effectual for securing to the Person advancing the Sum in such Mortgage expressed, his Executors, Administrators, and Assigns, the Repayment thereof, with Interest, after the Rate, at the Times, and in the Manner in such Mortgage specified; and any Person entitled to any such Mortgage may transfer his Right and Interest therein to any other Person, such Transfer being made according to the Form in Schedule (B.) to this Act annexed, or to the like Effect; and the Persons to whom such Mortgages or the Transfers thereof are made, their Executors and Administrators, shall be Creditors upon the Rates and Funds thereby expressed to be charged, in an equal Degree one with another according to the respective Sums in such Mortgages mentioned to be advanced by them.

To provide for Interest on Mortgages and Repayment of Principal.

XL. The said Grand Jury and Town Council respectively shall in every Year provide for and cause to be paid out of the County Cess of such County, County of a City and County of a Town, and out of the Rates of such Borough of *Dublin*, in the Manner and at the Times in such Mortgages specified, the Monies required for the Time being to pay the Interest on the several Sums borrowed under this Act or the first-recited Act, and then unpaid, and shall also set apart and appropriate a further Sum, not being less than One Thirtieth Part of the Principal Sum originally borrowed upon such Mortgages, and shall apply the same in the Repayment of so much of the said Principal Sums then unpaid as it will extend to discharge, Year by Year, until the whole of such Principal Sums have been repaid; and the said Grand Jury and Town Council respectively shall, by Agreement with the Parties entitled to such Mortgages, or in default of Agreement by such other Means as they deem most equitable and convenient, determine the Order of Priority in which the several Sums advanced shall be repaid.

Power to reborrow.

XLI. It shall be lawful for the said Grand Jury and Town Council respectively, with the Consent of the Parties entitled to such Mortgages, to pay off from Time to Time any of the Monies so borrowed as aforesaid, and to reborrow from Time to Time the Sums necessary for that Purpose, but so nevertheless that all Monies borrowed under this or the first-recited Act shall be repaid within Thirty Years from the Time of first borrowing the same.

Interpretation Clause.

XLII. In the Construction of this Act the Expression "Lord Lieutenant," or "Lord Lieutenant of *Ireland*," shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and the Expression "the Militia" shall mean the Militia raised in *Ireland*.

Short Title.

XLIII. This Act may be cited for all Purposes as "The Militia (*Ireland*) Act, 1854."

SCHEDULE (A.)

Form of Mortgage.

By virtue of the "Militia (Ireland) Act, 1854," I *A.B.*, Foreman of the Grand Jury of [*or* Lord Mayor and Town Councillors, *as the Case may be*], in consideration of the Sum of paid to the Treasurer of the said County [*or* City *or* Borough] by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, such Proportion of the [*here describe the Rates or Property intended to be mortgaged*] as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied (the Principal Sum to be repaid within not less than Years from the Date hereof). In witness whereof we have hereunto set our Hands and Seals [*or*, Given under our Corporate Seal], this Day of 18 .

(L.S.)

SCHE-

SCHEDULE (B.)

Form of Assignment of Mortgage.

I *A.B.*, of in consideration of the Sum of paid to me by *C.D.* of do hereby assign* to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage numbered made by the Foreman of the Grand Jury of [*or* the Lord Mayor and Town Council of the Borough of Dublin, *as the Case may be*], bearing Date the Day of for securing the Sum of and Interest thereon, [*or* (*if such Transfer be by Endorsement*)* the within Security,] and all my Right and Interest to and in the Monies thereby secured, and the Rates [*or* Lands, Tenements, and Hereditaments] thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of 18 .

(L.S.)

SCHEDULE (C.)

REPORT.

DESCRIPTIVE RETURN of committed to Confinement at on the Day of as an Absentee from the Training of the Regiment of Militia.

Age	
Height	Feet. Inches.
Complexion	
Hair	
Eyes	
Marks	
Probable Date of Enrolment, and where	
Probable Date of absenting himself, and from what Place	
Name, Occupation, and Address of the Person by whom apprehended*	
Particulars in the Evidence on which the Prisoner is committed, and showing whether he surrendered or was apprehended, and in what Manner, and upon what Grounds, and whether committed for safe Custody only, or as a Deserter under this Act, and if so, for what Period	

* It is important for the Public Service, and for the Interest of the Prisoner, that this Part of the Return should be accurately filled up, and the Details should be inserted by the Magistrate in his own Handwriting, or, under his Direction, by his Clerk.

I do hereby certify, that the Prisoner has been duly examined before me as to the Circumstances herein stated, and has declared in my presence that he † absent himself from the before-mentioned Corps.

——— *Signature and Address of Magistrate.*

——— *Signature of Prisoner.*

——— *Signature of Informant.*

† Insert "did" or "did not," as the Case may be.

I certify, that I have inspected the Prisoner, and consider him ‡ for Military Service.

——— *Signature of Military Medical Officer, or* ‖ *Private Medical Practitioner.*

‡ Insert "fit" or "unfit," as the Case may be; and if unfit, state the Cause of Unfitness.

‖ No Fee will be allowed to a Private Medical Practitioner where a Military Medical Officer is stationed, unless it is shown that his Services were not available.

CAP. CVIII.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [11th *August* 1854.]

'WHEREAS it is expedient to suspend for a further Period the Ballots for the Militia of the United Kingdom:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Meetings relating to the Militia of the United Kingdom and Ballots for such Militia suspended.

I. All General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to procuring any Returns, or preparing or making out Lists of such Militia or any Part thereof, for the Purpose of a Ballot, or relating to Balloting for any Militia-men or supplying any Vacancies in such Militia by Ballot, save such Proceedings as are or may be directed or authorized by or under the Act of the Session of Parliament holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, and the Acts amending the same, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and fifty-five.

Proceedings may be had during such Suspension by Order in Council.

II. Provided always, that it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to Ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in *Scotland* and *Ireland* respectively relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in *Scotland*, or to the Governors and Deputy Governor of Counties and Places in *Ireland;* and all the Provisions of the several Acts in force in *Scotland* and *Ireland* respectively relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

Saving for certain Meetings relating to the Militia.

III. Provided also, That nothing herein contained shall extend to prevent the holding before the Expiration of such Period as aforesaid of such General or other Meetings relating to the Militia of the United Kingdom as may be called under the Authority of One of Her Majesty's Principal Secretaries of State, or in *Ireland* under the Authority of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of any Meeting which may be called for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia.

CAP. CIX.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [11th *August* 1854.]

'WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expenses of the regular Militia, and of the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*, and for making in certain Cases Allowances of Reduced Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, while disembodied, and Allowances to Adjutants, Paymasters, Surgeons, Quartermasters, and Serjeant Majors of the Regular Militia, who have been or may be reduced, and to Adjutants, Surgeons, and Quartermasters disabled after long Service:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary-at-War to issue the Money required for Pay of Regular Militia.

I. The Secretary-at-War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the daily Rates following; (that is to say,)

Rates of Pay.

For each Adjutant of Infantry, Eight Shillings, and of Artillery, Nine Shillings:

For

Militia Pay.

For each Serjeant Major of Infantry, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Tenpence, and of Artillery, Three Shillings:

For each Quartermaster Serjeant and Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence; and to the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence:

For each Sergeant of Infantry, One Shilling and Sixpence, and of Artillery, Two Shillings and Twopence:

For each Drummer, Trumpeter, or Bugler above Sixteen Years of Age, One Shilling, and under Sixteen Years of Age, Tenpence:

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

Clothing.

And also for the Clothing of the Regular Militia (when disembodied), in Cases in which Full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major, Three Pounds for each Serjeant, and Two Pounds Eighteen Shillings and Sevenpence for each Drummer, and so in proportion in the Cases in which only Part of the Clothing shall be provided by the Colonel or Commandant, together with the actual Expense of Package and Carriage, and such Charges for altering and fitting the Clothing as shall have been sanctioned by the Secretary-at-War: Provided always, that Serjeant Majors, Serjeants, and Drummers on the Disembodied Staff of the Militia of *England* and *Wales*, and such Serjeant Majors and Serjeants as were serving on the Disembodied Staff of the Militia of *Ireland* and *Scotland*, on the First Day of *June* One thousand eight hundred and twenty-nine, and shall be resident at Head Quarters, shall be entitled to be clothed once in Two Years; and that such as shall have been subsequently appointed to serve or promoted on the Disembodied Staff of the Militia of *Ireland* and *Scotland* shall be entitled to be clothed once in Four Years, unless a Militia Force be raised in *Ireland* and *Scotland*, and then the Disembodied Staff shall be entitled to be clothed once in Two Years:

Contingent Fund.

And also at Rates varying from Two Shillings to Sixpence *per Annum* for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps when enrolled.

Adjutant, &c. to reside where the Secretary-at-War shall appoint.

II. Except when employed as herein-after provided, every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall reside in such Places as shall be sanctioned by the Secretary-at-War; and every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

Adjutants and Non-commissioned Officers of Militia may be employed in their Counties.

III. Every Adjutant and Non-commissioned Officer of the Regular Militia, when disembodied, and not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea Hospital*, in such Manner as One of Her Majesty's Principal Secretaries of State may determine.

Adjutant to have Charge of the Arms and Clothing and to issue the Money for contingent Expenses on an Order signed by the Colonel.

Balance to form a Stock Purse.

IV. The Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant, and shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as aforesaid, he shall Three Times in the Year make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps), and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

In Absence of the Adjutant, the Serjeants to be under the Command of the Serjeant Major.

V. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Disembodied Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Serjeants shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

Militia when called out for Training or Exercise entitled to Pay.

VI. The Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the following daily Rates of Pay and Allowances:

Colonel

Militia Pay.

	Infantry. £	s.	d.	Artillery. £	s.	d.
Colonel	1	2	6	1	2	6
Lieutenant-Colonel	0	15	11	0	15	11
Major	0	14	1	0	14	1
Captain (including non-effective Allowance)	0	10	6	0	10	6
Lieutenant	0	6	6	0	6	6
Ensign	0	5	3	0	5	3
Adjutant, if acting also as Paymaster in Corps consisting of Four Companies and upwards*	0	3	9	0	3	9
„ if acting also as Paymaster in Corps consisting of less than Four Companies*	0	2	6	0	2	6
„ if acting also as Paymaster and Quartermaster in Corps consisting of Four Companies and upwards*	0	7	0	0	7	0
„ if acting also as Paymaster and Quartermaster in Corps consisting of less than Four Companies*	0	4	6	0	4	6
Quartermaster (if not holding a Subaltern's Commission)	0	6	6	0	6	6
„ (if holding a Subaltern's Commission)	0	3	6	0	3	6
Surgeon	0	11	4	0	11	4
Assistant Surgeon	0	7	6	0	7	6
Serjeant Major*	0	0	$2\frac{3}{4}$	0	0	6
Quartermaster Serjeant*	0	0	$4\frac{3}{4}$	0	0	4
Paymaster Serjeant*	0	0	$4\frac{3}{4}$	0	0	4
Serjeant (if on the Permanent Staff)*	0	0	$0\frac{3}{4}$	0	0	4
„ (if not on the Permanent Staff)	0	1	$6\frac{3}{4}$	0	2	6
Corporal	0	1	$2\frac{1}{4}$	0	1	$4\frac{1}{4}$
Drummer, Bugler, or Trumpeter	0	0	1	0	0	3
Private	0	1	0	0	1	2
Command Allowance to the Officer actually in Command during Training and Exercise, if the Pay of Colonel is not drawn	0	3	0	0	3	0
Beer Money to each Non-Commissioned Officer, Drummer, and Private, present at Training and Exercise	0	0	1	0	0	1

* These Rates of Pay, during Training and Exercise only, are in addition to the daily Rates of Disembodied Pay granted by Section 1.

Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.

VII. Volunteers may, with the Sanction of the Secretary-at-War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff either as Serjeants or Drummers, be allowed Pay whilst so under Instruction, but while they remain so attached they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provisions of the Mutiny Act.

Allowances to certain Subalterns and Surgeons, Mates, and Assistant Surgeons.

VIII. The following Allowances shall be made and paid, to the Amount, under the Restrictions, and in the Manner herein-after expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held a Commission in the Militia of *Great Britain* or *Ireland*, and was serving therein when the Corps was disembodied on the Termination of the last War, and also to every Supernumerary Subaltern Officer and Assistant Surgeon of any Regiment of Militia in *Ireland* which was augmented during the last War, and which has been reduced to its original Establishment; (that is to say,)

To a Lieutenant, Two Shillings and Sixpence *per Diem:*

To an Ensign, Two Shillings *per Diem:*

And to a Surgeon's Mate or Assistant Surgeon, Two Shillings and Sixpence *per Diem:*

Rank of certain Officers.

Provided always, that for the Purposes of this Act all Officers of the Militia serving with the Rank of Captain Lieutenants shall be deemed to be Lieutenants, and all Officers serving with the Rank of Second Lieutenant shall be deemed to be Ensigns; and that the Supernumerary Subalterns and Assistant Surgeons of Regiments of Militia in *Ireland* as aforesaid shall be deemed to have belonged to such Regiments when they were last disembodied, and to have continued to serve therein from that Time.

A Declaration to be taken to entitle Officers, &c. to such Allowances.

IX. The Subaltern Officers, Surgeons Mates, and Assistant Surgeons of the Militia, who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace of the United Kingdom, Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (videlicet,)

'I *A.B.* do solemnly and sincerely declare, That I belonged to the of Militia when the same was disembodied, and that I have continued to serve therein from that Time until the Day of inclusive, as a [Lieutenant, Ensign, Surgeon's Mate, *or* Assistant Surgeon, *as the Case may be*]; and that I was not, in my own Right or in the Right of my Wife, during any Part of the Period for which I now claim to receive my Allowance, (that is to say,) from the Day of to the Day of both inclusive, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of such an annual Value above Reprises as would qualify me to hold a Commission of Captain of a Company in the Militia; that I was not in Holy Orders; that I have not during the above Period held the Appointment of Adjutant, Surgeon, Paymaster, or Quartermaster in any Regiment, Battalion, or Corps of Militia; that I did not hold or enjoy, nor did any Person for me hold or enjoy, during the said Period, any Place, Office, or Employment of Profit, Civil or Military, under the Crown or any other Government, besides the Allowance of a Day now claimed, except my Half Pay as a [of the Army *or* Navy *or* Marines, *or* of a Provisional Battalion formed from the Militia, *as the Case may be*,] and any Pay and Allowances from the to the both Days inclusive, during which Period the Corps was assembled for Training and Exercise.' Form of Declaration.

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming the Allowance.

X. It shall be lawful for the Secretary-at-War to place any such Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted on the disembodying of the Militia at the Termination of the last War; and all such Subalterns, Surgeons Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet*,) Certain Officers unfit for Duty may be placed upon a retired Allowance, upon making Declaration.

'I do solemnly and sincerely declare, That I formerly served as a in the Militia; that I am not in Holy Orders; and that from the Day of to the Day of I did not hold or enjoy any Place or Employment of Profit, Civil or Military, under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, besides my Allowance of per Diem as a of the said Militia, except my Half Pay or Civil Pension as a .' Form of Declaration.

XI. The Allowances granted to certain Paymasters, Surgeons, and Quartermasters of the Militia of *Great Britain* and *Ireland*, on their being reduced, in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, shall be issued and paid under the Restrictions and in the Manner herein-after expressed, during the Continuance of this Act; and it shall be lawful for the Secretary-at-War to place any such Paymaster, Surgeon, or Quartermaster, when unfit for further Duty, upon a retired Allowance equal to and instead of his reduced Allowance. Allowances to Officers reduced in 1829.

XII. Every Paymaster, Surgeon, and Quartermaster of Militia, who shall Claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,) A Declaration to be taken by Officers claiming the said Allowances.

'I *A.B.* do solemnly and sincerely declare, That I was serving as [Paymaster, Surgeon, *or* Quartermaster, *as the Case may be*] in the of Militia at the Reduction of the Staff of the said Militia in One thousand eight hundred and twenty-nine; and that I was not in Holy Orders during any Part of the Period for which I now claim to receive an Allowance, that is to say, from the Day of One thousand eight hundred and to the Day of One thousand eight hundred and ; and that I did not hold or enjoy, nor did any Person for me hold or enjoy, during any Part of the said Period, any Place, Office, or Employment of Profit, Civil or Military, under the Crown or any other Government, besides the Allowance of a Day now claimed, except my Half Pay as a [of the Army *or* Navy *or* Marines, *or* of a Provisional Battalion formed from the Militia, *as the Case may be*], and except my Pay and Allowances from the to the both Days inclusive, during which Period the Militia was assembled for Training and Exercise.' Form of Declaration.

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Paymaster, Surgeon, or Quartermaster claiming the Allowance: Provided always, that any Paymaster, Surgeon, or Quartermaster receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Out-Pension to Reduced Non-commissioned Officers, &c. not to be received while serving.

XIII. 'And whereas certain Non-commissioned Officers and Drummers of the Militia of the United 'Kingdom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied 'Staff, been placed on the Out-Pension, although not unfit for further Service:' No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Subalterns, Mates, &c. to attend the Exercise, &c.

XIV. Every Paymaster, Surgeon, or Quartermaster on the reduced Allowance, and every Subaltern Officer, Surgeon's Mate, and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to any Allowances as aforesaid, shall regularly attend the Exercise and Training of the Regiment, Battalion, or Corps to which he belongs during the whole of the Time it shall be assembled for that Purpose, and shall during the said Time punctually do and perform his Duty as a Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon of such Regiment, Battalion, or Corps, on pain of forfeiting the said Allowance, as well as all Arrears of the said Allowance and of Pay, and a Certificate of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion, or Corps to which he may belong, shall be transmitted to the Paymaster General by the Officer claiming the Allowance: Provided always, that in case any such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon claiming to be entitled to such Allowance shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the whole or any Part of such Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowances and every Part thereof in like Manner as if he had attended during the whole of the said Exercise: Provided also, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in a Certificate (in lieu of that before mentioned) to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster General.

Commanding Officers may grant Leave of Absence.

If Regiment be not called out before Time fixed for Payment, the Allowance shall be paid, on making Declaration, without Certificate of Attendance.

XV. Provided always, in case any Regiment, Battalion, or Corps of Militia shall not, before the Time fixed for the Payment of the said Allowances, be called out for the Exercise and Training thereof, every Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon belonging to any such Regiment, Battalion, or Corps, and coming within the aforesaid Benefits of this Act, who shall have made and subscribed the Declaration herein-before mentioned before any Justice of the Peace or other Person as aforesaid, shall be entitled to the said Allowance as if he had regularly attended the Exercise and Training of such Regiment, Battalion, or Corps during the whole of the Time by Law appointed for that Purpose, and as if a Certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion, or Corps, had been furnished.

Allowances to be paid quarterly.

XVI. Upon such Declarations and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their Exercise as aforesaid, upon the said Declarations being produced to the Paymaster General, the Paymaster General shall pay to the said Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons their respective Allowances above mentioned for the usual quarterly or other proper Periods, without any Deduction whatsoever, except Income Tax.

On Neglect of Attendance, Subalterns, &c. shall forfeit Allowance.

XVII. The Paymasters, Surgeons, Quartermasters, Subaltern Officers, Surgeons Mates, and Assistant Surgeons of Militia, entitled or claiming to be entitled to the aforesaid reduced or disembodied Allowances, shall at all Times be liable to serve in the respective Regiments, Battalions, or Corps to which they belong whenever the same shall be embodied and called out upon active Service; and in case of Neglect or Refusal to attend when called upon, on such Occasion, or on such other Occasions as may be required in pursuance of the Laws in force respecting the Militia when disembodied, every such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, and Assistant Surgeon shall, on such Neglect or Refusal being certified to the Secretary-at-War, and in respect of the Militia of *Great Britain*, to the Lord Lieutenant of the County, by the Colonel or other Commandant of the Regiment, Battalion, or Corps to which such Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon shall belong, forfeit his Claim to the said Allowance and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

Allowance not to be paid while the Militia embodied.

XVIII. Nothing in this Act contained shall extend or be construed to extend to entitle any Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon as aforesaid to any such Allowance as aforesaid or any Part thereof during the Time the Militia to which he belongs shall be embodied or assembled for Training and Exercise.

Act not to give Right to Allowances on future Disembodiment.

XIX. Nothing herein-before contained shall be construed to entitle any Paymaster, Surgeon, Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon, now or hereafter serving in any Regiment, Battalion, or Corps of Militia now or hereafter to be embodied, to any Allowance in respect of such Service upon the disembodying of such Regiment, Battalion, or Corps.

Persons on Half Pay, or entitled to Allowance as having served

XX. Provided always, That any Person, being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons,

Surgeons, when assembled for annual Training; and the receiving any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided also, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

in the Army or Navy, empowered to receive Pay, &c. during Training.

XXI. Provided always, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Adjutants, &c. Noncommissioned Officers, or Privates, not to lose Right to Chelsea or Kilmainham Pensions, &c.

XXII. There shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expense of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training, and also an Allowance of Twopence *per* Week, for each of the Non-commissioned Officers and their Families of each Regiment on the Disembodied Staff at Head Quarters, for the Expenses of necessary Medicines and Attendance given to the said Non-commissioned Officers and their Families while such Regiment is not called out for Training and Exercise.

Allowance to be made for Medicines.

XXIII. Every Adjutant of Regular Militia appointed as such before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Twenty Years in the whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmity rendered unfit for further Service, shall, on producing to the Secretary-at-War a Certificate of such Service of Twenty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary-at-War founded upon such Certificate, be entitled to receive, and the Paymaster General shall pay to such Person, an Allowance at the Rate of Eight Shillings *per Diem:* Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary-at-War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment: Provided also, that any Adjutant appointed after the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, who shall have served faithfully, either in Her Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmity rendered unfit for further Service, shall, upon producing to the Secretary-at-War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and upon an Order from the Secretary-at-War founded upon such Certificate, be entitled to receive an Allowance at the Rate of Six Shillings a Day, in like Manner and subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out-Pension by reason of receiving such Allowance of Eight Shillings or Six Shillings a Day as aforesaid, but shall be entitled to receive such Half Pay or Out-Pension as well as such Allowance: Provided also, that in Cases of very long and meritorious Services it shall be lawful for the Secretary-at-War to extend to any Adjutants appointed between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three the Terms, either in whole or in part, herein-before prescribed for the Retirement of Adjutants appointed before the Twenty-fourth Day of *December* One thousand eight hundred and fourteen.

Adjutants appointed before 24th Dec. 1814 entitled to receive, after a Service of 20 Years, if unfit for further Service, an Allowance of 8s. per Day, provided they do not hold certain other Appointments.

Adjutant appointed since 24th Dec. 1814 entitled to receive, after Thirty Years Service, &c., an Allowance of 6s. per Day.

Right to Half Pay reserved.

Certain Terms extended to Adjutants in Cases of long and meritorious Services.

XXIV. 'And whereas certain Allowances have been granted in pursuance of former Acts to Adjutants, 'Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit 'for further Service:' Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no Person

Allowances to Adjutants, Surgeons, and Quartermasters.

receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Reduced Adjutants to receive 4*s.* per Day till 31st July 1855.

XXV. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirty-first Day of *July* One thousand eight hundred and fifty-four, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and fifty-five, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Right to Half Pay reserved.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

XXVI. 'And whereas certain Adjutants and Serjeant Majors are entitled to and have received 'certain Allowances in consequence of having been reduced under the Provisions of an Act passed in 'the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, which Allowances have 'been continued, and as to such Adjutants augmented to Four Shillings *per Diem*:' All such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Thirty-first Day of *July* One thousand eight hundred and fifty-four to the Thirty-first Day of *July* One thousand eight hundred and fifty-five.

Allowances granted to Adjutants who have been appointed since 24th Dec. 1814, &c. on Completion of certain Periods of Service.

XXVII. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland* who have been appointed since the Twenty-fourth Day of *December* One thousand eight hundred and fourteen, and who shall hereafter be appointed, on the Completion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit for the Performance of the Duties of their Commissions; (that is to say,)

To every Adjutant who shall have completed in the Service a Period of, (*videlicet*,)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem:*

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem:*

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem:*

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem:*

No Adjutant whose Commission bears Date between 24th Dec. 1814 and 9th July 1823 excluded.

Provided always, that no such Adjutant whose Commission bears Date between the Twenty-fourth Day of *December* One thousand eight hundred and fourteen and the Ninth Day of *July* One thousand eight hundred and twenty-three shall be excluded from the Operation of the Authority vested in the Secretary-at-War to determine certain Cases of Adjutants of long and meritorious Services; provided also, that such Adjutants shall retain any Right they may have to Half Pay or to Out Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary-at-War of a Certificate of such Service and Disability; and the Paymaster General shall pay to such Adjutant the above Allowance, subject to the same Limitations and Restrictions in respect to the holding of any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, as attach to other Adjutants to whom retired Allowances have been or shall be granted.

Right to Half Pay and Pension reserved.

Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107. Proviso.

XXVIII. Every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, and continued by any subsequent Act or by this Act, may receive such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable together with such reduced Allowance under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of* Great Britain *called* England, or under the Provisions of the aforesaid Act of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under Her Majesty, other than such as aforesaid, or under any other Government, or any Civil Office or Employment under Her Majesty, or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmity.

Restrictions as to Allowances to reduced Adjutants of the Local Militia.

XXIX. 'And whereas certain Allowances have been granted to reduced Adjutants of the Local 'Militia:' The said Allowances shall be issued and paid during the Continuance of this Act in like Manner and subject to the same Restrictions as the Allowances of the Paymasters, Surgeons, and Quartermasters of the Regular Militia who were reduced in the Year One thousand eight hundred and twenty-nine: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices

Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted.

Allowance to Clerks of General Meetings, &c.

XXX. Where the Militia is raised by Ballot in *Great Britain*, Allowances shall be made and issued to the Clerks of General and Subdivision Meetings of Lieutenancy and others mentioned in Schedule A. to this Act for their Trouble and Expenses in the Execution of the Laws relating to the Militia at the Rates mentioned in the same Schedule; and where the Militia is raised in the United Kingdom otherwise than by Ballot, Allowances shall be made and issued to the Clerks of General Meetings for their Trouble and Expenses in the Execution of such Laws at the Rates mentioned in the Schedule B. to this Act.

Manner of granting Allowances.

XXXI. The said Allowances shall be granted as follows; (*videlicet,*) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon*; and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet,*)

Clerks, &c. to make Declaration of the Justness of their Accounts.

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, so far as regards my 'Interest therein, is a just and true Account of Business performed by me for and in behalf of the 'public Service, according to the Manner therein set forth; and the Sums claimed as disbursed were 'actually paid by me.'

Declaration of a Schoolmaster, Constable, or other Officer in Scotland.

'I do solemnly declare, That I am the Parochial Schoolmaster [*or* Constable *or* 'other Officer] of the District of in the Subdivision of the 'County of ; and that the preceding Account is a just and true Account of Business 'actually performed by myself for and in behalf of the public Service, according to the Manner therein 'set forth; and that I was employed on such Business the full Time therein stated; and that the Sums 'claimed as disbursed were actually paid by me.'

And the said Accounts shall be transmitted to the Secretary-at-War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.

XXXII. 'And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any 'County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any 'Subdivision in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice 'of a Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service 'in the Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting 'themselves for Enrolment:' It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held, to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet,*)

Declaration to be made by Surgeon.

'I do solemnly declare, That I will, to the best of my Ability, faithfully and 'truly report as to the Fitness for Service of the Man or Men about to be submitted to my Exami- 'nation, and that I will not receive from any of them any Fee or Reward whatever for any such 'Examination.'

Allowance to Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary-at-War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

Pay, &c., to be issued under Directions of the Secretary-at-War.

XXXIII. All Sums of Money granted for the Pay, Clothing, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary-at-War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

Bills drawn for Pay, &c. may be on unstamped Paper.

XXXIV. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper.

No Fee to be taken.

XXXV. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

XXXVI. All

All Things in this Act relating to Counties shall extend to Ridings, &c.

XXXVI. All Things in this Act contained relating to Counties, and to Regiments of Militia respectively, shall be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*.

Continuance of Act.

XXXVII. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and fifty-four until the First Day of *September* One thousand eight hundred and fifty-five.

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts relating to the Militia when the Militia are raised by Ballot.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements)	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council, the Secretary of State, and the Secretary-at-War (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia	2	2	0
In Counties furnishing from 201 to 400 Men	3	3	0
Ditto - - from 401 to 600 Men	4	4	0
Ditto - - from 601 to 800 Men	5	5	0
Ditto - - from 800 Men and upwards	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under	1	1	0
Ditto - - - from 201 to 400 Men	2	2	0
Ditto - - - from 401 to 600 Men	3	3	0
Ditto - - - from 601 to 800 Men	4	4	0
Ditto - - - from 801 Men and upwards	5	5	0
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under	0	5	0
Ditto - 51 to 150 Names	0	10	0
Ditto - 151 to 250 Names	1	0	0
Ditto 251 Names and upwards	1	10	0
8. For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps	0	15	0
Ditto - - Two - Ditto	1	10	0
Ditto - - Three - Ditto	2	0	0

No

No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.

Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.

	£	s.	d.
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men	2	0	0
Ditto - from 301 to 600 Men	3	0	0
Ditto - from 601 to 900 Men	4	0	0
Ditto - from 901 Men and upwards	5	0	0
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under	2	0	0
In a County furnishing from 201 to 400 Men	3	0	0
Ditto - - from 401 to 600 Men	4	0	0
Ditto - - from 601 to 800 Men	5	0	0
Ditto - - from 801 Men and upwards	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			

TRAINING AND EXERCISE.

12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department in Counties in England and Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps	2	0	0
Ditto - Two - Ditto	3	0	0
Ditto - Three - Ditto	4	0	0

ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.

14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet,			
For receiving Lists and hearing Appeals,			
For balloting,			
For enrolling,			
And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists	2	2	0
And for each Meeeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant	0	15	0
16. For filling up printed Precepts to the Chief or High Constables in England and Wales including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept	0	0	6
And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept	0	0	6

17. For

17. For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men - - - - - - - - £2 per 1,000

18. For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - 50 Men and under - - - - - - -

	£	s.	d.
Ditto from 51 to 150 Men - - - - - - - -	2	2	0
Ditto from 151 to 250 Men - - - - - - - -	3	3	0
Ditto from 251 Men and upwards - - - - - - -	4	4	0
	5	5	0

19. For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)

For a Roll containing 50 Names and under - - - - - -	0	5	0
Ditto from 51 to 150 Names - - - - - - -	0	10	0
Ditto from 151 to 250 Names - - - - - - -	0	15	0
Ditto from 251 Names and upwards - - - - - -	1	0	0

20. For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)

For a Subdivision furnishing 50 Men and under - - - - -	1	10	0
Ditto from 51 to 150 Men - - - - - -	2	0	0
Ditto from 151 to 250 Men - - - - - -	2	10	0
Ditto from 251 Men and upwards - - - - - -	3	0	0

21. For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)

For a Subdivision furnishing 50 Men and under - - - - -	2	0	0
Ditto from 51 to 150 Men - - - - - -	3	0	0
Ditto from 151 to 250 Men - - - - - -	4	0	0
Ditto from 251 Men and upwards - - - - - -	5	0	0

22. The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.

The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.

23. For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:

For a Subdivision furnishing 50 Men and under - - - -	0	5	0
Ditto from 51 to 150 Men - - - - - - -	0	10	0
Ditto from 151 to 250 Men - - - - - - -	0	15	0
Ditto from 251 Men and upwards - - - - - -	1	0	0

TRAINING AND EXERCISE.

24. For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:

For each Precept containing 50 Names and under - - - -	0	5	0
Ditto from 51 to 150 Names - - - - - - -	0	10	0
Ditto from 151 to 250 Names - - - - - - -	0	15	0
Ditto from 251 Names and upwards - - - - - -	1	0	0

And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Waiting to the Men enrolled to attend the Training and Exercise of the Militia:

For

	£	s.	d.
For each Precept containing 10 Names and under	0	0	6
Ditto from 11 to 30 Names	0	1	0
Ditto from 31 to 50 Names	0	2	6
Ditto from 51 to 70 Names	0	4	0
Ditto from 71 to 100 Names	0	7	0
Ditto from 100 upwards	0	10	0

25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:

For a Roll containing 20 Names and under	0	2	0
Ditto from 21 to 50 Names	0	5	0
Ditto from 51 to 150 Names	0	10	0
Ditto from 151 to 250 Names	0	15	0
Ditto from 251 and upwards	1	0	0

26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:

For a Subdivision furnishing 50 Men and under	0	5	0
Ditto from 51 to 150 Men	0	10	0
Ditto from 151 to 250 Men	0	15	0
Ditto from 251 and upwards	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day	0	5	0
31. For Stationery, per Annum	0	5	0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
34. For attending each Meeting of Lieutenancy, per Day	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's Annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Acts relating to the Militia, or by Her Majesty's Secretary of State, or (in Ireland) by the Lord Lieutenant, in execution of the Provisions of such Acts when the Militia is raised otherwise than by Ballot.

CLERKS OF GENERAL MEETINGS.

	Per Annum. £	s.	d.
For Trouble in executing the Duty required of them, including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200	15	0	0
Where the Quota is			
Above 200 and not exceeding 400	20	0	0
Above 400, and not exceeding 500	25	0	0

	£	s.	d.
And where the Quota exceeds 500, the following Additions for every 100, or fractional Part of 100:			
Above 500, and not exceeding 1,000	4	0	0
Above 1,000, and not exceeding 2,000	3	0	0
Above 2,000, and not exceeding 3,000	2	0	0
Above 3,000, and not exceeding 4,000	1	10	0
Above 4,000	1	0	0
The actual Expense incurred in printing or advertising, and for Postage:			
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State, or (in Ireland) of the Lord Lieutenant	2	2	0

CAP. CX.

An Act to provide for the Repayment of Monies advanced from the Exchequer to the County of *Mayo* for public Purposes. [11th *August* 1854.]

'WHEREAS under the Provisions of certain Acts of Parliament divers Sums of Money have been from Time to Time advanced by the Commissioners of the Treasury for the Erection and Maintenance of Public Works in the County of *Mayo*, and for other public Purposes in the said County, to be repaid by the said County or some Barony or Baronies thereof, and there is now due to the said Commissioners of the Treasury for Arrears on Foot of such Advances the Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling, the several Items whereof, and the Purposes for which the same respectively have been advanced, are set forth in the Schedule to this Act annexed: And whereas owing to the general Distress of the said County and other Causes it has become difficult to collect the said Arrears out of the Lands now charged therewith, and in consequence of the Death or Absence from the Country of several of the Grand Jury Cess Collectors it has become impossible to procure from them Affidavits that the said Sums are so in arrear, and that the same cannot be levied from the Persons or out of the Lands originally chargeable with the same, and it is doubtful whether (without the Production to them of such Affidavits) it is competent to the Grand Jury of the said County to re-present the said Arrears: And whereas it is expedient to provide for the Repayment by Instalments to the said Commissioners of the Treasury of the said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling, and to enable the Grand Jury of the said County to present the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grand Jury of Mayo may present Sum to be levied by Instalments in Discharge of Debt and Interest.

I. Notwithstanding anything in the One hundred and forty-fifth Section of the Act passed in the Session of Parliament held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter One hundred and sixteen, contained, and without the Production to them of such Affidavits as are by the same Section required, it shall and may be lawful for the Grand Jury of the County of *Mayo* and they are hereby required, at the next Assizes after the passing of this Act, to present the said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling to be levied off the said County (or the Barony or Baronies or other Denominations thereof off which the same was originally required by the Treasurer's Warrant to be collected), by Twenty equal half-yearly Instalments, or by such and so many half-yearly Instalments as the Commissioners of the Treasury shall direct, with Interest upon such Portion of the said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling as now bears Interest, and shall from Time to Time remain unpaid, and at the Rate at which the same Interest is now payable.

Directing when and how Instalments are to be levied.

II. The said Instalments and such Interest as aforesaid shall be levied off the said County or the Baronies or other Denominations liable thereto half-yearly after each successive Assizes, until the whole shall be levied and collected, and the First Instalment thereof, with such Interest as aforesaid, shall be levied immediately after the Assizes which shall happen next after the passing of this Act; and the Treasurer for the Time being of the County of *Mayo* shall and he is hereby required to applot and insert in his Warrant for levying the Sums presented at the said next Assizes the Amount of such First Instalment and Interest, and in like Manner, without further Presentment or Authority in that Behalf, to applot and insert from Time to Time in his Warrant or Warrants for levying the Sums presented at each succeeding Assizes the Amount of the said Instalments respectively, with such Interest as aforesaid, according as the same Instalments and Interest respectively shall from Time to Time become leviable, until the whole Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling, with such Interest as aforesaid, shall be so raised and levied.

If Grand Jury neglect or refuse, the Court to have Power to order the Sum to be raised.

III. In case the Grand Jury of the said County of *Mayo*, at the Assizes next after the passing of this Act, shall neglect or refuse duly to present the said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling, with the Interest and in the Manner by this Act provided, the Court shall have Power and is hereby required, before the finding of any of the other Presentments, to make an Order directing the said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling, with

with such Interest as aforesaid, to be raised and levied as if the same Sum and Interest had been so presented, and such Order shall have the Force and Effect of a Presentment; and the said Sum and Interest shall accordingly be inserted by the Instalments aforesaid in the Warrants of the Treasurer of the said County, and applotted and raised and levied and applied in like Manner, to all Intents and Purposes, as if the same had been duly presented by the said Grand Jury under the Provisions of this Act.

Instalments and Interest as aforesaid to be a Charge on the Rates, &c.

IV. Each such half-yearly Instalment and such Interest as aforesaid, according as the same shall from Time to Time become payable, shall be a Charge upon all Money, Rates, and Cesses whatsoever levied or collected for the Purposes of the said County or of the Baronies or other Denominations thereof upon which the same Instalments and Interest shall be applotted, in preference and priority to all other Liens, Charges, or Demands whatsoever upon the same County, Baronies, or other Denominations; and the Amount of such Instalments and Interest shall be paid by the Treasurer for the Time being of the said County, as and when the same shall become due, out of such Public Money, Rates, and Cesses as aforesaid as shall first come to his Hands, (so far as the same shall extend,) in priority and preference to any other Lien, Charge, or Demand whatsoever upon the same; and the said Treasurer shall pay over the said Amount to such Person and in such Manner as the said Commissioners of the Treasury shall from Time to Time direct: Provided always, that such Presentment and Payments shall (except as to the Priority lastly herein-before given to them) be without Prejudice to the Repayment of all other Advances which have been heretofore made or which may be hereafter made to the said County by the said Commissioners of the Treasury, and which are not comprehended in the aforesaid Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling.

SCHEDULE to which the foregoing Act refers.

ARREARS due on PRESENTMENTS passed by the GRAND JURY of the County of MAYO up to Spring Assizes, 1853, inclusive.

WHEN PRESENTED.	Roads and Bridges. 6 G. 4. c. 101.	Repairs of Post Roads. 6 & 7 W. 4. c. 116.	Gaols and Bridewells. 50 G. 3. c. 103. and 7 G. 4. c. 74.	Support of Lunatics. 6 G. 4. c. 54.	Constabulary. 6 W. 4. c. 13.	Public Works, 9 Vict. c. 2. and 9 & 10 Vict. c. 78.	Improvement of the River Shannon. 2 & 3 Vict. c. 61.	TOTAL.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Spring Assizes, 1850 -	—	—	—	—	646 2 8	279 18 0	—	926 0 8
Spring Assizes, 1852 -	631 1 1	27 15 0	575 0 0	677 9 0	429 0 11	1,856 16 10	142 16 9	4,339 19 7
Summer Assizes, 1852	—	41 2 6	—	—	397 18 0	1,856 16 10	—	2,295 17 4
Spring Assizes, 1853 -	—	148 6 8	575 0 0	632 2 6	358 17 5	—	77 14 3	1,792 0 10
£	631 1 1	217 4 2	1,150 0 0	1,309 11 6	1,831 19 0	3,993 11 8	220 11 0	9,353 18 5
Loans by the Board of Works under 1 & 2 W. 4. c. 33. - - -							76 5 11	
Ditto 6 & 7 Vict. c. 44. - - -							462 16 8	
								539 2 7
							£	9,893 1 0

C A P. CXI.

An Act to continue and amend the Metropolitan Sewers Acts. [11th *August* 1854.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty, "to consolidate and continue in force for Two Years, and to the End of the then next Session of Parliament, the Metropolitan Commissions of Sewers," and such Act has been amended by an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-three, and has been further amended and has been continued by an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five, and an Act passed in the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Sixty-four, and an Act of the last Session of Parliament, Chapter One hundred and twenty-five, and stood continued until the Seventh Day of *August* One thousand eight hundred and fifty-four: And whereas it is expedient to revive and continue the said Acts for such Period as herein mentioned, and to amend the same as herein provided:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

11 & 12 Vict. c. 112. 12 & 13 Vict. c. 93. 14 & 15 Vict. c. 75. 15 & 16 Vict. c. 64. 16 & 17 Vict. c. 125.

Metropolitan Sewers Acts continued till

I. The said first-mentioned Act, as amended by the other Acts herein-before mentioned and by this Act, shall be revived and continue in force until the Thirty-first Day of *August* One thousand eight hundred and

31st August 1855.

and fifty-five, in like Manner as if the Time so limited had been the Time originally limited by the said firstly-mentioned Act for the Continuance thereof.

Pending Vacancy in Office, or during Absence of Chairman or Deputy Chairman, Commissioners present to appoint a Person to preside at Court.

II. In case of a Vacancy in the Office of Chairman or Deputy Chairman under the Provisions of the said Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five, or in case of his or their Absence from any Court of Sewers, some other Commissioner shall be chosen, by the Majority of the Commissioners present, to preside at such Court; and in case there be an equal Number of Votes upon such Choice, then the Person proposed whose Name shall stand first in the Commission shall preside; and if there be an equal Division of Votes upon any Question, the Person so presiding at such Court shall, in addition to his own Vote as a Commissioner, have a Second or Casting Vote, as provided by the said firstly-mentioned Act; and the Person so chosen to preside shall have and perform all the Powers and Duties given to and required to be performed by the Chairman of the Metropolitan Commissioners of Sewers, under the Provisions of the said Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-five.

Limit of Amount to be borrowed on Security of Rates, 600,000*l.*

III. 'And whereas by the Second Section of the said Act passed in the last Session of Parliament, 'Chapter One hundred and twenty-five, it is enacted, that the Sum of Three hundred thousand Pounds 'shall be the Limit and Extent of the Debt due and owing on the Security of the Rates authorized to be 'made as therein mentioned at any one and the same Period of Time: And whereas it is expedient to 'extend the said Limit:' Be it therefore enacted, That the Sum of Six hundred thousand Pounds shall be the Limit and Extent of the Debt due and owing on the Security of the said Rates at any one and the same Period of Time; and that the said Second Section of the said last-mentioned Act shall be read and construed as if the Words "Six hundred thousand Pounds" had been inserted therein instead of the Words "Three hundred thousand Pounds" wherever such last-mentioned Words occur therein.

No Priority amongst Mortgagees or Annuitants, except with respect to existing Charges.

IV. All Persons to whom at the Time of the passing of this Act any Sums of Money are due and owing on the Security of the said Rates, whether in respect of any Mortgages made under the Powers of the said Acts or any of them, or in respect of any Securities made and entered into before the issuing of the First Commission under the first of such Acts, and all Persons to whom any Sums shall become due and owing in respect of any Mortgage of the said Rates made or to be made in pursuance of a certain Deed of Agreement bearing Date the Twentieth Day of *February* now last past, and made between the Metropolitan Commissioners of Sewers of the one Part, and *Robert Hudson*, *Charles Bladen Carruthers*, and *William Beckwith Towse*, Three of the Directors of the *Rock* Life Assurance Company, of the other Part, shall, in respect of such Debts and Securities, have Priority over and be entitled to be repaid the Sums so due and owing, or so to become due and owing to them, in preference to all other Mortgagees and Annuitants by whom Advances shall be made after the passing of this Act; and, subject to such Priority and Preference, every future Mortgagee or Annuitant shall be entitled to be repaid the Sums he shall advance, with Interest, or to be paid the Annuity which shall be granted to him, without any Preference over any other Mortgagee or Annuitant by reason of any Priority of Advance, or the Date of his Mortgage or other Security.

Securities to continue valid notwithstanding the Expiration of the Act or the Discontinuance of the Commission.

V. Notwithstanding the Expiration at any Time hereafter of the firstly herein-before recited Act, or of any Act or Provisions incorporated therewith, or in case at any Time hereafter no Commission of Sewers shall be in force under the said firstly-recited Act, all Mortgages and Annuities which at or immediately before the Time of the Expiration of the said firstly-recited Act, or of the Expiration or Determination of the Commission of Sewers which shall have been last in force thereunder (whichever of such Events shall first happen), shall be a Charge on all or any of the Rates authorized to be levied under the said firstly-recited Act and the Acts amending the same, shall continue valid and in full Force and to be a Charge on the Districts on which such Rates would have been authorized to be levied in case such Acts and Commission respectively had continued in force, and on the Property rateable thereto; and, unless Parliament otherwise provide, the Commissioners of Her Majesty's Treasury shall, with all convenient Speed after the Expiration of the said firstly-recited Act or the Expiration or Determination of such Commission, ascertain or cause to be ascertained the Liabilities of such Districts in respect of such Mortgages and Annuities, and where any such Mortgages or Annuities are charged on more than One District shall apportion or cause to be apportioned as between the respective Districts charged therewith the Liabilities under such Mortgages or Annuities, and shall certify the Amount of Charge to which each District is subject in respect of the Liabilities ascertained, or ascertained and apportioned as aforesaid, to the Clerk of the Peace for the County the Justices of which are herein-after authorized to make Rates in respect thereof upon each such District.

Quarter Sessions of the Metropolitan Counties to levy Rates required for such Securities.

VI. The Justices of the Peace for the County of *Middlesex* in Quarter Sessions assembled shall, as to the Parts charged by any such Mortgage or Annuity which may be situate on the North Side of the River *Thames*, and the Justices of the Peace for the County of *Kent* in Quarter Sessions assembled shall as to the Parts so charged within the Limits of the Sewerage Districts known as the *Greenwich* District and the *Ravensbourne* District, and the Justices of the Peace for the County of *Surrey* shall as to the Parts so charged which may be situate on the South Side of the River *Thames*, save and except the said *Greenwich* District and *Ravensbourne* District respectively, make, collect, demand, and levy, and exercise all and every the Powers and Authorities for and with reference to the making, demanding, collecting, and levying of all such Rates for the Payment of the Principal Money and Interest

Interest and Annuities, or the apportioned Part thereof respectively, certified by the Commissioners of the Treasury as aforesaid to the Clerk of the Peace of such respective County, as the Metropolitan Commissioners of Sewers might or could have done in case the said firstly-recited Act and any Act or Provisions incorporated therewith had not expired and a Metropolitan Commission of Sewers were in force thereunder; and all Money raised by means of such Rates shall be paid over to such Person or in such Manner as the said Commissioners of the Treasury may appoint for the Purpose of being applied towards Payment of the Principal and Interest and Annuities or apportioned Part thereof respectively certified as aforesaid.

Separate Districts may be formed for Sewerage Purposes of Places where no Sewers Rate at present raised.

VII. 'Whereas the Area included within the Limits of the Commission under the said first-mentioned 'Act comprises several Parts and Places in which no Sewers Rates have been raised or levied by the 'Commissioners acting by virtue of any Commission issued under the said first-mentioned Act, and in 'which such Commissioners have either wholly or for the most part, in pursuance of the Discretion 'vested in them by such first-mentioned Act, forborne to exercise their Jurisdiction: And whereas it 'may be convenient to form some of such Parts or Places into separate Districts for Sewerage Purposes, 'under the Jurisdiction and Control of Sewerage Boards, to be constituted in manner herein-after 'mentioned:' Be it enacted, That from Time to Time, upon an Application in Writing signed by not less than Two Thirds in Number of the Inhabitants of any of such Parts and Places as aforesaid which it may be proposed to form into a separate District for Sewerage Purposes, as herein-after mentioned, rated to the Relief of the Poor, describing therein or upon a Plan annexed thereto the Limits of such proposed District, and its Fitness, in respect of Extent, Situation, Fall of the Ground, and other Circumstances, to be formed into a separate District for Sewerage Purposes, and also showing that the said Inhabitants, rated as aforesaid, are desirous of immediately providing Sewerage by means of a Sewers Rate to be raised in such proposed District, not exceeding One Shilling in the Pound in the Year on the net annual Value of the Property therein rateable to the Relief of the Poor, or (in case there shall be no Rate for the Relief of the Poor) upon an Estimate of the net annual Value of such Property by a competent Person in that Behalf, and showing that fit and proper Sewers for such District can be made and provided at a Cost which can or may be defrayed by means of such Sewers Rate, or by Monies borrowed on the Security thereof, and that the Sewerage of such District can be conveniently managed and conducted by a Sewerage Board, to be constituted as herein-after mentioned, the said Commissioners shall thereupon proceed to examine and consider the said Application, and if, on such Examination and Consideration, they shall be of opinion that the several Parts and Places in the said Application mentioned or referred to can be conveniently and properly excepted from their Jurisdiction, and, either alone or together with other contiguous Parts and Places, formed into a separate District for Sewerage Purposes, as herein-after mentioned, they shall and may order and decree accordingly, and thereupon the several Parts and Places described in such Order and Decree shall be excepted from the Jurisdiction of the said Commissioners, and become subject to the Jurisdiction and Control of a Sewerage Board, to be appointed in manner herein-after mentioned.

Inhabitants to elect Sewerage Board of such Districts.

VIII. When and as often as any such District shall have been excepted from the Jurisdiction of the said Commissioners in manner aforesaid, it shall be lawful for the Inhabitants thereof rated to the Relief of the Poor therein, at a Public Meeting to be convened in manner hereinafter directed, to elect from their Number Seven Persons, duly qualified, to be and be called the Sewerage Board of such District, which Board shall be authorized and empowered forthwith to execute and superintend the Execution of the Works necessary for the Sewerage of such District, of which Board not less than Five shall be a Quorum; and within One Calendar Month next after the Date of any such Order and Decree as aforesaid the Churchwardens and Overseers of the Parish or Parishes either wholly or partly situate within such District, or the major Part of them, shall and they are hereby required, by public Notice to be affixed on the Outside of the principal public Buildings within the District, to call a Meeting of the Persons so rated to the Relief of the Poor as aforesaid, to be holden at a convenient Time and Place therein, to be specified in such Notice, for the Purpose of electing Seven Persons to be and constitute the Sewerage Board for such District.

Mode of Elections.

IX. On the Day so appointed for such Election the Ratepayers then rated to the Relief of the Poor and having been so rated for Six Calendar Months next preceding the Day of such Election, desirous of voting, shall meet at the Time and Place appointed, and shall then and there elect a Chairman from among themselves to preside at such Meeting, and shall thereupon proceed to the Election of Seven Persons, qualified as herein-after mentioned, to be and constitute the Sewerage Board of such District; and such Election shall take place by open Voting, and shall be decided by a Majority of Votes; and in case of an Equality of Votes the Chairman shall have a Casting Vote; and the Chairman shall at such Meeting declare the Names of the Ratepayers who shall have been so elected, and a List of the Persons so elected shall be forthwith affixed on the Outside of the principal public Buildings in such District.

Qualification of Members.

X. The Members of every such Sewerage Board to be elected at each and every Election under this Act shall be Persons qualified by Law to be elected Members of the Board of Guardians of any Union wholly or partly within such District.

Members of Sewerage Board to con-

XI. The Members of every Sewerage Board to be elected in manner aforesaid shall continue in Office until the Thirty-first Day of *August* One thousand eight hundred and fifty-five: Provided always, that

tinue in Office till 31st August 1855.

that in case of any Vacancy in the Number of Members aforesaid by Death, Resignation, or otherwise, the Majority of the remaining Members of such Board shall elect another Person, qualified as aforesaid, to supply such Vacancy.

Surveyor to be appointed.

XII. Every such Sewerage Board shall have Power to employ a Surveyor to make a Plan of Sewerage for such District, and shall be authorized to pay him reasonable Remuneration for his Services in this Behalf; and such Plan, when made and approved of by the Sewerage Board, shall be submitted by them to the said Commissioners, for their Consideration and Approval, who shall, if they see fit, have Power to direct any Alteration or Modification of such Plan, or to direct a new Plan to be made; and when a Plan of Sewerage for such District shall be approved by the Sewerage Board and by such Commissioners, the Sewerage Board shall execute the Works necessary for carrying such Plan into effect.

Power of Sewerage Board to make Rates, &c.

XIII. Every such Sewerage Board shall have, exercise, and observe within their District all the Powers, Authorities, and Obligations as to the making, demanding, levying, and enforcing of Rates, and the borrowing of Money on the Security of such Rates, and the Execution of Works, and the keeping and maintaining the same in repair, and the enforcing of the Drainage of Houses, and the Abolition of Nuisances, and all other the Powers, Authorities, and Obligations by the said Acts or any of them given to or imposed upon the Metropolitan Commissioners of Sewers: Provided always, that the Sewerage Board of any such District as aforesaid shall be and is hereby authorized and empowered to raise and levy Sewer Rates within the limits of such District for any Amount not exceeding in the whole in any One Year the Amount of One Shilling in the Pound on the net annual Value of the Property rateable to such Sewers Rate ascertained in manner aforesaid; provided also, that nothing herein contained shall authorize or empower any Sewerage Board constituted in manner aforesaid to cause any of their Sewers, constructed by them under the Provisions herein-before contained, to communicate with or discharge into any of the Sewers of the Metropolitan Commissioners of Sewers, without their Consent in Writing first had and obtained.

This Act incorporated with 11 & 12 Vict. c. 112.

XIV. This Act shall be deemed to be incorporated with "The Metropolitan Sewers Act, 1848," and shall be construed and taken as if this Act and "The Metropolitan Sewers Act, 1848," were One Act.

Saving as to certain Provisons of 12 & 13 Vict. c. 93. and 16 & 17 Vict. c. 125.

XV. Provided always, That this Act shall not be taken to abridge the Continuance of so much of the said Act of the Twelfth and Thirteenth Years of Her Majesty, and of so much of the said Act of the Sixteenth and Seventeenth Years of Her Majesty, as will not expire on or before the said Seventh Day of *August* One thousand eight hundred and fifty-four.

CAP. CXII.

An Act to afford greater Facilities for the Establishment of Institutions for the Promotion of Literature and Science and the Fine Arts, and to provide for their better Regulation.

[11th *August* 1854.]

'WHEREAS it is expedient that greater Facilities should be afforded for procuring and settling 'Sites and Buildings in trust for Institutions established for the Promotion of Literature, Science, 'or the Fine Arts, or for the Diffusion of useful Knowledge, and that other Provisions should be made 'for improving the legal Condition of such Institutions:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lands to be used as Sites for Institutions, &c.

I. Any Person in *England*, *Wales*, or *Ireland*, being seised in Fee Simple, Fee Tail, or for Life of and in any Manor or Lands of Freehold, Copyhold, or Customary Tenure, and having the present beneficial Interest therein, may grant, convey, or enfranchise, by way of Gift, Sale, or Exchange, in Fee Simple or for a Term of Years, any Quantity not exceeding One Acre of such Land, whether built upon or not, as a Site for any such Institution as herein-after described; provided, that no such Grant made by any Person seised only for Life of and in any such Manor or Lands shall be valid, unless, if there be any Person next entitled to the same in Remainder, in Fee Simple or Fee Tail, and if such Person be legally competent, he shall be a Party to and join in such Grant; provided also, that where any Portion of Waste or Commonable Land shall be gratuitously conveyed by any Lord of a Manor for any such Purpose as aforesaid, the Rights of all Commoners and others having Interest of a like Nature in the said Land shall be barred and divested by such Conveyance.

Chancellor and Council of the Duchy of Lancaster empowered to grant Lands for the Site of an Institution.

II. The Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being, by any Deed or Writing under the Hand and Seal of the Chancellor of the said Duchy for the Time being, attested by the Clerk of the Council of the said Duchy for the Time being, for and in the Name of Her Majesty, Her Heirs and Successors, may, if they see fit, grant, convey, or enfranchise, to or in favour of such Institution, any Land forming Part of the Possessions of the said Duchy, not exceeding in the whole One Acre in any One Parish, upon such Terms and Conditions as to the said Chancellor and Council shall seem meet; and where any Sum or Sums of Money shall be paid for the Purchase or Consideration for such Land so to be granted, conveyed, or enfranchised as aforesaid, the same shall be paid into the Hands of the Receiver General for the Time being of the said Duchy, or his Deputy, and shall be by him

him paid, applied, and disposed of according to the Provisions and Regulations contained in an Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, Chapter Seventy-three, or any other Act or Acts now in force for that Purpose.

Officers of the Duchy of Cornwall empowered, upon sufficient Authority, to grant Land for the Site of an Institution.

III. Any Three or more of the Principal Officers of the Duchy of *Cornwall*, under the Authority of a Warrant issued for that Purpose under the Hands of any Three or more of the Special Commissioners for the Time being for managing the Affairs of the Duchy of *Cornwall*, or under the Hands of any Three or more of the Persons who may hereafter for the Time being have the immediate Management of the said Duchy, if the said Duchy shall be then vested in the Crown, or if the said Duchy shall be then vested in a Duke of *Cornwall*, then under the Hands of any Three or more of the Principal Officers of the said Duchy, or under the Hands of any Three or more of the Persons for the Time being having the immediate Management of the said Duchy, may, if they think fit, and are so authorized, by Deed grant, convey, or enfranchise to or in favour of any existing or intended Institution any Land forming Part of the Possessions of the said Duchy of *Cornwall*, not exceeding in the whole One Acre in any One Parish, upon such Terms and Conditions as to the said Special Commissioners or Principal Officers, or such other Person as aforesaid, shall seem meet.

If Lands cease to be used for the Purposes of the Act they shall revert.

IV. Provided, That upon any Land so granted by way of Gift as aforesaid, or any Part thereof, ceasing to be used for the Purposes of the Institution, the same shall thereupon immediately revert to and become again a Portion of the Estate or Manor or Possessions of the Duchy, as the Case may be, to all Intents and Purposes as fully as if this Act or any such Grant as aforesaid had not been passed or made, except that where the Institution shall be removed to another Site, the Land not originally Part of the Possessions of either of the Duchies aforesaid may be exchanged or sold for the Benefit of the said Institution, and the Money received for Equality of Exchange or on the Sale may be applied towards the Erection or Establishment of the Institution upon the new Site.

Persons not having legal Estates empowered to convey Lands for Purposes of this Act without the Concurrence of their Trustees.

V. Where any Person shall be equitably entitled to any Manor or Land, but the legal Estate therein shall be vested in some Trustee or Trustees, it shall be sufficient for such Person to convey the Land proposed to be granted for the Purpose of this Act, without the Trustee or Trustees being Party to the Conveyance thereof; and where it is deemed expedient to purchase for the purpose aforesaid any Land belonging to or vested in any Infant or Lunatic, such Land may be conveyed by the Guardian or Curator of such Infant or the Committee of such Lunatic respectively, who may receive the Purchase Money for the same, and give valid and sufficient Discharges to the Party paying such Purchase Money, who shall not be required to see to the Application thereof.

Corporation, Justices, Trustees, &c. to convey Lands for the Purposes of this Act.

VI. Any Corporation, Ecclesiastical or Lay, whether sole or aggregate, and any Officers, Justices of the Peace, Trustees, or Commissioners, holding Land for public, ecclesiastical, parochial, charitable, or other Purposes or Objects, may, subject to the Provisions herein-after mentioned, grant, convey, or enfranchise for the Purpose of this Act such Quantity of Land as aforesaid, in any Manner vested in such Corporation, Officers, Justices, Trustees, or Commissioners; provided, that no Ecclesiastical Corporation Sole, being below the Dignity of a Bishop, shall be authorized to make such Grant without the Consent in Writing of the Bishop of the Diocese to whose Jurisdiction the said Ecclesiastical Corporation shall be subject; provided also, that no Parochial Property shall be granted for such Purpose without the Consent of a Majority of the Ratepayers and Owners of Property in the Parish to which the same belongs, assembled at a Meeting to be convened according to the Mode pointed out in the Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in* England *and* Wales, and without the Consent of the Poor Law Board, to be testified by their Seal being affixed to the Deed of Conveyance, and of the Guardians of the Poor of the Union within which the said Parish may be comprised, or of the Guardians of the Poor of the said Parish where the Administration of the Relief of the Poor therein shall be subject to a Board of Guardians, testified by the Guardians of such Union or Parish being the Parties to convey the same; and that no Property held upon Trust for charitable Purposes shall be granted without the Consent of the Charity Commissioners.

5 & 6 W. 4. c. 69.

How such Parties may convey.

VII. Where any Officers, Trustees, or Commissioners, other than Parochial Trustees, shall make any such Grant, it shall be sufficient if a Majority or Quorum authorized to act of such Officers, Trustees, or Commissioners, assembled at a Meeting duly convened, shall assent to such Grant, and shall execute the Deed of Conveyance, although they shall not constitute a Majority of the actual Body of such Officers, Trustees, or Commissioners; and the Justices of the Peace may give their Consent to the making any Grant of Land or Premises belonging to any County, Riding, or Division by Vote at their General Quarter Sessions, and may direct the same to be made in the Manner directed to be pursued on the Sale of the Sites of Gaols by an Act passed in the Seventh Year of the Reign of His late Majesty *George* the Fourth, intituled *An Act to authorize the Disposal of unnecessary Prisons in* England.

7 G. 4. c. 18.

Where Part only of Lands subject to a Rent under Lease is conveyed, the Rent and Fine upon

VIII. If Part only of any Land held in Fee subject to a perpetual Rent, or comprised in a Lease for a Term of Years unexpired, shall be conveyed or agreed to be conveyed for the Purpose of this Act, the Rent payable in respect of the Lands subject thereto, and any Fines certain or fixed Sum of Money to be paid upon any Renewals of the Lease, or either of such Payments, may be apportioned between the Part of the said Land so conveyed or agreed to be conveyed and the Residue thereof, and such Apportionment may be settled by Agreement between the Parties following; that is to say, the Person for the Time being

Renewal of Lease may be apportioned.

being entitled to the Rent where the Land is held in Fee or the Lessor or other the Owner subject to such Lease of the Lands comprised therein, the Person entitled to the Fee subject to the Rent, or the Lessee or other Party entitled to the Land by virtue of such Lease or any Assignment thereof for the Residue of the Term thereby created, and the Party to whom such Conveyance as aforesaid for the Purpose of this Act is made or agreed to be made; and when such Apportionment shall so be made it shall be binding on all Under-lessees and other Persons and Corporations whatsoever, whether Parties to the said Agreement or not.

Liabilities of Tenants, and Remedies of Landlords as to Lands not conveyed.

IX. In case of any such Apportionment as aforesaid, and after the Lands so conveyed or agreed to be conveyed as aforesaid shall have been conveyed, the Person entitled to the Fee or other Estate in the Lands subject to the Rent, the Lessee, and all Parties entitled under him to the Lands not included in such Conveyance, shall, as to all future accruing Rent, and all future Fines certain or fixed Sums of Money to be paid upon Renewals, be liable only to so much of the Rent or of such Fines or Sums of Money as shall be apportioned in respect of such last-mentioned Lands; and the Party entitled to the Rent charged or reserved shall have all the same Rights and Remedies for the Recovery of such Portion of the Rent as last aforesaid as previously to such Apportionment he had for the Recovery of the whole Rent charged or reserved; and all the Covenants, Conditions, and Agreements, except as to the Amount of Rent to be paid, and of the Fines or Sums of Money to be paid upon Renewals, in case of any Apportionment of the same respectively, shall remain in force with regard to that Part of the Land which shall not be so conveyed as aforesaid, in the same Manner as they would have done in case such Part only of the Land had been subject to the Rent or included in the Lease.

Sites may be granted for separate Institutions.

X. Any Person or Corporation may grant any Number of Sites for distinct and separate Institutions, although the aggregate Quantity of Land thereby granted by such Person or Corporation shall exceed the Extent of One Acre, provided that the Site of each Institution do not exceed that Extent.

Grants of Site may be made to Corporations or Trustees.

XI. Where the Institution shall not be incorporated, the Grant of any Land for the Purpose of such Institution, whether taking effect under the Authority of this Act, or any other Authority, may be made to any Corporation Sole or Aggregate, or to several Corporations Sole, or to any Trustees whatsoever, to be held by such Corporation or Corporations or Trustees for the Purpose of such Institution.

Incorporation of 13 & 14 Vict. c. 28.

XII. The Provisions of the Act of the Fourteenth *Victoria*, Chapter Twenty-eight, shall be applicable to the Conveyances of Lands in *England*, *Wales*, and *Ireland* made or to be made to Trustees, not being Corporations, for the Purposes of such Institutions.

Form of Grants, &c.

XIII. All Grants, Conveyances, and Assurances of any Site for an Institution under the Provisions of this Act may be made according to the Form following, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

'I, *or* we, [*or the Corporate Title of a Corporation,*] under the Authority of an Act passed in the
'Year of the Reign of Her Majesty Queen Victoria, intituled do hereby
'freely and voluntarily, and without any valuable Consideration [*or* do in consideration of the Sum of
'to me, *or* us, *or* the said paid], grant and convey [*add, if necessary,* enfran-
'chise] to all [*Description of the Premises*] and all [my, *or* our, *or* the Right, Title, and
'Interest of the to and in the same and every Part thereof, to hold unto and to the Use
'of the said Corporation and their Successors, *or* of the said and his *or* their [Heirs *or*
'Executors *or* Administrators *or* Successors], for the Purposes of the said Act, and to be applied as a
'Site for and for no other Purpose whatever; such to be
'under the Management and Control of [*set forth the Mode in which and the Persons by whom the Insti-*
'tution is to be managed and directed; in Cases where the Land is purchased, exchanged or demised, usual
'Covenants or Obligations for Title may be added]. In witness whereof the conveying and other Parties
'have hereunto set their Hands and Seals, [*or* Seals *only, as the Case may be,*] this Day of
'. Signed, sealed, and delivered by the said in the Presence
'of of .'

And no Bargain and Sale or Livery of Seisin shall be requisite in any Conveyance intended to take effect under the Provisions of this Act, nor more than One Witness to the Execution by the conveying Party.

Death of Donor not to invalidate Grant.

XIV. Any Deed executed for the Purposes of any Institution to which this Act applies, without any valuable Consideration, shall continue valid, if otherwise lawful, although the Donor or Grantor shall die within Twelve Calendar Months from the Execution thereof.

Mode of conveying the Lord's Interest and that of the Copyholder in Copyhold Land.

XV. Where Land of Copyhold or Customary Tenure shall have been or shall be granted for the Purpose of such Institution, the Conveyance of the same by any Deed wherein the Copyholder shall grant and convey his Interest, and the Lord shall also grant and convey his Interest, shall be deemed to be valid and sufficient to vest the Freehold Interest in the Grantee or Grantees thereof without any Surrender or Admittance or Enrolment in the Lord's Court, but the Fees (if any) payable by the Custom of the Manor upon Enfranchisement shall be paid to the Steward.

Application of Purchase Money for Land sold by

XVI. Where any Land shall be sold by any Ecclesiastical Corporation Sole for the Purpose of this Act, and the Purchase Money to be paid shall not exceed the Sum of Twenty Pounds, the same may be retained by the Party conveying for his own Benefit, but when it shall exceed the Sum of Twenty Pounds it shall be applied for the Benefit of the said Corporation in such Manner as the Bishop in whose Diocese

such

such Land shall be situated shall, by Writing under his Hand, to be registered in the Registry of his Diocese, direct and appoint; but no Person purchasing such Land for the Purpose aforesaid shall be required to see to the due Application of any such Purchase Money. any Ecclesiastical or Corporation Sole.

XVII. In Cases not otherwise provided for in this Act, the Clauses Sixty-nine, Seventy, Seventy-one, Seventy-two, Seventy-three, Seventy-four, and Seventy-eight of the Lands Clauses Consolidation Act, One thousand eight hundred and forty-five, being the Eighth and Ninth *Victoria*, Chapter Eighteen, shall apply in respect of the Application of the Purchase Money of all Sites purchased from incapacitated Persons, Corporations, and Trustees hereby empowered to sell, other than the Chancellor and Council of the Duchy of *Lancaster* and the Officers of the Duchy of *Cornwall*. Certain Clauses of the 8 & 9 Vict. c. 18. rendered applicable to this Act.

XVIII. If it shall be deemed advisable to sell any Land or Building not previously Part of the Possessions of the Duchy of *Lancaster* or *Cornwall* held in trust for any Institution, or to exchange the same for any other Site, the Trustees in whom the legal Estate in the said Land or Building shall be vested may, by the Direction or with the Consent of the governing Body of the said Institution, if any such there be, sell the said Land or Building, or Part thereof, or exchange the same for other Land or Building suitable to the Purposes of their Trust, and receive on any Exchange any Sum of Money by way of effecting an Equality, and apply the Money arising from such Sale or given on such Exchange in the Purchase of another Site, or in the Improvement of other Premises used or to be used for the Purposes of such Trust; and such Trustees may, with like Direction or Consent, let Portions of the Premises belonging to the Institution not required for the Purposes thereof, for such Term, and under such Covenants or Agreements, as shall be deemed by such governing Body to be expedient, and apply the Rents thereof to the Benefit of the Institution. Trustees may sell or exchange Lands or Buildings; or may let.

XIX. The Trustees of such Institution who, by reason of their being the legal Owner of the Building or Premises, shall become liable to the Payment of any Rate, Tax, Charge, Costs, or Expenses, shall be indemnified and kept harmless by the governing Body thereof from the same, and in default of such Indemnity shall be entitled to hold the said Building or Premises and other Property vested in them as a Security for their Reimbursement and Indemnification, and, if Necessity shall arise, may mortgage or sell the same, or Part thereof, free from the Trusts of the Institution, and apply the Amount obtained by such Mortgage or Sale to their Reimbursement, and the Balance (if any) to the Benefit of the Institution, subject to the Restrictions herein-before contained with regard to Lands given and Lands belonging to the Duchies aforesaid. Trustees to be indemnified from Charges; in default thereof empowered to mortgage or sell the Premises.

XX. Where any Institution shall be incorporated, and have no Provision applicable to the Personal Property of such Institution, and in all Cases where the Institution shall not be incorporated, the Money, Securities for Money, Goods, Chattels, and Personal Effects belonging to the said Institution, and not vested in Trustees, shall be deemed to be vested for the Time being in the governing Body of such Institution, and in all Proceedings, civil and criminal, may be described as the Monies, Securities, Goods, Chattels, and Effects of the governing Body of such Institution by their proper Title. Property of Institution, how to be vested.

XXI. Any Institution incorporated which shall not be entitled to sue and be sued by any corporate Name, and every Institution not incorporated, may sue or be sued in the Name of the President, Chairman, principal Secretary, or Clerk, as shall be determined by the Rules and Regulations of the Institution, and, in default of such Determination, in the Name of such Person as shall be appointed by the governing Body for the Occasion; provided, that it shall be competent for any Person having a Claim or Demand against the Institution to sue the President or Chairman thereof, if, on Application to the governing Body, some other Officer or Person be not nominated to be the Defendant. How Suits by and against Institutions to be brought.

XXII. No Suit or Proceeding in any Civil Court shall abate or discontinue by reason of the Person by or against whom such Suit or Proceedings shall have been brought or continued dying or ceasing to fill the Character in the Name whereof he shall have sued or been sued, but the same Suit or Proceeding shall be continued in the Name of or against the Successor of such Person. Suits not to abate or discontinue.

XXIII. If a Judgment shall be recovered against the Person or Officer named on behalf of the Institution, such Judgment shall not be put in force against the Goods, Chattels, or Lands, or against the Body of such Person or Officer, but against the Property of the Institution, and a Writ of Revivor shall be issued setting forth the Judgment recovered, the fact of the Party against whom it shall have been recovered having sued or having been sued, as the Case may be, on behalf of the Institution only, and requiring to have the Judgment enforced against the Property of the Institution. How Judgment to be enforced against.

XXIV. In any Institution the governing Body, if not otherwise legally empowered to do so, may, at any Meeting specially convened according to its Regulations, make any Byelaw for the better Governance of the Institution, its Members or Officers, and for the Furtherance of its Purpose and Object, and may impose a reasonable pecuniary Penalty for the Breach thereof, which Penalty, when accrued, may be recovered in any local Court of the District wherein the Defendant shall inhabit or the Institution shall be situated, as the governing Body thereof shall deem expedient: Provided always, that no pecuniary Penalty imposed by any Byelaw for the Breach thereof shall be recoverable unless the Byelaw shall have been confirmed by the Votes of Three Fifths of the Members present at a Meeting specially convened for the Purpose. Institution may make Byelaw to be enforce.

XXV. Any Member who may be in arrear of his Subscription according to the Rules of the Institution, or may be or shall possess himself of or detain any Property of the Institution in a Manner or for a Time contrary Members liable to be sued as Strangers.

contrary to such Rules, or shall injure or destroy the Property of the Institution, may be sued in the Manner herein-before provided; but if the Defendant shall be successful in any Action or other Proceeding at the Instance of the Institution, and shall be adjudged to recover his Costs, he may elect to proceed to recover the same from the Officer in whose Name the Suit shall be brought, or from the Institution, and in the latter Case shall have Process against the Property of the said Institution in the Manner above described.

Members guilty of Offences punishable as Strangers.

XXVI. Any Member of the Institution who shall steal, purloin, or embezzle the Money, Securities for Money, Goods, and Chattels of the Institution, or wilfully and maliciously, or wilfully and unlawfully, destroy or injure the Property of such Institution, or shall forge any Deed, Bond, Security for Money, Receipt, or other Instrument, whereby the Funds of the Institution may be exposed to Loss, shall be subject to the same Prosecution, and if convicted shall be liable to be punished in like Manner, as any Person not a Member would be subject and liable to in respect of the like Offence.

Institutions enabled to alter, extend, or abridge their Purposes.

XXVII. Whenever it shall appear to the governing Body of any Institution (not having a Royal Charter, nor established by nor acting under any Act of Parliament), which has been established for any particular Purpose or Purposes, that it is advisable to alter, extend, or abridge such Purpose, or to amalgamate such Institution, either wholly or partially, with any other Institution or Institutions, such governing Body may submit the Proposition to their Members in a written or printed Report, and may convene a Special Meeting for the Consideration thereof according to the Regulations of the Institution; but no such Proposition shall be carried into effect unless such Report shall have been delivered or sent by Post to every Member Ten Days previous to the Special Meeting convened by the governing Body for the Consideration thereof, nor unless such Proposition shall have been agreed to by the Votes of Three Fifths of the Members present at such Meeting, and confirmed by the Votes of Three Fifths of the Members present at a Second Special Meeting convened by the governing Body at an Interval of One Month after the former Meeting.

Power to Board of Trade to suspend such Alteration, if applied to by Two Fifths Dissentients.

XXVIII. If any Members of the Institution, being not less than Two Fifths in Number, consider that the Proposition so carried is calculated to prove injurious to the Institution, they may, within Three Months after the Confirmation thereof, make Application in Writing to the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations, who, at their Discretion, shall entertain the Application, and if, after due Inquiry, they shall decide that the Proposition is then calculated to prove injurious to the Institution, the same shall not be then carried into effect; but such Decision shall not prevent the Members of such Institution from reconsidering the same Proposition on a future Occasion.

Provision for the Dissolution of Institutions and Adjustment of their Affairs.

XXIX. Any Number not less than Three Fifths of the Members of any Institution may determine that it shall be dissolved, and thereupon it shall be dissolved forthwith, or at the Time then agreed upon, and all necessary Steps shall be taken for the Disposal and Settlement of the Property of the Institution, its Claims and Liabilities, according to the Rules of the said Institution applicable thereto, if any, and if not, then as the governing Body shall find expedient; provided, that in the event of any Dispute arising among the said governing Body or the Members of the Institution the Adjustment of its Affairs shall be referred to the Judge of the County Court of the District in which the principal Building of the Institution shall be situated, and he shall make such Order or Orders in the Matter as he shall deem requisite, or, if he find it necessary, shall direct that Proceedings shall be taken in the Court of Chancery for the Adjustment of the Affairs of the Institution.

Upon a Dissolution, no Member to receive Profit. Proviso for Joint Stock Companies.

XXX. If upon the Dissolution of any Institution there shall remain, after the Satisfaction of all its Debts and Liabilities, any Property whatsoever, the same shall not be paid to or distributed among the Members of the said Institution or any of them, but shall be given to some other Institution, to be determined by the Members at the Time of the Dissolution, or in Default thereof by the Judge of the County Court aforesaid; provided, however, that this Clause shall not apply to any Institution which shall have been founded or established by the Contributions of Shareholders in the Nature of a Joint Stock Company.

Who is a Member.

XXXI. For the Purposes of this Act, a Member of an Institution shall be a Person who, having been admitted therein according to the Rules and Regulations thereof, shall have paid a Subscription, or shall have signed the Roll or List of Members thereof; but in all Proceedings under this Act no Person shall be entitled to vote or be counted as a Member whose current Subscription shall be in arrear at the Time.

The governing Body defined.

XXXII. The governing Body of the Institution shall be the Council, Directors, Committee, or other Body to whom, by Act of Parliament, Charter, or the Rules and Regulations of the Institution, the Management of its Affairs is entrusted; and if no such Body shall have been constituted on the Establishment of the Institution, it shall be competent for the Members thereof, upon due Notice, to create for itself a governing Body to act for the Institution thenceforth.

To what Institutions the Act shall apply.

XXXIII. The Act shall apply to every Institution for the Time being established for the Promotion of Science, Literature, the Fine Arts, for Adult Instruction, the Diffusion of useful Knowledge, the Foundation or Maintenance of Libraries or Reading Rooms for general Use among the Members or open to the Public, of Public Museums and Galleries of Paintings and other Works of Art, Collections of Natural History, Mechanical and Philosophical Inventions, Instruments, or Designs; provided, that the Royal

Royal Institution, and the *London* Institution for the Advancement of Literature and the Diffusion of useful Knowledge, shall be exempt from the Operation of this Act.

XXXIV. The Term "Parish" shall signify herein any Place separately maintaining its own Poor. Parish defined.

XXXV. In all Deeds, Documents, Proceedings, Suits, and Prosecutions this Act may be cited and described by the Name of "The Literary and Scientific Institutions Act, 1854." Short Title of the Act.

CAP. CXIII.

An Act to amend the Law relating to the Administration of the Estates of deceased Persons. [11th *August* 1854.]

'WHEREAS it is expedient that the Law whereunder the Real and Personal Assets of deceased 'Persons are administered should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. When any Person shall, after the Thirty-first of *December* One thousand eight hundred and fifty-four, die seised of or entitled to any Estate or Interest in any Land or other Hereditaments which shall at the Time of his Death be charged with the Payment of any Sum or Sums of Money by way of Mortgage, and such Person shall not, by his Will or Deed or other Document, have signified any contrary or other Intention, the Heir or Devisee to whom such Land or Hereditaments shall descend or be devised shall not be entitled to have the Mortgage Debt discharged or satisfied out of the Personal Estate or any other Real Estate of such Person, but the Land or Hereditaments so charged shall, as between the different Persons claiming through or under the deceased Person, be primarily liable to the Payment of all Mortgage Debts with which the same shall be charged, every Part thereof, according to its Value, bearing a proportionate Part of the Mortgage Debts charged on the whole thereof: Provided always, that nothing herein contained shall affect or diminish any Right of the Mortgagee on such Lands or Hereditaments to obtain full Payment or Satisfaction of his Mortgage Debt either out of the Personal Estate of the Person so dying as aforesaid or otherwise: Provided also, that nothing herein contained shall affect the Rights of any Person claiming under or by virtue of any Will, Deed, or Document already made or to be made before the First Day of *January* One thousand eight hundred and fifty-five. Heir or Devisee of Real Estate not to claim Payment of Mortgage out of Personal Assets. Not to affect Rights claimed under any Will, &c. before 1st Jan. 1855.

II. This Act shall not extend to *Scotland*. Extent of Act.

CAP. CXIV.

An Act to extend the Rights enjoyed by the Graduates of the Universities of *Oxford* and *Cambridge* in respect to the Practice of Physic to the Graduates of the University of *London*. [11th *August* 1854.]

'WHEREAS a Body Politic and Corporate, by the Name of the University of *London*, has been 'constituted by the Royal Charter of Her present Majesty, with Power after Examination to con-'fer the several Degrees of Bachelor of Medicine and Doctor of Medicine: And whereas it is expedient 'that such and the same Privileges relating to the Practice of Physic as are enjoyed by Graduates in 'Medicine of either of the Universities of *Oxford* and *Cambridge*, by virtue of their Degrees, or under 'any Authority or Licence now conferred upon them by either of the said last-mentioned Universities, 'should be enjoyed by the Graduates in Medicine of the University of *London*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Every Bachelor of Medicine and Doctor of Medicine of the said University of *London* shall by virtue of his Degree, and without the Necessity of undergoing any further Examination, or of obtaining any further Authority or Licence, be forthwith entitled to practise Physic, as fully, effectually, and extensively in all respects as any Bachelor of Medicine or Doctor of Medicine of either of the said Universities of *Oxford* and *Cambridge* is entitled to practise by virtue of his Degree or under any Power, Licence, or Authority now conferred by either of the said last-mentioned Universities: Provided always, that the Privileges hereby conferred shall not be construed so as to extend to the Practice of Surgery, Pharmacy, or Midwifery. Graduates of the University of London may practise in same Manner as in Universities of Oxford and Cambridge.

II. 'And whereas it is apprehended that divers Graduates in Medicine of the said University of *London* 'are or may become exposed to divers Forfeitures, Pains, or Penalties by reason of their having practised 'Physic in all or some or one of its Branches, or of their having done Acts as or under the Description of 'Physicians, or Practitioners of Physic, in all or some or one of its Branches, without any other Qualification 'for so doing than their having studied for and obtained the Medical Degrees of the last-mentioned Uni-'versity, and in particular it is apprehended that under the Act passed in the Session of Parliament 'held in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Ninety-six, 'and the Lunatic Asylums Act, 1853, any Graduate of the University of *London* practising as a Physician, 'if not otherwise answering to the Definition of a Physician set forth in the Interpretation Clauses to 'such Acts, who may have signed any Certificates under those Acts or either of them, in which he shall Graduates in Medicine of the University of London indemnified for having acted without having obtained Authority from Universities of Oxford or Cambridge.

'have been described as a Physician, is liable to be indicted for a Misdemeanor:' Be it enacted, That all such Graduates in Medicine of the said University of *London* who have so practised Physic, or have so done any such Act, or signed any such Certificate as aforesaid, shall be indemnified, freed, and discharged from all such Forfeitures, Pains, Penalties, and Disabilities as they would or might have been exempt from had they taken their several Degrees at or obtained Authority or Licence to practise from either of the said Universities of *Oxford* and *Cambridge*, and that all such Acts and Certificates heretofore done or signed by any Graduate in Medicine of the said University of *London* shall be deemed to all Intents and Purposes as valid and effectual as if this Act had passed previously to the doing or signing such Acts and Certificates respectively.

Short Title.

III. This Act may be cited as "The University of *London* Medical Graduates Act, 1854."

CAP. CXV.

An Act to amend the Law relative to the Removal of Prisoners in Custody.

[11th *August* 1854.]

'WHEREAS by the several Acts of Parliament made and passed for regulating Gaols and Houses of Correction in *England*, *Wales*, and *Ireland*, and for the better ordering of Prisoners, Provision is made for the Custody and Treatment of Debtors as One of the Classes of Prisoners to be confined therein: And whereas in some Counties Prisoners for Debt and for Contempt of Court are confined in separate Prisons not being Gaols within the Meaning of the said Acts for regulating Gaols and Houses of Correction and for better ordering of Prisons, and Doubts have arisen whether such Prisoners for Debt and Contempt of Court may be lawfully removed to and confined in such last-mentioned Gaols, and it is expedient that such Doubts should be removed, and that the Powers given by Law for the Removal of Prisoners in Custody should be enlarged and rendered more generally applicable:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

If Common Gaol be adapted for Reception of Debtors as a Class, they may be removed thereto.

I. From and after the passing of this Act, when the Common Gaol for any County in *England*, *Wales*, or *Ireland* shall be adapted for Debtors as a Class of Prisoners to be confined therein, it shall be lawful for the Sheriff of such County, or any other Person having Custody of Persons for Debt within any County, to remove to such Common Gaol all Prisoners in his Custody for Debt or Contempt of Court from any Prison in which they may be confined, and such Common Gaol shall be deemed the legal Place of Custody for such Debtors, and no such Removal shall be deemed or taken to be an Escape.

No such Removal to take place till after Certificate by Inspector of Prisons.

II. Provided always, That no such Removal shall take place until One of Her Majesty's Inspectors of Prisons, acting for the County in which such Common Gaol is situate, on the Application of Her Majesty's Justices of the Peace for such County in Quarter Sessions assembled, shall have signed and transmitted to the Clerk of the Peace for the said County a Certificate in the Form or to the Effect in the Schedule to this Act annexed, nor until One of Her Majesty's Principal Secretaries of State or the Chief Secretary for *Ireland* shall, by Warrant under his Hand, direct and authorize such Removal.

After such Removal Debtors may be sent to such Gaol.

III. From and after such Removal as aforesaid, it shall be lawful for the Sheriff of the County to send to and confine in such Common Gaol all future Prisoners for Debt or for Contempt of Court, which Common Gaol shall be deemed the legal Place for their Confinement, any Local Act or Usage to the contrary notwithstanding.

Where Governor of Common Gaol appointed by other Authority than Sheriff it shall be lawful for him to give Security.

IV. 'And whereas in some Counties in *England* and *Wales* the Keeper or Governor of the Common Gaol is by Usage or under some legal Authority appointed by the Justices in Quarter Sessions assembled, and in *Ireland* by Boards of Superintendence and not by the Sheriff:' Be it enacted, That in all Cases in which the Keeper of any Common Gaol (in which Debtors are or under this Act may be confined) shall be appointed by any Authority other than that of the Sheriff, it shall and may be lawful for the Keeper so appointed to give Security by Bond or otherwise to the Sheriff for the Time being for the safe keeping of all such Debtors as may be placed in his Custody, and such Bond or other Security may be made and given to such Sheriff for the Time being, and shall and may be prosecuted by such Sheriff in case of Default of such Keeper.

Sheriff not relieved from present Obligations.

V. Provided nevertheless, That, except as aforesaid, nothing herein contained shall tend to relieve the Sheriff of any County from the Duty of keeping the Common Gaol in the same Manner as is now by Law required from him.

Present Powers for disposing of unnecessary Prisons not disturbed.

VI. All the Powers and Provisions of the several Acts of Parliament in force authorizing the Disposal of unnecessary Prisons shall and may be exercised and applied for the Sale and Disposition of any Prison rendered unnecessary by this Act having been carried into effect in any County, in the same Manner as if such last-mentioned Prison were a Gaol or Prison within the Words or Meaning of the said several Acts of Parliament or any of them.

Allowances to Keepers of Gaols to be continued where superseded by this Act.

VII. 'Whereas by the Act Fifty-five *George* the Third, Chapter Fifty, Section Two, the Justices of the Peace in Quarter Sessions are authorized to make Allowances to certain Gaolers by way of Compensation for Fees abolished by that Act: And whereas by the Act Seventh and Eighth *Victoria*, Chapter Ninety-six, Section Seventy, it is enacted that every Keeper or other Officer of any Debtors

'Prison

'Prison whose Emoluments should be diminished by that Act might make Claim for Compensation, and 'the Commissioners of Her Majesty's Treasury were thereby authorized to award a gross or yearly 'Sum in respect thereof:' Be it enacted, That the Justices of the Peace assembled in Quarter Sessions may order and direct that the Allowance (or such Part thereof as they may think fit) hitherto made to the Keeper of any Gaol which may become unnecessary by virtue of the Provisions of this Act may be continued for and during the Life of such Keeper, and the Commissioners of Her Majesty's Treasury may continue the Allowance (or such Part thereof as they may think fit) hitherto made to the Keeper of any such Gaol for and during the Life of such Keeper.

SCHEDULE.

Form of Certificate.

I hereby certify, that I have inspected
The new Common Gaol
or
The Alterations and Additions made to the Common Gaol
} of the County of

and particularly that Portion of the Building which it is proposed to appropriate for the Custody of Debtors; and I further certify, that the same is in a fit and proper State for the Reception of such Prisoners as are or may be confined in Prison for Debt or Contempt of Court within the Jurisdiction of the Sheriff of the said County.

CAP. CXVI.

An Act to continue and amend an Act to facilitate the Management and Improvement of Episcopal and Capitular Estates in *England.* [11th *August* 1854.]

'WHEREAS the Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter One 'hundred and four, was limited to Three Years from the End of the then Session of Parliament, 'and it is expedient to continue and amend the same Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

14 & 15 Vict. c. 104. continued.

I. The said Act, as amended by this Act, shall continue in force for Two Years from the End of the present Session of Parliament.

On Sale or Exchange of Part of Lands, &c. comprised in any Lease, Rent may be apportioned.

II. The Powers and Provisions contained in the Second Section of the said Act shall extend to all Cases in which, on the Sale, Exchange, or Enfranchisement, under the Authority of the said Act or of this Act, of a Part only of any Lands or other Hereditaments comprised in any Lease or Copy of Court Roll, the Church Estates Commissioners may deem it expedient to apportion the Rent reserved by or payable under the Lease or Grant to the Ecclesiastical Corporation by whom such Lease or Grant may have been made.

Trustees of Will or Settlement may raise Money for Enfranchisement.

III. In any Case in which the legal Estate and Interest under any Lease or Grant made by any such Ecclesiastical Corporation may be vested in any Person or Persons in trust for any other Person or Persons, according to the Limitations of any Will or Settlement, where such Will or Settlement contains a Direction or Power to such Trustees to raise Money for the Purpose of procuring a Renewal of such Lease or Grant, it shall be lawful for the same Trustees to raise Money for the Purpose of purchasing the Reversion of or otherwise enfranchising the Property comprised in such Lease or Grant, in the same Manner, and subject to the same Conditions, *mutatis mutandis*, so far as the same may be applicable to the Case, as may be specified in such Will or Settlement with reference to the raising of Money for the Purpose of renewing such Lease or Grant.

Arbitrators may be named.

IV. In every Case where a Treaty shall have been entered into, under the Provisions of this Act or of the said recited Act, for the Sale, Purchase, or Exchange of any Episcopal or Capitular Estate in *England*, or of any Interest in such Estate, it shall be lawful, by the Consent of both Parties to such Treaty, and with the Approbation of the Church Estates Commissioners, to refer to Arbitration the Finding of the annual Value of such Estate, and of the Value of the Fee Simple thereof, or either of such Values, subject to the Exceptions and Reservations, if any, to be excepted and reserved thereout, and that such Finding shall be adopted in computing the Terms of such Sale, Purchase, or Exchange, regard being had, in the final Settlement of such Terms in every such Case, to the just and reasonable Claims of the present Holders of Land under Lease or otherwise, arising from the long-continued Practice of Renewal, and that in every such Case One Arbitrator shall be appointed by the Church Estates Commissioners, and One by the Lessee or intending Purchaser, and the Two Arbitrators so appointed shall, before they proceed in the Matter referred to them, appoint an Umpire or Third Arbitrator, and the Proceedings upon such Arbitration shall be conducted in like Manner, and subject to the same Rules and Enactments, as upon a Reference made by Consent upon a Rule of Court or Judge's Order: Provided always, that it shall be lawful for the same Parties to appoint One and the same Person to act as sole

sole Arbitrator; and in such Case the Valuations, Acts, and Award of such Arbitrator shall have the same Effect as Valuations, Acts, and Award of the Arbitrators and Umpire under the Provisions herein contained; and in every Case the Costs of such Arbitration and Award shall be in the Discretion of the said Arbitrators or Umpire, as the Case may be.

How Copyholder's Right of Renewal to be ascertained.

V. Notwithstanding anything to the contrary contained in or to be implied from the said recited Act, or in the "Copyhold Act, 1852," or in an Act of the Sixteenth and Seventeenth Years of Her present Majesty, intituled *An Act to explain and amend the Copyhold Acts*, whenever a Right of Renewal of any Lands held for a Life or Lives or for Years by Copy of Court Roll from or under any Ecclesiastical Corporation shall be disputed by such Ecclesiastical Corporation or by the Church Estates Commissioners, or whenever the Person or Persons claiming to be interested in any such Lands shall be desirous of having the Right of Renewal decided by a competent Tribunal, then and in either of the said Cases it shall be lawful for such Person or Persons to cause an Action to be brought in any of Her Majesty's Superior Courts of Law at *Westminster*, in which Action such Person or Persons shall be the Plaintiff or Plaintiffs, and the Church Estates Commissioners, together with the Ecclesiastical Corporation from or under whom such Copyhold or Customary Lands shall be held, shall be the Defendants, and in which Action the Plaintiff or Plaintiffs shall deliver a feigned Issue whereby such disputed Right may be tried, and shall proceed to a Trial at Law of such Issue at the Sittings after the Term or at the Assizes then next or next but one after such Action shall have been commenced, to be holden for the County within which the Lands, or the greater Part thereof, are situated, with Liberty, nevertheless, for the Court in which the same shall have been commenced, or any Judge of any One of Her Majesty's Courts of Law at *Westminster*, to extend the Time for going to Trial therein, or to direct the Trial to be in another County, if it shall seem fit to such Court or Judge so to do, and the Defendants in any such Action shall enter an Appearance thereto, and accept such Issue; but in case the Parties shall differ as to the Form of such Issue, or in case the Defendants shall fail to enter such Appearance or accept such Issue, then the same shall be settled under the Direction of the Court in which the Action shall be brought, or by any Judge of One of Her Majesty's Courts of Law at *Westminster*, and the Plaintiff or Plaintiffs may proceed thereon in like Manner as if the Defendants had appeared and accepted such Issue; and the Parties in such Action shall produce to each other, their respective Attornies or Counsel, at such Time as any Judge may order, before Trial, and also to the Court and Jury, upon the Trial of any such Issue, all Books, Deeds, Court Rolls, Papers, and Writings, Terriers, Maps, Plans, and Surveys, relating to the Matters in issue, in their respective Custody or Power; and it shall be lawful for the Judge by whom any such Action shall be tried, if he shall think fit, to direct the Jury to find a Verdict, subject to the Opinion of the Court upon a Special Case; and the Verdict which shall be given in any such Action, or the Judgment of the Court upon the Case subject to which the same may be given, shall be final and binding upon all Parties thereto, unless the Court wherein such Action shall be brought shall set aside such Verdict, and order a new Trial to be had therein, which it shall be lawful for the said Court to do if it shall see fit: Provided always, that after such Verdict given, and not set aside by the Court, or after such Decision of the Court, the said Ecclesiastical Corporation and the Church Estates Commissioners shall be bound by such Verdict or Decision; and the Costs of every Action, and of obtaining a Decision thereon, shall be in the Discretion of the Court in or by which the same shall be decided, which may order the same to be taxed by the proper Officer of the Court, and the like Execution may be had for the same as if such Costs had been recovered upon a Judgment of Record of the said Court: Provided also, that in every Case in which the Costs or any Part of the Costs of or incident to any Action to be brought under the Provisions of this Act shall become payable by the Defendant in such Action, it shall be lawful for the Church Estates Commissioners, and they are hereby required, to pay such Costs out of any surplus Monies coming or which have come or may come to their Hands in respect of the Estates of such Corporation, under the Provisions of the said recited Act or this Act.

Provision relating to Apportionment of Proceeds of Sales.

VI. The Provisions contained in the Sixth Section of the said Act, relative to the Investment and Application of the Monies which are to be paid into the Bank of *England* as thereby directed, shall be subject to the following Provisions; that is to say, the Provisions contained in the Eighth Section of the said Act which direct the Church Estates Commissioners to require certain Payments to be made to them by or on behalf of Persons being Ecclesiastical Corporations Sole or Members of the Ecclesiastical Corporation Aggregate shall be extended so as to authorize and require the same Commissioners to apportion every Sum of Money paid or to be paid into the Bank of *England* under the Provisions of the said Act or of this Act so as to set apart for the permanent Endowment of such Corporation Sole or Aggregate a Share of such Sum of Money sufficient to secure to such Corporation a permanent net Income equal to that which, if the said Act or this Act had not been passed, would have been received by such Corporation from the Property by the Enfranchisement whereof such Money was produced; and the Church Estates Commissioners shall pay over the Remainder of such Sum of Money to the Common Fund of the Ecclesiastical Commissioners for *England*.

Like Provision in respect of Purchases and Exchanges.

VII. The foregoing Provisions relative to the Apportionment of Monies between the Church Estates Commissioners and Ecclesiastical Corporations, and to the Application thereof, shall be construed to relate to all Lands and other Hereditaments, and to every Estate or Interest therein, which may have been or which may be acquired by any Ecclesiastical Corporation by Purchase or Exchange under the Provisions of

of the said recited Act, so as to authorize the last-mentioned Commissioners to require the Payment to them by the Ecclesiastical Corporation primarily interested in such Lands or Hereditaments of a Sum of Money equivalent to the surplus Share thereof.

Provisions respecting local Claim on Tithes.

VIII. The Proviso contained in the First Section of the said recited Act, with reference to the Sale or Exchange of Tithes or Tithe Rentcharges, or Land or Hereditaments allotted or assigned in lieu of Tithes, shall be and the same is hereby repealed; and all the Monies so paid or to be paid over to the Ecclesiastical Commissioners for *England* under the foregoing Provision, which may have been produced by the Sale, Purchase, or Exchange of Tithes or Tithe Rentcharges, or Land or Hereditaments assigned or allotted in lieu of Tithes, which formed Part of the Endowment of any Ecclesiastical Corporation prior to the passing of the said Act, shall be subject to the Provisions relating to local Claims which are contained in the Sixty-seventh Section of the Act passed in the Third and Fourth Years of Her Majesty's Reign, Chapter One hundred and thirteen; and in every Case in which any Money shall as aforesaid be paid over to the Ecclesiastical Commissioners for *England* in respect of Surplus, the last-mentioned Commissioners shall, in the Annual Report to be next thereafter made by them to the Secretary of State, specify the Period at which, at the Time of the Settlement of the Terms of the Sale, Purchase, or Exchange in respect of which such Payment was made, it was estimated that any and every then subsisting Lease or Grant of the Tithes or Land thereby dealt with would have expired.

Reference to Arbitration to determine Value of Lands vested or to be vested in Ecclesiastical Commissioners.

IX. In all Dealings between the Ecclesiastical Commissioners for *England* as to Lands now vested or which shall hereafter become vested in them and the Holders of such Lands, it shall be lawful for the Parties to refer to Arbitration the Finding of the annual Value and of the Value of the Fee Simple thereof, subject to the Exceptions and Reservations, if any, to be excepted and reserved thereout, and such Finding shall be adopted in computing the Terms of the Sale, Purchase, or Exchange of such Lands or of any Interest therein, regard being had in the final Settlement of such Terms in every such Case to the just and reasonable Claims of such Holders of Land under Lease or otherwise arising from the long-continued Practice of Renewal, and the said last-mentioned Parties shall for the Purpose of such Arbitration be subject to the Provisions herein-before contained as to the Appointment of Arbitrators and the Payment of Costs.

Ecclesiastical Commissioners to state like Particulars as Church Estates Commissioners.

X. The Ecclesiastical Commissioners for *England* shall with reference to their Dealings with Lands vested in them state in their Reports the like Particulars which the Church Estates Commissioners are by the said recited Act required to state in their Reports with reference to Lands dealt with by them under the same Act.

Basis of Report of 1850 may be taken.

XI. In computing the due Regard to be paid to the just and reasonable Claims of the present Holders of Lands under Lease or otherwise arising from the long-continued Practice of Renewal, the Basis of Compensation may, at the Discretion and with the Approval of the Church Estates Commissioners, be that laid down by the Episcopal and Capitular Revenues Commissioners in their Report of One thousand eight hundred and fifty, or according to the Recommendations laid down in the Lords Report on the same Subject in One thousand eight hundred and fifty-one.

How Computations on the Duration of Lives are to be calculated.

XII. In all Computations in any way dependent on the Duration of Lives, the Expectation of Life shall not be calculated according to the Tables commonly known as the *Northampton* Tables, nor upon Tables less favourable to the Expectation of Life than the Life Tables which are appended to the Twelfth Annual Report of the Registrar General of Births, Deaths, and Marriages in *England*, nor than any Tables which may be from Time to Time issued by the same Authority.

Interpretation.

XIII. The Provisions contained in the Eleventh Section of the said Act with reference to the Interpretation of the Words and Expressions therein specified shall apply to the same Words and Expressions whenever they occur in this Act, and the said Act and this Act shall be read and construed together as One Act.

CAP. CXVII.

An Act to facilitate the Sale and Transfer of Incumbered Estates in the *West Indies*.

[11th *August* 1854.]

'WHEREAS it is expedient that Facilities should be given for the Sale and Transfer of Incumbered Estates in the several *West Indian* Colonies mentioned in the Schedule hereto:' Be it enacted, therefore, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Preliminary.

Short Title of Act.

I. This Act may for all Purposes be cited as "The *West Indian* Incumbered Estates Act, 1854."

Act how to come into operation.

II. This Act shall not take effect until Her Majesty has, by Order in Council to be made as hereinafter mentioned, directed the same to come into operation in One or more of the said Scheduled Colonies.

Interpretation of certain Terms in this Act.

III. In the Construction and for the Purposes of this Act the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

"Land"

Preliminary.

"Land" shall extend to Sugar and other Plantations, Messuages, Tenements, and Hereditaments, corporeal and incorporeal, of every Tenure or Description, and shall include and denote that Estate or Interest in any Hereditaments which any Person applying for a Sale is possessed of, is entitled to, or has any Mortgage, Charge, or Incumbrance upon:

"Incumbrance" shall mean any Debt, Portion, Legacy, or other Sum of Money constituting a Charge or Lien on Land, or raisable out of Land:

"Incumbrancer" shall mean any Person entitled to such Incumbrance, or entitled to require the Payment or Discharge thereof:

"Possession" shall include the Receipt of the Rents and Profits:

"Owner" shall mean any Person entitled in possession to Land, or the Receipt of the Rents and Profits thereof, or who would be so entitled if there were no Incumbrances on such Land, for a Term of not less than Thirty Years unexpired, or for an Estate or Interest for his own Life, or for an Estate or Interest determinable on the dropping of any other Life or Lives, or for any greater Estate or Interest:

"Person and Owner" shall extend to a Body Politic or Corporate as well as to an Individual:

"Commissioners" shall mean the Persons appointed Commissioners for the Sale of Incumbered Estates in the *West Indies*, as herein-after mentioned.

Constitution and Powers of Commissioners.

Constitution and Powers of Commissioners.

IV. It shall be lawful for the Commissioners of Her Majesty's Treasury for the Time being to appoint any Number of Persons, not exceeding Three, to be Commissioners under this Act during Her Majesty's Pleasure, and upon every Vacancy in the Office of any such Commissioner in like Manner to appoint some other Person to such Office; and the said Persons so to be from Time to Time appointed shall be Commissioners for the execution of this Act, and shall be styled "The Commissioners for Sale of Incumbered Estates in the *West Indies*."

Three Commissioners to be appointed under Sign Manual.

Style of Commissioners.

V. Of the above Commissioners One shall be styled "The Chief Commissioners," and the other or others shall be styled "The Assistant Commissioner or Commissioners."

Residence of Commissioners.

VI. The Chief Commissioner shall be a Barrister-at-Law of not less than Ten Years standing, and shall reside in *England;* the Assistant Commissioners shall from Time to Time be employed in the Execution of this Act in such Manner as the Chief Commissioner may direct.

Power to appoint Local Commissioners.

VII. For the Purpose of aiding in the Execution of this Act, the Governor or other Person administering the Government of any Colony may appoint to be Local Commissioners for such Colony during Pleasure any Number, not exceeding Three, of the following Persons; that is to say,

Any Vice-Chancellor, Chief Justice, Judge, Attorney General, Solicitor General, or other Legal or Public Officer holding any Office in the Colony in which such Appointment is made; or

Any other Person usually resident in such Colony.

Commissioners to have a Common Seal.

VIII. The Commissioners shall cause to be made for their Commission such Seal or Seals as they may require, and shall cause to be sealed with One of such Seals, all Orders, Conveyances, and other Instruments, proceeding from the Commissioners in pursuance of this Act; and all such Orders, Conveyances, and other Instruments, or Copies thereof, purporting to be sealed with such Seal of the Commissioners, shall be received in Evidence, without any further Proof.

Power to appoint, &c. Secretary, &c.

IX. The Commissioners of Her Majesty's Treasury may from Time to Time appoint and remove a Chief Secretary, and also such Assistant Secretaries, Clerks, Messengers, and Officers as they may deem necessary for the Purposes of this Act.

Duration of Office and Powers of Commissioners.

X. The Offices of the Commissioners, and all Powers, Rights, and Privileges pertaining thereto, shall continue and be in force only for a Period of Six Years next ensuing the Date at which this Act takes effect, and from thenceforth until the next Session of Parliament.

Commissioners not to sit in Parliament.

XI. No Commissioner shall during his Continuance in Office be capable of being elected or of sitting as a Member of the House of Commons.

Salaries of Commissioners, &c., and out of what Funds paid.

XII. There shall be paid out of Monies to be provided by Parliament,

To the Chief Commissioner, Two Assistant Commissioners, Chief Secretary, and to all such Assistant Secretaries, Clerks, Messengers, and Officers as may be appointed by the Chief Commissioner in *England*, such Salaries as the Commissioners of Her Majesty's Treasury may from Time to Time recommend; so that the same do not exceed in the following Cases the Sums herein-after mentioned; that is to say,

In the Case of the Chief Commissioner, the Sum of Two thousand Pounds by the Year:

In the Case of each Assistant Commissioner, the Sum of One thousand five hundred Pounds by the Year:

The Salaries of the Local Commissioners, and of all such Assistant Secretaries, Clerks, Messengers, and Officers as may be appointed under this Act in any Colony, shall be paid out of Monies to be provided by the Colonies as herein-after mentioned.

Power of Commissioners to fix Scale of Fees.

XIII. The Commissioners may fix such Scale of Fees to be paid in respect of Proceedings under this Act, both in *England* and the Colonies, as they think fit, but all Fees to be paid in any Colony shall be subject to Disallowance or Alteration by the Legislature of such Colony.

XIV. All

XIV. All Expenses incidental to carrying this Act into execution, and not being such Salaries as aforesaid, or defrayed by Fees, shall be paid for if incurred in *England*, out of Monies to be provided for that Purpose by Parliament, and if incurred in any Colony, by Monies to be provided for that Purpose by the Legislature of such Colony in manner herein-after mentioned. Expenses of Act, how provided for.

XV. Every Commissioner and Local Commissioner appointed under this Act shall, before he enters upon the Execution of his Office, take the following Oath; that is to say, Oath of Commissioners.

'I *A.B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, fulfil all the Powers and Duties of a Commissioner under an Act passed in the Year of the Reign of Queen Victoria, intituled [*here set forth the Title of this Act*].'

And such Oath shall, in the Case of the Chief Commissioner and Assistant Commissioners, be taken before One of the Judges of Her Majesty's Superior Courts in *England*, and in the Case of any Local Commissioner be taken before the Judge of the Supreme Court of the Colony for which he is appointed Commissioner.

XVI. The Appointment of every Commissioner and Local Commissioner shall be published as follows; that is to say, Publication of Appointment of Commissioners.

The Appointment of the Chief Commissioner and Assistant Commissioners, in the *London Gazette:*

The Appointment of any Local Commissioner, in the Newspaper of the Colony in which Government Notices are usually published:

And no Commissioner or Local Commissioner shall act until Publication as aforesaid has been made of his Appointment.

XVII. The Commissioners shall constitute One Court of Record, having, for the Purposes of this Act, and subject to the Provisions thereof, Jurisdiction throughout *England* and any Colony or Colonies within which this Act comes into operation; and all Proceedings, Inquiries, Suits, or Trials to be taken, made, or had under this Act, and all Investigations of any Matters or Things arising out of or incidental to any such Proceedings, Inquiries, Suits, or Trials, may, subject to the Provisions herein-after contained, be at any Stage or at any Time transferred from *England* to any Colony, or from any Colony to *England*. Commissioners to be a Court of Record.

XVIII. All Acts, Matters, and Things which the Commissioners are by this Act empowered to do, and all the Powers and Authorities hereby given to them, may, under any Order of the Commissioners made for that Purpose, be done or exercised by the Person or Persons herein-after mentioned; that is to say, Powers of Commissioners, by whom to be exercised.

In *England*, by the Chief Commissioner, either alone or with One Assistant Commissioner:

In any Colony, by any Assistant Commissioner, either alone or jointly with the Local Commissioners of such Colony, or any One of them, or by the Local Commissioners or Commissioner of such Colony, or any Two of them, if more than Two.

XIX. The Commissioners shall frame, and cause to be printed and circulated or otherwise promulgated, as they see Occasion, Forms of Application and Directions indicating the Particulars of the Information to be furnished to the Commissioners when any Application is made to them under this Act, with reference to Title, Incumbrances, and the Circumstances of Land, and such other Information as in the Judgment of the Commissioners may assist them in forming an Opinion on such Application, and also such other Forms and Directions as the Commissioners may deem requisite or expedient for facilitating Proceedings under this Act. Commissioners to frame and promulgate Forms of Application, &c.

XX. The Commissioners shall, having regard to the Laws and Usages of each Colony in which the same are intended to take effect, frame Rules for the following Purposes; that is to say, Commissioners to make General Rules for regulating Proceedings under this Act.

For regulating the Course of Procedure under this Act; the several Powers and Duties of the Assistant and Local Commissioners; the Conduct of Proceedings in *England* and the Colonies; and the Transfer thereof from *England* to the Colonies, and from the Colonies to *England:*

For securing the prompt and due Distribution and Payment of the Monies received upon Sales under this Act amongst or for the Benefit of the Persons entitled thereto:

For the Protection, in respect of such Monies, of the Interests of Persons under Disability, and of future Interests:

For the Protection of the Interests of absent Parties, and of the Interest of Parties in Cases where the Proceedings are transferred from *England* to the Colonies, or *vice versâ:*

Generally for the due Execution of the Powers vested in the Commissioners under this Act, and for giving effect to the Provisions and Objects thereof:

And all Rules so made shall, unless disallowed in manner herein-after mentioned, have the same Force as if they had been enacted by Parliament.

XXI. All Rules made under the above Authority shall be laid before Her Majesty in Council, and it shall be lawful for Her Majesty by Order in Council to disallow the same, and any Rule so disallowed shall from the Date of its Disallowance be void, but all Matters and Things previously done in pursuance thereof shall have the same Validity as if no such Disallowance had taken place. Rules to be laid before Privy Council.

Constitution and Powers of Commissioners.

Power to Commissioners to summon Witnesses, &c.

XXII. The Commissioners shall have Power—

1. To require by Summons under their Seal the Attendance before them, at a Time and Place to be mentioned in such Summons, of all such Persons as they may think fit to examine in relation to any Question or Matter depending before them:
2. To require by a like Summons all such Persons to produce before them all Deeds, Books, Papers, Documents, and Writings relating to such Question or Matter:
3. To examine upon Oath, or in the Case of Persons allowed to make Affirmation or Declaration in lieu of an Oath, upon Affirmation or Declaration, (as the Case may require,) all Persons attending under such Summons, and all Persons attending voluntarily as Witnesses.

Power to Commissioners to proceed upon Affidavits, and to appoint Persons to take Affidavits and Examinations.

XXIII. The Commissioners may, in their Discretion, receive in Evidence Affidavits; and such Affidavits may be made in any Part of Her Majesty's Dominions before any Person empowered by Law to take Affidavits, and in any other Part of the World before any Person authorized by Order under the Seal of the Commissioners to take Affidavits; and the Commissioners may by a like Order under their Seal authorize any Person in any Part of the World to examine, in such Manner as they think fit, any Witness or Witnesses in relation to any Application to or Matter pending before the Commissioners, and to administer Oaths, Affirmations, or Declarations for the Purpose of such Examination.

Power of Commissioners to direct Trials and Issues of Fact.

XXIV. The Commissioners in relation to any Matter or Question before them shall have Power—

To send Cases for the Opinion of any Court of Law or Equity sitting in *England* or in any Colony within their Jurisdiction:

To send Questions of Fact to be tried, in *England* by a Jury, or in any such Colony as aforesaid either by a Jury or in any other Manner in which Questions of Fact are usually tried in such Colony.

Power of Commissioners to enforce Orders.

XXV. In all Cases within their Jurisdiction the Commissioners shall, with respect to the following Matters, that is to say,

The enforcing the Attendance of Persons summoned to give Evidence,

The enforcing the Production of Deeds, Books, Papers, Documents, and Writings,

The punishing Persons refusing to give Evidence, or guilty of a Contempt,

The enforcing any Order whatever made by them under any of the Powers or Authorities of this Act,

Have in *England* all such Powers, Rights, and Privileges as are possessed by the High Court of Chancery for such or the like Purposes in relation to any Matter depending in such Court, and have in any Colony within their Jurisdiction all such Powers, Rights, and Privileges as are possessed by the Supreme Court of Judicature in such Colony for such or the like Purposes in relation to any Matter or Thing depending in such Court; and it shall be lawful for the Commissioners in any such Colony as aforesaid, either to carry into effect such Powers, Rights, and Privileges by Officers appointed by themselves, or to request any such Court of Judicature as aforesaid, or any Officer thereof, to enforce any Orders made by them, and such Court or Officer shall thereupon enforce the same accordingly.

Sales by Commissioners, &c.

Sales by Commissioners, and Distribution of Purchase Monies.

Power of Commissioners to sell Land in Colonies, &c.

XXVI. Subject to the Restrictions herein-after mentioned, where any Land situate in a Colony within the Jurisdiction of the Commissioners is subject to any Incumbrance, the Commissioners shall have Power to sell the same, or such Part thereof as they think fit, upon Application made to them in manner herein-after mentioned by the Owner of such Land or any Incumbrancer thereon.

Applications, when to be entertained.

XXVII. Where an Application for a Sale of any such Land as aforesaid has been made to any competent Tribunal in the Colony, and dismissed with Costs, no Application by the same Party for a Sale of the same Land or any Part thereof shall be entertained by the Commissioners unless it is shown that such Costs have been paid.

Application to be made by legal or beneficial Owners. When Incumbrance subject to Limitations, the First Person entitled, &c. to make Application.

XXVIII. Where any such Land as aforesaid is vested in any Person or Persons in trust for any Owner, an Application for the Sale thereof may be made by such Owner, either with or without the Concurrence of such Trustee or Trustees, or by such Trustee or Trustees with the Concurrence of such Owner.

XXIX. Where any Incumbrance is vested in a Trustee or Trustees, or settled on divers Persons in succession, the Commissioners may act on an Application made by such Trustee or Trustees, or by the First Person entitled to the Income of such Incumbrance, or by any other Person having, in the Opinion of the Commissioners, an Amount of Interest in the Incumbrance sufficient to justify his making an Application for a Sale.

Form of Application, and to whom to be made.

XXX. Every Application for a Sale of Land under this Act shall be in such Form as the Commissioners direct, and may, subject to any Rules, to be framed by the Commissioners, be made, at the Discretion of the Applicant, either to the Commissioners acting in *England* or in the Colony in which such Land is situate.

Duty of Commissioners on Application for Sale.

XXXI. The Commissioners shall, upon the Receipt of such Application as aforesaid, make such Inquiries as to the Circumstances of the Land in respect of which the same is made, and of the Parties interested therein, either as Incumbrancers, Owners, or otherwise, and direct such Notices to be given as they think necessary, to enable them to form a Judgment as to the Expediency of a Sale, and shall hear by themselves, their Counsel or Agents, any Persons interested in such Land who may apply to them to be heard, and shall, upon the Conclusion of such Inquiries, and after hearing such Parties, if any, as aforesaid,

aforesaid, make such Order in the Premises as to the Allowance or Disallowance of a Sale of such Land as they think just.

Restrictions on Sale.

XXXII. No Sale shall be made by the Commissioners of any Land in the Cases following:

Where the Amount of yearly Interest on the Incumbrances attaching to the Land in respect of which any Application is made, and to any other Land subject to the same Incumbrances, does not exceed One Half of the net yearly Value of such Land, and other Land, if any, such yearly Value to be calculated on the average Profits or Income derived therefrom after deducting all necessary Outgoings during the preceding Seven Years, or during such other Period as the Commissioners may, having regard to any special Circumstances, think fit:

Where, for any Reason whatever, it appears to the Commissioners unjust or inexpedient that a Sale should be made.

Regard to be had to yearly Tenancies and other temporary Interests.

XXXIII. In making any Sale of Land under this Act, the Commissioners shall have regard to the Interests of any yearly Tenants or other Persons, not being Incumbrancers, who may be entitled for the Time being, by themselves or their Agents, to receive or retain the Produce of such Land or of any Part thereof, and they may, in their Discretion, deal with such Interests in such One of the Two following Ways as they think just; that is to say, they may either make the Sale subject to such Interests, or may cause such Interests to be valued at a gross Amount, and treat the Amount so valued as an Incumbrance, assigning thereto such Priority as they think fit.

Power to sell, subject to annual Sums, and also to Incumbrances, in certain Cases.

XXXIV. In Cases where any Land to be sold is subject—

To Dower or any Interests in the Nature of Dower,

To any annual or contingent Incumbrance,

To any Incumbrance under the Terms of which the Incumbrancer cannot be required to accept Payment of the Principal Money for a Term of Years yet to come,

The Commissioners shall deal with such Interests in One of the Two following Ways; that is to say, they shall either make the Sale subject to such Dower, Interests, or Incumbrances, or they may, with the Consent of the Parties entitled to such Dower, Interest, or Incumbrances, cause the same to be valued at a gross Amount, assigning thereto such Priority as they think just.

Sale by Commissioners.

XXXV. Every Sale of Land in pursuance of this Act shall be made, under the Control and Direction of the Commissioners, by Public Sale or Private Contract, together or in Parcels, at such Time and Place and generally in such Manner as the Commissioners think fit; and every Conveyance of Land so sold shall be made by the Commissioners under their Seal, and shall be signed by the Chief Commissioner, or such other Commissioner or Commissioners as the Chief Commissioner may direct, and the Execution by any other Party of such Conveyance shall be unnecessary; and such Conveyance shall express the Interests and Incumbrances (if any) subject to which the Sale is made, and may be in such Form as the Commissioners may by Order from Time to Time direct, or as near thereto as Circumstances permit.

Saving of certain Rights.

XXXVI. No Sale made by the Commissioners shall affect any of the following Rights or Payments;

Any Right of Common, Right of Way, or other Easement;

Any Tithes or like Ecclesiastical Dues;

Any Crown Rents or other like Sums payable at fixed Periods to Her Majesty or to the Government of the Colony;

Except in Cases where the Commissioners undertake to commute such Crown Rents or other like Sums as aforesaid, which they shall be at liberty to do, with the Sanction of the Legislature of such Colony, in Cases where they think it will be for the Benefit of the Parties interested in the Produce of such Sale, and if they do so they shall express in the Conveyance that the Land sold is discharged from such Crown Rents or other Sums, as the Case may be.

Payment of Purchase Money.

XXXVII. The Purchase Money on every Sale shall be paid, as the Commissioners may direct, either into the Bank of *England*, or into the Commissariat Chest of some Colony named by them, and be carried to an Account to be opened in the Name of the Commissioners to the Credit in each Case of the Land (describing the same by the Name of the Plantation or Estate to which it belongs, or by any other Name the Commissioners think fit); and upon Proof being made to the Satisfaction of the Commissioners, and in such Manner as they may direct, of any Monies so having been paid in, the Chief Commissioner, or such other Commissioner or Commissioners as the Chief Commissioner directs, shall endorse a Certificate on the Conveyance of such Payment; and any Purchaser who has paid any Money into the Bank or into such Commissariat Chest as aforesaid shall be discharged from all Liability in respect of the Application thereof, and such Endorsement shall be Evidence of such Payment; and in all Cases Her Majesty's Government shall guarantee the Safety of all Monies paid in pursuance of this Act into the Commissariat Chest of any Colony.

Effect of Conveyance.

XXXVIII. Every Conveyance made by the Commissioners in pursuance of this Act shall vest in the Purchaser the Land so sold, subject to such Rights and uncommuted Payments, if any, as are herein-before declared not to be affected by any Sale by the Commissioners, but discharged from all other Interests, Rights, Claims, and Incumbrances, except such as may, in pursuance of the Power herein-before given be expressed in the Conveyance to be subsisting on such Land, and no Conveyance made by the Commissioners shall be set aside on the Ground of their not having had Jurisdiction over the Subject Matter thereof.

Commissioners may order Delivery of Counterparts of Deeds, &c. to Purchaser.

XXXIX. The Commissioners shall have Power to order the Delivery to the Purchaser, or as he directs, of all Deeds and Documents of Title belonging or exclusively relating to the Land sold, which are in the Possession or Power of any of the Parties to their Order, and, on the Application of any Purchaser, to issue an Order for the Delivery to him of the Possession of the Land sold, or of such Part thereof as may not be in the Occupation of any Person subject to whose Interest the Sale was made.

Where an Incumbrancer purchases, Commissioners may authorize Payment into the Bank of Balance of Purchase Money, after retaining Amount of Incumbrance.

XL. Upon a Sale of Land under this Act an Incumbrancer or other interested Person (with the Exception of the Person upon whose Application the Sale was made), and with the Leave of the Commissioners such last-mentioned Person, may purchase such Land or any Part thereof; and if an Incumbrancer becomes a Purchaser he may, if the Commissioners think fit, retain out of the Purchase Money such Amount as would, in the Judgment of the Commissioners, be eventually payable thereout to him in respect of his Incumbrance, or any less Sum on account of such Amount, and pay the Residue only into the Bank or Commissariat Chest; and such Retainer shall be without Prejudice to the Power of the Commissioners to require such Purchaser to pay back into the Bank or Commissariat Chest the whole or any Part of the Amount so retained by him, in the event of their afterwards determining that he is not entitled to retain the same.

Application of Purchase Money.

XLI. The Commissioners shall apply the Money arising from any Sale made by them in satisfaction of the Payments herein-after mentioned according to the Order following; that is to say,

Firstly, in paying to Her Majesty or the Government of the Colony the Consideration for the Purchase of such Crown Rents or other like Sums, if any, as the Commissioners may have thought fit to commute in manner aforesaid:

Secondly, in paying all Costs, Charges, and Expenses of and incidental to the Sale, including the Application for the same, or such of them as they think fit to allow:

Thirdly, in satisfying the Incumbrances affecting such Land according to their Priorities:

And lastly, in paying the Surplus to the Parties who were previously to the Sale entitled to such Land as Owners if such Parties had an absolute Interest therein, but if had not an absolute Interest, then the Commissioners shall lay out the same in manner herein-after mentioned:

And for the Purposes of this Act the Commissioner shall have Power, having due regard to the Laws and Customs of each Colony, to declare the Rights and Priorities of all Parties interested in such Land, whether as Owners, Incumbrancers, or otherwise howsoever.

Application of Money where Owner not absolutely entitled.

XLII. In Cases where the Parties who were previously to the Sale entitled to such Land as Owners had not an absolute Interest, such Surplus as aforesaid of the Purchase Money shall be settled to the same Uses, upon the same Trusts, and in the same Manner to and in which the Land sold stood settled, or such of them as may be capable of taking effect; and until such Money is so laid out it may be paid to Trustees to be appointed or approved by the Commissioners, for the Purpose of being so laid out as aforesaid, with such Power for the Investment thereof in Government or Colonial Stocks, Funds, or Securities in the meantime, and such Directions for the Payment of the Income of such Investment in the Manner in which the Rents of the Land to be purchased would be applicable, as the Commissioners think fit.

Appointment of new Trustees.

XLIII. In Cases where the Commissioners appoint or direct the Appointment of Trustees for any of the Purposes of this Act, it shall be lawful for the Commissioners to make or to direct to be made such Provision as they think fit for the Appointment of new Trustees, on any Event to be determined by the Commissioners.

Provision where a Part only of Land subject to an Incumbrance is sold.

XLIV. In Cases where a Part only of Land subject to any Incumbrance is sold, the Commissioners may charge the Part not sold with such Incumbrance, or an apportioned Part thereof, in exoneration of the Money arising from the Sale, and enable Persons to release the Money arising from the Part so sold from any Incumbrance, or to relinquish their Claim on such Money in respect thereof, without impairing such Incumbrance as to the remaining Part of the Land originally charged.

Provision for setting aside Monies to meet Incumbrances.

XLV. In Cases where it appears to the Commissioners unjust or inexpedient that a Valuation should be made of such Interests and Incumbrances as they are herein-before authorized to cause to be valued at a gross Sum, it shall be lawful for them to set aside and invest any Portion of the Money arising from any Sale in such Manner as they think fit to meet the Claims of any such interested Persons or Incumbrancers, and generally the Commissioners shall have Power to make all such Orders and give such Directions with respect to the Application of the Money arising from any Sale as they think best adapted to secure the just and convenient Distribution thereof amongst all interested Parties, according to their several Rights and Titles.

No Payment, not being in full, to affect Right of Incumbrancer for Balancee, &.

XLVI. No Payment under this Act towards the Discharge of any Incumbrance, not being a Payment in full, shall prejudice or affect any Right or Remedy of the Incumbrancer in respect of the Balance, otherwise than as against the Land sold; and no Payment under this Act in respect of any Incumbrance shall impair any Right or Equity of any Persons out of whose Land such Payment is made to be reimbursed or indemnified by any other Person or out of any other Land, except so far as the Commissioners order under any special Circumstances.

Purchase Money may be invested.

XLVII. The Commissioners may order any Purchase Money standing to their Account to be invested in their Name in such Government or Colonial Stocks, Funds, and Securities as they think fit, with Power so vary the same into or for others of a like Nature; and until such Stocks, Funds, and Securities

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Sales by Commissioners, and Distribution of Purchase Monies.

are sold by Order of the Commissioners for the Purposes of this Act, the Dividends thereof shall from Time to Time be applied, under the Order of the Commissioners, in like Manner as the Rents of the Land from the Sale of which the Money invested in such Stocks, Funds, or Securities has arisen would have been applicable.

Power to Commissioners to order Money to be paid into Court of Chancery.

XLVIII. In Cases where any Money arising from a Sale under this Act is not immediately distributable, or the Parties entitled thereto cannot be ascertained, or where from any other Cause the Commissioners think it expedient for the Protection of the Rights and Interests therein, the Commissioners may order such Money, or any Stocks, Funds, or Securities in which the same may be invested, to be transferred to the Account of the Accountant General of the High Court of Chancery in *England*, in the Matter of the Parties interested in the same, to be described in such Manner as the Commissioners direct, in trust to attend the Orders of such Court, or to be transferred to the Account of such Officer in any Colony, and be subject to the Jurisdiction of such Court as the Commissioners direct; and the Commissioners may by their Order declare the Trusts affecting such Money, Stocks, Funds, or Securities, so far as they have ascertained the same, or state (for the Information of any such Court as aforesaid) the Facts or Matters found by them in relation to the Rights and Interests therein; and the said Court of Chancery and any such Colonial Court as aforesaid may make such Orders with respect to any such Monies, Stocks, Funds, or Securities as aforesaid, or the Application thereof, as the Circumstances of the Case require.

Lands included in different Applications and different Interests in the same Land may be included in the same Sale.

XLIX. The Commissioners shall have the following additional Powers in respect of Sales of Land; that is to say,

Where separate Applications are made for Sales under this Act of different undivided Shares of any Land,

A Power, with the Consent of the Applicants, and such other Consents as the Commissioners think fit to require, to include in One Sale all such undivided Shares;

Where separate Applications are made for Sales under this Act of different Lands, but such Lands are intermixed, or otherwise adapted to be sold together,

A Power, with such Consent or Consents as aforesaid, to include in One Sale such different Lands;

Where an Application is made to the Commissioners for the Sale of any undivided Share in Lands, and the Owner of any other undivided Share or Shares, whether incumbered or not, in the same Land, is desirous of having the same sold at the same Time,

A Power, with such Consent or Consents as aforesaid, to include in One Sale all such Shares as aforesaid:

And all the Provisions of this Act applicable to any Land subject to any Incumbrance, and ordered to be sold under this Act, and to the Purchase Money arising from the Sale thereof, and to the Conveyance thereof, shall, so far as Circumstances admit, be applicable to any Land or Share in Land to be so included in the Sale; and in every such Case as aforesaid the Commissioners shall apportion the Purchase Money and Expenses as they see fit.

Provision for Persons under Disability.

L. A married Woman for the Time being entitled to receive the Income of Land for her separate Use, or having a Power of disposing of Land, either during her Lifetime or by Will, shall, for the Purposes of this Act, be deemed a Feme Sole; but in other Cases, where any Person who (if not under Disability) might have made any Application, given any Consent, done any Act, or been Party to any Proceeding under this Act, is a Minor, Idiot, Lunatic, or married Woman, the Guardian, Curator, Tutor, Committee of the Estate, or Husband respectively of such Person, or if there is none any Person appointed by the Commissioners, may make such Applications, give such Consents, do such Acts, and be Party to such Proceedings as such Persons respectively, if free from Disability, might have made, given, done, or been Party to, and shall otherwise represent such Persons for the Purposes of this Act.

Proceedings not to abate by Death, &c.

LI. Proceedings under this Act shall not abate or be suspended by any Death, or Transmission or Change of Interest, but in any such Case of Death or Transmission or Change of Interest it shall be lawful for the Commissioners, where they see fit, to require Notices to be given to Persons becoming interested, or to make any Order for discontinuing, suspending, or carrying on the Proceedings, or otherwise in relation thereto, which to them appears just.

Costs.

LII. In every Proceeding under this Act the Commissioners shall have full Discretion as to the giving or withholding Costs and Expenses, and as to the Persons by whom and the Funds out of which the same are in the first instance or ultimately to be paid and borne; but, unless the Commissioners otherwise direct, the Costs of the Petitioner in respect of any Petition for Sale presented under this Act, and of the Proceedings thereunder, shall not be payable out of the Proceeds of the Sale, otherwise than in the same Order of Priority in which the Incumbrance of the Petitioner is payable.

Sales under this Act may be made notwithstanding Proceedings in any other Court.

LIII. In Cases where a competent Court has in the course of any Proceedings made an Order directing any Land to be sold, the Commissioners may sell the same, without further Inquiry; but in that Event, and also in any Case where any competent Court has made an Order in any Proceedings with respect to any Land, or the Rights of any Person interested therein, the Commissioners shall, on selling such Land, and in distributing the Monies arising from such Sale, have regard to the Orders made by such Court, and to any Inquiries or Proof made and taken in the course of such Proceedings, with Power, nevertheless, for the Commissioners, whenever it appears to them that there is any Error in such Order,

Sales by Commissioners, and Distribution of Purchase Monies.

Order, or any Defect in any such Inquiries or Proofs, to direct such Person as they think fit to apply to the Court in relation thereto, and such Court may make such Order concerning the Matter of such Application as it thinks fit; and the Commissioners may, out of any Monies arising from any Sale under this Act, where there have been any such Proceedings as aforesaid, provide for the Costs of such Application, and may, if they think fit, order all or any Part of the Purchase Money, after Payment thereout of such Costs and Expenses as may be payable under the Orders of the Commissioners, to be paid into the Court in which any such Proceedings have been instituted.

After Order by Commissioners for Sale, Proceedings for a Sale under Decree to be stayed, &c.

LIV. Where the Commissioners order the Sale of any Land in respect of which any Decree for Sale has been already made by a competent Court, or any Proceedings are pending, they shall, by Certificate under their Seal, notify to such Court the Order so made by them, and all Proceedings for or in relation to a Sale under the Decree of such Court shall be suspended; and upon the Completion of the Sale under such Order of the Commissioners any Receiver appointed by such Court shall cease to act as such Receiver with respect to the Land or Part thereof sold; and pending any Proceedings for a Sale under this Act it shall not be lawful for any Owner, Incumbrancer, or other Person interested in such Land to commence any Proceedings at Law or in Equity for Redemption, Foreclosure, or Sale.

Powers of Commissioners as to Partition, &c.

Powers of Commissioners as to Partition, Exchange, Division, and Allotment.

On Application for Sale of an undivided Share, or after Sale, Commissioners may, on Application of Party interested, and giving Notices and hearing Parties, make Order for Partition.

LV. Where an Application is made for a Sale under this Act of an undivided Share of any Land, or where any such undivided Share has been sold under this Act, and either before or after the Conveyance thereof, the Commissioners, on the Application of any Party interested in such undivided Share, or of the Purchaser, (as the Case may be,) and after causing to be given such Notices to the Owner or Owners of the other undivided Share or Shares of the same Land as they think fit, and hearing all such Parties interested in the respective Shares as may apply to them, and making such Inquiries as may enable them to make a just Partition, may, if they think fit, make an Order for the Partition of such Land; and in such Order, or in a Map or Plan annexed thereto, shall be shown the Part allotted in Severalty in respect of each of the undivided Shares in such Land; and the Part so allotted in Severalty in respect of each such undivided Share shall, without any Conveyance or other Assurance, enure to the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the undivided Share in respect of which the same is so allotted would have enured or been subject to in case such Order had not been made.

On Application for Sale or after Sale Commissioners, on Application of Party interested, and with Consent, may make Order for Exchange.

LVI. Where an Application is made for a Sale under this Act of any Land, or where the same has been sold under this Act, if, either before or after the Conveyance thereof, Application is made to the Commissioners by any Party interested in such Land, or by the Purchaser, (as the Case may be,) for the Exchange of all or any Part of such Land, the Commissioners may make such Inquiries as they think fit for the Purpose of ascertaining whether such Exchange would be beneficial to the Persons interested in the respective Lands, and cause such Notices to be given to Parties interested in the respective Lands, as they may think fit; and if, after making such Inquiries, and hearing all such Parties interested in the respective Lands as may apply to them, the Commissioners are of opinion that such Exchange would be beneficial, and that the Terms therefore are just and reasonable, they may make an Order for such Exchange accordingly; and in such Order for Exchange, or in a Map or Plan annexed thereto, shall be shown the Lands given and taken in Exchange respectively under such Order; and the Land taken upon such Exchange under such Order shall, without any Conveyance or other Assurance, enure to the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the Land given on such Exchange would have enured or been subject to in case such Order had not been made.

Partition may be made of Land where Shares are not subject to be sold under this Act.

LVII. It shall be lawful for the Commissioners, in any Colony within which this Act may take effect, upon the Application of the Owners of any undivided Shares, (not subject to be sold under this Act, or as to which no Proceedings for a Sale under this Act are pending,) to make such Inquiries as the Commissioners think fit for ascertaining whether a Partition would be beneficial to the Persons interested in such respective Shares; and in case the Commissioners are of opinion that the proposed Partition would be beneficial, and that the Terms thereof are just and reasonable, they shall make an Order under their Seal for such Partition accordingly; and in such Order, or in a Map or Plan annexed thereto, shall be shown the Part allotted in Severalty in respect of each such undivided Share; and the Part so allotted in Severalty in respect of each such undivided Share by such Order of Partition shall, without any Conveyance or other Assurance, enure to the same Uses, and be subject to the same Conditions, Charges, and Incumbrances, as the undivided Share in respect of which the same is so allotted would have enured or been subject to in case such Order had not been made.

Exchanges may be made of Lands not subject to be sold under this Act.

LVIII. It shall be lawful for the Commissioners, in any Colony within which this Act may take effect, upon the Application of the Owners of Lands in any of the said Colonies not subject to be sold under this Act, or as to which no Proceedings for a Sale under this Act are pending, to make or cause to be made such Inquiries as the Commissioners may think fit for ascertaining whether an Exchange would be beneficial to the Persons interested in the respective Lands; and in case the Commissioners are of opinion that the proposed Exchange would be beneficial, and that the Terms thereof are just and reasonable, they shall make an Order under their Seal for such Exchange accordingly; and in such Order for Exchange, or in a Map or Plan annexed thereto, shall be shown the Lands given and taken

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in Exchange respectively under such Order; and the Land taken upon such Exchange under such Order shall, without any Conveyance or other Assurance, enure to the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the Land given upon such Exchange would have enured or been subject to in case such Order had not been made.

Powers of Commissioners as to Partition, &c.

LIX. It shall be lawful for the Commissioners, in any Colony within which this Act may take effect, upon the Application of any Number of Persons who are separately Owners of Parcels of Land not subject to be sold under this Act, or as to which no Proceedings for a Sale under this Act are pending, and which are so intermixed, or divided into Parcels of inconvenient Form or Quantity, that the same cannot be cultivated or occupied to the best Advantage, to make such Inquiries as the Commissioners think fit for ascertaining whether a Division would be beneficial to the Persons interested in such Lands; and in case the Commissioners are of opinion that a Division would be beneficial, they shall make an Order for the Division thereof accordingly, with a Map or Plan thereunto annexed, in which shall be specified as well the Parcels in which the several Persons on whose Application such Order has been made were respectively interested before such Division as the several Parcels allotted to them respectively by such Order; and the Parcels of Land taken under such Division shall enure to the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the several Lands which the Persons taking the same have relinquished on such Division would have enured or been subject to in case such Order had not been made.

Division of intermixed Lands not subject to be sold under this Act.

LX. In the Case of Land in respect of which no Proceedings for a Sale under this Act may be pending, no such Order of Partition, Exchange, or Division as aforesaid shall be made by the Commissioners until such Notices by Advertisement in such public Newspaper or Newspapers as the Commissioners direct have been given of such proposed Partition, Exchange, or Division, and Three Months have elapsed from the Publication of the last of such Advertisements; and if before the Expiration of such Three Months any Person entitled to any Estate in or any Incumbrance upon any Land included in such proposed Partition, Exchange, or Division gives Notice in Writing to the Commissioners of his Dissent from such proposed Partition, Exchange, or Division, the Commissioners shall not make an Order for the same unless such Dissent is withdrawn, or it is shown to the Commissioners that the Estate or Incumbrance of the Party so dissenting has ceased, or that such Estate or Incumbrance is not an Estate or Incumbrance in respect of which he is legally entitled to prevent such Partition, Exchange, or Division; but no such Order as aforesaid shall be in anywise liable to be impeached by reason of any Infirmity of Estate or Defect of Title of the Persons on whose Application the same has been made.

Notices of Partitions, Exchanges, and Divisions to be given.

Conveyances and Proceedings of Commissioners.

Conveyances and Proceedings of Commissioners.

LXI. Every Conveyance executed as required by this Act, and every Order for Partition, Exchange, or Division made by the Commissioners under their Seal, shall for all Purposes be conclusive Evidence that every Application, Proceeding, Consent, and Act whatsoever which ought to have been made, given, and done previously to the Execution of such Conveyance, or the making of such Order respectively, has been made, given, and done by the Persons authorized to make, give, and do the same; and no such Conveyance or Order shall be impeached by reason of any Informality therein.

Conveyance, &c. made by Commissioners conclusive.

LXII. The Commissioners shall not be subject to be restrained in the Execution of their Powers under this Act, nor shall any Person be restrained from making Application under this Act to the Commissioners, or doing any other Act, or giving any Consent under the Provisions of this Act, by Order of any Court of Justice, or by any other legal Process, nor shall the Commissioners be required by Writ of Mandamus, or any Writ of a like Nature, to do any Act or take any Proceeding under this Act, nor shall Proceedings before them be removable by Certiorari or other Writ of a like Nature.

Proceedings before Commissioners not to be restrained by Injunction, &c.

LXIII. The Commissioners shall not, nor shall any Person acting under their Authority, be liable to any Action, Suit, or Proceeding for or in respect of any Act or Matter *bonâ fide* done or omitted in the Exercise or supposed Exercise of the Powers of this Act.

Commissioners not liable in respect of Acts done bonâ fide.

LXIV. Every Person who, upon Examination before the Commissioners or any of them, or any Person appointed and authorized under this Act by the Commissioners to administer any Oath, Affirmation, or Declaration, shall wilfully give false Evidence, and every Person who shall wilfully swear, affirm, or declare falsely in any Affidavit authorized under this Act to be received in Evidence by the Commissioners, shall be liable to the Pains and Penalties of Perjury.

Penalty for false swearing.

Appeal.

Appeal.

LXV. The Commissioners may review, rescind, or vary any Order previously made by them; and it shall be lawful for any Person aggrieved by any Order of the Commissioners, with their Sanction, but not otherwise, to appeal to Her Majesty in Council, in such Manner, within such Time, and subject to such Rules, Regulations, and Limitations as Her Majesty may by Order in Council prescribe; and the Commissioners may, in their Discretion, give or refuse such Sanction, and annex thereto such Conditions, as to giving Security, or otherwise, as they shall think fit; but in all Cases where the Commissioners refuse their Sanction to any Appeal their Decision shall be final.

Orders may be reviewed by Commissioners; and Appeal to Privy Council.

Power to alter Provisions of Act.

Power to alter Provisions of Act.

Power of Commissioners to make Alteration.

LXVI. Wherever it appears to the Commissioners that by reason of the Prevalence in any Colony of Laws or Customs differing from those of *England*, or that by reason of any other Matter or Thing whatsoever it is expedient, with the view of carrying into execution the Purposes of this Act,

That there should be substituted for the Provisions of this Act or any of them other like Provisions accommodated to the Laws or Customs of such Colony; or

That further Provisions should be made for carrying into execution in such Colony the Orders of the Commissioners; for reconciling any Conflict between the Laws of *England* and such Colony; for declaring the Law with respect to any Matter or Thing; or otherwise for more effectually bringing this Act into operation within any Colony, or carrying into effect the Purposes thereof;

It shall be lawful for the Commissioners, having due Regard to the Interests of Owners, Incumbrancers, and others, and to the Laws and Customs of the Colony, by Order under their Seal, to make any such Substitutions or Provisions as aforesaid, subject to the Restrictions following; namely, that such Substitutions or Provisions shall not be repugnant to the Spirit of this Act or to the general Law of *England*, and shall not affect the Constitution of the Commissioners as established by this Act; but no such Order shall be of any Force till the same has been confirmed by Order of Her Majesty in Council in manner herein-after mentioned.

Orders to be submitted to Legislature of Colony, and confirmed by Queen in Council.

LXVII. Before any such Order shall be capable of Confirmation, it shall for the Space of Thirty Days be submitted to the Legislature of the Colony within which the same is intended to operate; and if such Legislature, within such Period as aforesaid, express by Resolution their Disapproval thereof, such Order shall thereupon be void to all Intents; but if the Legislature, within the said Period, express by Resolution their Approval thereof, or come to no Resolution in respect thereof, the same shall thereupon be presented to Her Majesty for Confirmation, and, if so confirmed, shall, as soon as conveniently may be, be proclaimed in the Colony, and upon such Proclamation being made shall have the same Force within such Colony as if the same had been enacted by Authority of Parliament.

Orders may be rescinded or altered.

LXVIII. Any Order so confirmed as aforesaid may from Time to Time be rescinded, amended, or altered, as Occasion may require, by other Orders, to be made by the Commissioners, and to be submitted to the Legislature of the Colony, and confirmed in like Manner.

Act, how to come into operation.

LXIX. Her Majesty may from Time to Time, by Order in Council, direct this Act to come into operation in any of the said scheduled Colonies, and thereupon, but not otherwise, the same shall have the Force of Law in such Colony or Colonies named in any such Order; but no such Order in Council shall be made in respect of any Colony until the Legislature of such Colony has presented an Address to Her Majesty, praying Her Majesty to issue such Order, and has also, to the Satisfaction of Her Majesty's Principal Secretary of State for the Colonies, made Provision for the Payment of the Salaries of the Local Commissioners, and of all such Assistant Secretaries, Clerks, Messengers, and Officers as may be appointed under this Act in such Colony, and of such other Expenses of carrying this Act into execution as are herein-before directed to be provided for by the Legislature of the Colony.

SCHEDULE.

Jamaica.	Tobago.	St. Christopher's.	British Guiana.
Barbados.	St. Lucia.	Montserrat.	Trinidad.
St. Vincent.	Antigua.	Nevis.	The Bahamas.
Grenada.	Dominica.	The Virgin Islands.	The Turks Islands.

CAP. CXVIII.

An Act to empower the Legislature of *Canada* to alter the Constitution of the Legislative Council for that Province, and for other Purposes. [11th *August* 1854.]

'WHEREAS an Act of the Session of Parliament holden in the Third and Fourth Years of Her Majesty, Chapter Thirty-five, "to reunite the Provinces of *Upper* and *Lower Canada*, and for "the Government of *Canada*," provides amongst other things for the Establishment of a Legislative Council in the Province of *Canada*, consisting of Members summoned thereto by the Governor, under the Authority of Her Majesty as therein specified: And whereas it is expedient that the Legislature of the said Province should be empowered to alter the Constitution of the said Legislative Council: And whereas the said Act requires Amendment in other respect:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Legislature of Canada to alter the Constitution of the Legislative Council.

I. It shall be lawful for the Legislature of *Canada*, by any Act or Acts to be hereafter for that Purpose passed, to alter the Manner of composing the Legislative Council of the said Province, and to make it consist of such Number of Members appointed or to be appointed or elected by such Persons and in such Manner as to the said Legislature may seem fit, and to fix the Qualifications of the Persons capable of being so appointed or elected, and by such Act or Acts to make Provision, if they shall think fit, for the separate

separate Dissolution by the Governor of the said Legislative Council and Legislative Assembly respectively, and for the Purposes aforesaid to vary and repeal in such Manner as to them may seem fit all or any of the Sections and Provisions of the said recited Act, and of any other Act of Parliament now in force which relate to the Constitution of the Legislative Council of *Canada:* Provided always, that any Bill or Bills which shall be passed by the present Legislative Council and Assembly of *Canada* for all or any of the Purposes aforesaid shall be reserved by the said Governor, unless he think fit to withhold Her Majesty's Assent thereto, for the Signification of Her Majesty's Pleasure, and shall be subject to the Enactments of the said recited Act of the Third and Fourth Years of Her Majesty, Chapter Thirty-five, Section Thirty-nine, which relate to Bills so reserved for the Signification of Her Majesty's Pleasure.

Provisions of former Acts of Parliament to apply to the new Legislative Council.

II. As soon as the Constitution of the Legislative Council of the Province of *Canada* shall have been altered under such Act or Acts so assented to by Her Majesty as aforesaid, all Provisions of the said recited Acts of Parliament of the Third and Fourth Years of Her Majesty, Chapter Thirty-five, and of any other Act of Parliament now in force relating to the Legislative Council of *Canada*, shall be held to apply to the Legislative Council so altered, except so far as such Provisions may have been varied or repealed by such Act or Acts of the Legislature of *Canada* so assented to as aforesaid.

Legislature of Canada may vary Acts constituting the new Legislative Council;

III. It shall be lawful for the Legislature of *Canada* from Time to Time to vary and repeal all or any of the Provisions of the Act or Acts altering the Constitution of the said Legislative Council: Provided always, that any Bill for any such Purpose which shall vary the Qualification of Councillors, or the Duration of Office of such Councillors, or the Power of the Governor to dissolve the Council or Assembly, shall be reserved by the Governor for the Signification of Her Majesty's Pleasure in manner aforesaid.

and to vary, &c. the Property Qualification of Members of Assembly.

IV. It shall be lawful for the Legislature of *Canada*, by any Act or Acts reserved for the Signification of Her Majesty's Pleasure, and whereto Her Majesty shall have assented as herein-before provided, to vary or repeal any of the Provisions of the recited Act of Parliament of the Third and Fourth Years of Her Majesty which relate to the Property Qualification of Members of the Legislative Assembly.

Proviso in Section 26. of 3 & 4 Vict. c. 35. repealed.

V. So much of the Twenty-sixth Section of the said recited Act of Parliament as provides that it shall not be lawful to present to the Governor of the Province of *Canada* for Her Majesty's Assent any Bill of the Legislative Council and Assembly of the said Province by which the Number of Representatives in the Legislative Assembly may be altered unless the Second and Third Reading of such Bill in the Legislative Council and the Legislative Assembly shall have been passed with the Concurrence of Two Thirds of the Members for the Time being of the said Legislative Council, and of Two Thirds of the Members for the Time being of the said Legislative Assembly respectively, and that the Assent of Her Majesty shall not be given to any such Bill unless Addresses shall have been presented by the Legislative Council and the Legislative Assembly respectively to the Governor stating that such Bill has been so passed, is hereby repealed.

Section 42. of 3 & 4 Vict. c. 35. repealed.

VI. The Forty-second Section of the said recited Act of Parliament, providing that in certain Cases Bills of the Legislative Council and Assembly of *Canada* shall be laid before both Houses of Parliament of the United Kingdom, is hereby repealed; and, notwithstanding anything in the said Act of Parliament or in any other Act of Parliament contained, it shall be lawful for the Governor to declare that he assents in Her Majesty's Name to any Bill of the Legislature of *Canada*, or for Her Majesty to assent to any such Bill if reserved for the Signification of Her Pleasure thereon, although such Bill shall not have been laid before the said Houses of Parliament; and no Act heretofore passed or to be passed by the Legislature of *Canada* shall be held invalid or ineffectual by reason of the same not having been laid before the said Houses, or by reason of the Legislative Council and Assembly not having presented to the Governor such Address as by the said Act of Parliament is required.

Interpretation of Terms.

VII. That in this Act the Word "Governor" is to be understood as comprehending the Governor, and in his Absence the Lieutenant Governor, or Person authorized to execute the Office or the Functions of the Governor of *Canada.*

CAP. CXIX.

An Act for regulating Appointments to Offices in the Court of Bankruptcy, and for amending the Laws relating to Bankrupts. [11th *August* 1854.]

'WHEREAS by reason of a Diminution of the Business of the Court of Bankruptcy Vacancies have not been filled up in the Offices of Commissioners for the *Birmingham* and the *Bristol* Districts respectively, and of a Registrar for the *Bristol* District, and in the present State of the Business of the Court it is not necessary that the same should be filled up: And whereas the Lord Chancellor ought to be empowered, in manner herein-after mentioned, to regulate the Amount of the Establishment of the Court of Bankruptcy on the Occurrence of future Vacancies, in proportion to the Amount of the Business of the Court for the Time being, as far as Circumstances will permit: And whereas, in some other Particulars, the Laws relating to Bankrupts and to the Court of Bankruptcy require Amendment:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Present Vacancies not to be filled up except upon Special Order of Lord Chancellor.

I. The Vacancies now existing in the Offices of Commissioners of the Court of Bankruptcy for the *Birmingham* and the *Bristol* Districts respectively, and of Registrar for the *Bristol* District, shall not, nor shall any of them, be filled up unless and until the Lord Chancellor shall, by Order, declare that, having regard to the State of the Business of the Court, he is of opinion that the said Vacancies, or such One or more of them as shall be mentioned in the Order, ought to be then filled up; and thereupon the said Vacancies, or such One or more of them as aforesaid, may be filled up, as if this Act had not been passed.

Lord Chancellor may declare future Vacancies not to be filled up except upon Special Order.

II. Upon any future Vacancy in the Office of Commissioner, by reason whereof there shall be One Commissioner only acting in the *Birmingham*, *Bristol*, *Leeds*, *Liverpool*, or *Manchester* District, and upon any future Vacancy in the Office of Registrar for any of the same Districts, the Lord Chancellor may, if, having regard to the then State of the Business of the Court, he shall so think fit, by Order declare that such One or more of the Vacancies aforesaid as shall be mentioned in the Order shall not be filled up until further Order, and thereupon the same shall not be filled up accordingly, unless and until the Lord Chancellor shall, by Order, declare that, having regard to the then State of the Business of the Court, he is of opinion that any such Vacancy as aforesaid ought to be then filled up, and thereupon the same may be filled up, as if this Act had not been passed or such first-mentioned Order had not been made.

Certain Provisions of 1 & 2 W. 4. c. 56. s. 9. repealed, and Registrars may be removed upon Certificate of the Lords Justices.

III. 'And whereas by Section Nine of an Act passed in the Session of Parliament holden in the First 'and Second Years of King *William* the Fourth, Chapter Fifty-six, it is enacted, that it shall be lawful 'for His Majesty, His Heirs and Successors, to remove any of the Registrars and Deputy Registrars of 'the Court of Bankruptcy upon a Certificate from the Court of Review or One of the Subdivision Courts, 'of some sufficient Reason to be named therein for such Removal:' Now be it enacted as follows:

The said Enactment shall be repealed; and it shall be lawful for Her Majesty, Her Heirs and Successors, to remove the Chief Registrar or any of the Registrars for the Time being of the said Court, acting either in *London* or in the Country, upon a Certificate from the Lords Justices for the Time being of the Court of Appeal in Chancery, of some sufficient Reason to be named therein for such Removal.

Power to appoint a Person to act as Registrar temporarily.

IV. Where, upon any Vacancy in the Office of Registrar for *London* or a Country District, it shall seem to the Lord Chancellor that it is necessary that some Person should be then appointed to attend upon and assist a Commissioner there acting, but that it is not expedient that a permanent Appointment to the Office of Registrar there should be then made, the Lord Chancellor may appoint a fit Person to act as Registrar in and for *London* or the Country District, as the Case may require, and in that Capacity to attend upon and assist a Commissioner there acting, until further Order.

Remuneration of a Person appointed to act under last preceding Section.

V. Every Person appointed to act under the last preceding Section may receive, from Time to Time, out of the Monies for the Time being standing to the Credit of the Chief Registrar's Account, such Sum or Sums by way of Remuneration for his Services in the Period during which he shall act, not exceeding in the whole the Amount to which he would have been entitled as Salary for the same Period under a permanent Appointment as Registrar to act in *London* or in a Country District, as the Case may be, together with such further Sum (if any) for his necessary and proper travelling Expenses, as the Lord Chancellor may from Time to Time order.

Power to appoint Substitute in case of Illness, &c. of Commissioner or Registrar.

VI. Where a Commissioner or Registrar, acting either in *London* or in a Country District, is temporarily hindered from discharging his Duty by Illness or unavoidable Absence, the Lord Chancellor may, if he shall so think fit, appoint a fit Person, who in the Case of a Commissioner shall be a Serjeant or Barrister-at-Law of at the least Seven Years standing at the Bar, to act in the Stead of such Commissioner or Registrar as aforesaid, during his Illness or unavoidable Absence.

Power to appoint Substitute in reasonable Absence of Country Commissioner or Registrar.

VII. Where a Commissioner or Registrar acting in a Country District is absent for any reasonable Cause, the Lord Chancellor may, if he shall so think fit, from Time to Time appoint a fit Person, who in the Case of a Commissioner shall be a Serjeant or Barrister-at-Law of at the least Seven Years standing at the Bar, to act in the Stead of such Commissioner or Registrar as aforesaid, during such Period or Periods as shall not exceed in the whole the Period of Two Calendar Months in any One Period of Twelve consecutive Calendar Months.

Substitute to have like Authority, &c.

VIII. Every Serjeant, Barrister, or other Person who shall under this Act act in the Stead of a Commissioner or Registrar, or in succession to a Registrar, but without a permanent Appointment as Registrar, may and shall, while his Appointment remains in force, have, discharge, and execute all the Jurisdiction, Rights, Powers, Duties, and Authorities belonging to the Office of the Commissioner or Registrar in whose Stead or in succession to whom he shall for the Time being act, with full Validity and Effect to all Intents and Purposes.

Appointments of Messengers and Ushers.

IX. No Vacancy in the Office of Messenger or of Usher shall be hereafter filled up without the Sanction of the Lord Chancellor first obtained.

Section 76. of 5 & 6 Vict. c. 122. and Secton 49. of 7 & 8 Vict. c. 96. repealed, and Salaries of Officers to commence from Appointment.

X. 'And whereas by Section Seventy-six of an Act passed in the Session of Parliament holden in the 'Fifth and Sixth Years of Her Majesty, Chapter One hundred and twenty-two, it is enacted, that a 'succeeding Judge, Commissioner, Registrar, and Deputy Registrar respectively shall be paid such pro- 'portionate Part of their respective Salaries as shall be accruing or shall accrue from the Day of the 'Resignation, Death, or Removal from Office of the preceding Judge, Commissioner, Registrar, or Deputy 'Registrar respectively; and by Section Forty-nine of an Act passed in the Session of Parliament holden 'in the Seventh and Eighth Years of Her Majesty, Chapter Ninety-six, it is enacted, that the Successor 'of any Registrar or Deputy Registrar dying, resigning, or being removed shall be entitled to receive

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'such Portion of his Salary as shall be accruing or shall accrue from the Day of such Death, Resignation, 'or Removal:' Now be it enacted as follows:

The said Enactments shall be repealed; and the Salaries of all Commissioners and other Officers of the Court of Bankruptcy to be hereafter appointed shall commence from the respective Times when they shall respectively be so appointed, and not from the Times when the respective Vacancies shall have occurred.

Remuneration of Official Assignees.

XI. The Lord Chancellor shall, within Six Calendar Months after the passing of this Act, with the Advice and Assistance of the said Lords Justices and of any Two or more of the Commissioners, by Order, direct according to what Scale or Rate, and in what Manner, and with reference to what Considerations, the Remuneration of an Official Assignee for his Services in respect of a Bankrupt's Estate shall be calculated and allowed; and as from the Day on which such Order as aforesaid shall take effect, the Section of the Bankrupt Law Consolidation Act, 1849, numbered Forty-four, shall be repealed, and thenceforth the Court shall not order or allow any Sum to be paid out of a Bankrupt's Estate to the Official Assignee thereof, as a Remuneration for his Services, otherwise than in pursuance of and in accordance with the Provisions and Directions of such Order as aforesaid, or any Order amending or substituted for the same; and the Lord Chancellor may from Time to Time thereafter, with the Advice and Assistance aforesaid, by Order, regulate such Remuneration as aforesaid; and the Provisions and Directions respecting such Remuneration as aforesaid contained in the General Order of the Nineteenth Day of *October* One thousand eight hundred and fifty-two, numbered CXXX., shall remain in force and be observed until the same shall be abrogated or varied by any Order to be made under this Act.

Fees may be altered by Order of Lord Chancellor.

XII. The Lord Chancellor may, with the Advice and Assistance aforesaid, from Time to Time by Order vary or abolish the Fees by the Bankrupt Law Consolidation Act, 1849, made payable by Stamps, or any of them, or other the Fees for the Time being payable in relation to any of the Proceedings in Matters of Bankruptcy or Arrangement in the Court of Bankruptcy or the Court of Appeal in Chancery, and, if and when it shall seem necessary or expedient, fix and impose upon or in relation to such Proceedings as aforesaid, or any of them, other Fees, or Fees of an altered Amount, but not of an Amount higher than that by the last-mentioned Act prescribed, as far as regards any Fee or Stamp Duty thereby expressly made payable in respect of any Document therein specified; and the Provisions of the same Act respecting Stamps are hereby extended and applied to and in the Case of such Stamps as may be required by any Order to be made under this Act.

Per-centage paid to Chief Registrar's Account may be abolished or varied by Order.

XIII. The Lord Chancellor may, with the Advice and Assistance aforesaid, if it shall to him seem expedient, abolish such Per-centage as is by the Bankrupt Law Consolidation Act, 1849, (Section LIV.,) made payable to the Chief Registrar's Account, or reduce the lowest Rate thereof below One Eighth of a Pound *per Centum*, and again re-impose the said Per-centage, and from Time to Time regulate and vary the same, but so that the highest Rate thereof shall not ever exceed the highest Rate made payable by the said Act.

Power to fix Maximum payable for Fees.

XIV. The Lord Chancellor may, with the Advice and Assistance aforesaid, from Time to Time by Order fix a maximum Sum to be paid in any Matter of Bankruptcy or Arrangement in respect of the Fees, Stamp Duties, Per-centages, or other Charges for the Time being payable to or in aid of the Fund standing to the Credit of the Chief Registrar's Account, and raise or lower the same as may seem expedient; and when in any Matter the total Sum paid in respect of such Fees, Stamp Duties, Per-centages, or other Charges as aforesaid, shall amount to the maximum Sum for the Time being fixed (which shall be ascertained and certified in such Manner and by such Person as the Lord Chancellor, with the Advice and Assistance aforesaid, may by Order direct), then and in that Case there shall not be any further or other Fee, Stamp Duty, Per-centage, or Charge whatsoever paid or payable in relation to the same Matter, or any of the Proceedings taken or to be taken therein, to or in aid of the Fund standing to the Chief Registrar's Account.

Power to make General Orders.

XV. The Section of the Bankrupt Law Consolidation Act, 1849, numbered VIII., is hereby repealed, but not so as to invalidate any Rule or Order already made thereunder; and the Lord Chancellor may, with the Advice and Assistance aforesaid, from Time to Time by Order vary or abrogate all or any of the Rules and Orders already made thereunder, or under any other Authority, and now in force, in relation to Matters of Bankruptcy or Arrangement, and may from Time to Time make and alter or revoke such Orders as may to him seem expedient for the better Execution of the last-mentioned Act and this Act, or either of them, or any other Act relating to Bankruptcy, and for the Regulation of the Practice in Matters of Bankruptcy and Arrangement, and the Form and Mode of Proceeding therein before and by the Court of Bankruptcy, and for the Regulation of the Duties of the several Officers of the Court of Bankruptcy, and the Fees, Costs, Charges, and Allowances, as well of Solicitors and of Messengers and Ushers, as also of Auctioneers, Appraisers, Brokers, Valuers, and Accountants employed by Assignees, Messengers, or Bankrupts, and for the Taxation thereof respectively.

Where Declarations of Insolvency to be filed.

XVI. Every Declaration of Insolvency to be filed on or after the First Day of *September* One thousand eight hundred and fifty-four, for the Purposes of the Bankrupt Law Consolidation Act, 1849, under the Authority of that Act as altered by the Act of the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Seventy-seven, shall, in lieu of being in every Case filed in the Office of the Chief Registrar, be filed in the Court within the District whereof

whereof the Trader filing the same shall have resided or carried on Business for Six Calendar Months next immediately preceding the Time of the filing thereof; and the same shall be filed, in the Case of the *London* District, in the Office of the Chief Registrar, and in the Case of the Country Districts with the respective Registrars thereof.

Filing in Country District Court effectual.

XVII. The filing of a Declaration of Insolvency with the Registrar of a Country District shall have the same Effect to all Intents and Purposes as the filing thereof in the Office of the Chief Registrar would now have.

Copies to be sent to Chief Registrar.

XVIII. The several Registrars acting in the Country shall transmit by Post Copies of all Declarations of Insolvency filed with them, immediately on the filing thereof respectively, to the Chief Registrar, who shall immediately on the Receipt thereof respectively cause the same to be entered in a proper Book to be kept by him for that Purpose.

Copy certified by Country Registrar to be Evidence.

XIX. A Copy of a Declaration of Insolvency purporting to be certified by a Registrar of a Country District as a true Copy of a Declaration filed in the Court for that District shall be received as Evidence of such Declaration as aforesaid having been filed.

Trader petitioning to show 150*l.* Assets.

XX. The Section of the Bankrupt Law Consolidation Act, 1849, numbered XCIII., is hereby repealed as from the First Day of *September* One thousand eight hundred and fifty-four; and on and after that Day any Trader liable to become bankrupt may petition for Adjudication of Bankruptcy against himself, but, unless he shall forthwith, after filing his Petition and before Adjudication of Bankruptcy thereunder, make it appear to the Satisfaction of the Court that his available Estate is sufficient to produce the Sum of One hundred and fifty Pounds at the least, his Petition shall be dismissed, and no further Petition shall Oe filed by him in the same District without the Leave of the Court first obtained, and the Adjudication on any further Petition shall be subject to the like Condition as aforesaid as to his available Estate.

Form of Petition of Trader.

XXI. The Form of Petition for Adjudication of Bankruptcy presented by a Trader himself which is specified in the Schedule (O.) to the last-mentioned Act annexed shall, on and after the First Day of *September* One thousand eight hundred and fifty-four, be altered by the Words "produce the Sum of One hundred and fifty Pounds at the least" being inserted therein, in lieu of the Words "pay his Creditors at least Five Shillings in the Pound."

Proofs of Assets to the Amount of 150*l.* to be sufficient.

XXII. Proof by a Trader petitioning as aforesaid of the Sufficiency of his available Estate to the Extent required by this Act shall have the same Force and Effect, to all Intents, and for all the Purposes of the Bankrupt Law Consolidation Act, 1849, as Proof by him of the Sufficiency of his available Estate to the Extent required by that Act would now have for the same Purposes.

Messenger to follow Instructions of Official Assignee.

XXIII. After the Appointment of an Official Assignee to act in any Bankruptcy, and before the Choice of Assignees by the Creditors, the Messenger shall follow the Instructions of the Official Assignee, subject to the Directions and Control of the Court, with respect to the taking possession of any Part of the Bankrupt's Estate or Effects of which the Messenger shall not have then already taken possession, and the keeping possession of any Part thereof of which he shall then already have taken or shall at any Time thereafter take possession.

Extension of Time for disputing Adjudication.

XXIV. The Section of the Bankrupt Law Consolidation Act, 1859, numbered CCXXXIII., limiting the Time within which a Person adjudged bankrupt may dispute the Adjudication, shall, in the Case of every Person who shall be adjudged bankrupt on and after the First Day of *September* One thousand eight hundred and fifty-four, be construed and acted upon for all Purposes whatsoever as if the Words "Two Calendar Months" were therein inserted, in lieu of the Words "Twenty-one Days."

Excepted Articles to be allowed to a Bankrupt.

XXV. Every Person who shall be adjudged bankrupt on or after the First Day of *September* One thousand eight hundred and fifty-four shall be entitled to retain, for the Use of himself and his Family, under the Name of excepted Articles, such Articles of Household Furniture, and Tools, Implements of Trade, and other like Necessaries as he shall specify and select, not exceeding in the whole the Value of Twenty Pounds; and such excepted Articles shall not be subject to be sold or disposed of in the Bankruptcy, or to be taken in Execution at the Suit of any Creditor entitled to prove under the Bankruptcy; and in all Cases there shall be filed with the Proceedings in the Court an Inventory of such excepted Articles, with a Valuation of the same respectively, with a Certificate signed by the Appraiser or other Person making such Valuation attesting the Truth thereof, and stating when and where such Articles were seen and valued; and the reasonable Expenses and Charge of and for such Valuation, when taxed, shall be paid by the Official Assignee out of the Proceeds of the Estate of the Bankrupt, under the Order of the Commissioner.

An Inventory and Valuation of the Remainder of the Bankrupt's Furniture, &c. to be made, which shall not be sold without the Order of a Commissioner.

XXVI. Except where the Court shall otherwise order, an Inventory and Valuation of the Remainder of the Bankrupt's Household Furniture, Tools, and Implements of Trade shall be made and delivered to the Official Assignee; and where the Bankrupt shall, by Writing under his Hand, request the Assignees not to dispose of the same, such Household Furniture, Tools, or Implements of Trade shall not be disposed of by the Assignees without previous Order of the Commissioner; and the Commissioner may, upon the Application of the Bankrupt, postpone the Removal and Sale of the same for such Time as the Commissioner, in the Exercise of his Discretion, shall think fit, having regard to the probable Value of the other Property of the Bankrupt, and he may permit and suffer the same to remain in the Use and Occupation of the Bankrupt, upon such Terms and Conditions and with such Security as to the Commissioner

missioner may seem proper, so as to protect the same from being made liable to or sold for the Payment of any Rent, Rates, or Taxes which might become due thereafter for or on account of any House or Premises wherein such Property may be placed, and from being made liable to be sold for the Payment of any Debt, Claim, or Demand whatsoever by reason of being in the Possession and Occupation of the Bankrupt; and the Commissioner may, at any Time when he shall think it necessary so to do, order the same to be taken by the Messenger or Assignee, and to be sold for the Benefit of the Creditors.

If the Bankrupt shall be entitled to any Allowance, his Household Furniture, &c. to be taken in lieu of Money.

XXVII. If the other Estate and Effects of the Bankrupt shall in the due Administration thereof pay to the Creditors such an Amount of Dividend as shall entitle the Bankrupt to an Allowance in Money, and the Household Furniture, Tools, and Implements of Trade so contained in the last-mentioned Inventory and Valuation shall not have been sold, the Bankrupt shall accept the same at the Valuation so originally put upon the same, or a sufficient Portion thereof, to be selected by him, with the Approbation of the Assignees, as and for his Allowance instead of Money; and such Articles of Household Furniture, Tools, and Implements of Trade so excepted shall be delivered to him, and shall thereupon, without any Deed of Assignment, revest in the Bankrupt as his own Property, and the Official Assignee shall sell for the Benefit of the Creditors such Portions of such Articles as the Bankrupt shall not be entitled to retain, and such Deduction may be made from his Allowance for any Diminution in Value in such Articles occasioned by his having continued to use them since the Bankruptcy as the Commissioner may think reasonable (to be either paid by the Bankrupt in Money or the Amount thereof in Value retained in Goods).

Construction. Short Title.

XXVIII. This Act shall be construed, together with the Bankrupt Law Consolidation Act, 1849, as One Act, and may be cited as "The Bankruptcy Act, 1854."

CAP. CXX.

An Act to repeal certain Acts and Parts of Acts relating to Merchant Shipping, and to continue certain Provisions in the said Acts. [11th *August* 1854.]

'WHEREAS by "The Merchant Shipping Act, 1854," the Acts relating to Merchant Shipping are 'amended and consolidated, and it is expedient to repeal certain Acts and Parts of Acts relating 'to Merchant Shipping, and to make temporary Provisions with respect to certain of the Matters referred 'to in the said Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title of Act.

1. This Act may be cited for all Purposes as "The Merchant Shipping Repeal Act, 1854."

Interpretation of Terms.

2. In the Construction and for the Purposes of this Act the Interpretation of Terms contained in "The Merchant Shipping Act, 1854," shall be considered as incorporated with and forming Part of this Act.

Commencement of Act.

3. With the Exception of such Provisions of this Act as are herein-after expressly stated to be intended to come into operation immediately after the passing thereof, this Act shall come into operation at the same Time as the Merchant Shipping Act, 1854.

Repeal of Acts mentioned in Schedule.

4. There shall be hereby repealed—

The several Acts and Parts of Acts set forth in the First Schedule hereto, to the Extent to which such Acts or Parts of Acts are therein expressed to be repealed, and all such Provisions of any other Acts or of any Charters, and all such Laws, Customs, and Rules as are inconsistent with the Provisions of the Merchant Shipping Act, 1854:

Provided that such Repeal shall not affect—

(1.) Any Provisions contained in the Act of the Seventh Year of His late Majesty King *William* the Fourth, Chapter Seventy-nine, as to Title, Application of Purchase Money, or borrowing Money, and having relation to the Power of purchasing Lighthouses given to the *Trinity House* by the same Act:

(2.) Any Security duly given before this Act comes into operation:

(3.) Any Thing duly done before this Act comes into operation:

(4.) Any Liability accruing before this Act comes into operation:

(5.) Any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence committed before this Act comes into operation:

(6.) The Institution of any Investigation or legal Proceeding or any other Remedy for ascertaining, enforcing, or recovering any such Liability, Penalty, Forfeiture, or Punishment as aforesaid:

(7.) Any Appointment, Byelaw, Regulation, or Licence duly made or granted under any Enactment hereby repealed, and subsisting at the Time when this Act comes into operation; and the same shall continue in force, but shall be subject to such Provisions of the Merchant Shipping Act, 1854, as are applicable thereto respectively.

Continuation of Local Marine Boards.

5. The Local Marine Boards, the Members of which have been appointed or elected under the Mercantile Marine Act, 1850, shall continue to act until the Fourth Day of *February* One thousand eight hundred and fifty-seven, or until other Boards have been constituted in lieu thereof in pursuance of the Provisions of the Merchant Shipping Act, 1854.

6. The

Construction of Sections 4 and 9 of the Pilotage Law Amendment Act, 1853.

6. The Fourth and Ninth Sections of "The Pilotage Law Amendment Act, 1853," shall be construed as if the Fifth Part of "The Merchant Shipping Act, 1854," were therein referred to, in lieu of the Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and twenty-five.

Expenses of Life Boats, &c. may be charged on Mercantile Marine Fund.

7. The Board of Trade may, out of the Mercantile Marine Fund, direct Payment to be made of such Expenses for establishing and maintaining on the Coasts of the United Kingdom proper Life Boats, with the necessary Crews and Equipments, and for affording Assistance towards the Preservation of Life and Property in Cases of Shipwreck and Distress at Sea, and for the granting Rewards for the Preservation of Life in such Cases, as it thinks fit; and this Section shall come into operation immediately after the passing of this Act.

Existing Liabilities on Mercantile Marine Fund continued.

8. Nothing in the Merchant Shipping Act, 1854, or in this Act contained, shall operate to prevent the Exercise of the Powers contained in the Twelfth and Sixteenth Sections of the Merchant Shipping Law Amendment Act, 1853, of paying the Debts, Liabilities, and Expenses therein mentioned out of the Mercantile Marine Fund: 'And whereas it was arranged that a Sum to be ascertained by the Calculation 'of Actuaries should before the said last-mentioned Act came into operation be paid by the *Trinity* 'House out of the Cash Balances then in their Hands for the Purpose of supplying a Deficiency in the 'Funds of the Cinque Ports Pilots, and of indemnifying the Funds of the *Trinity House* Pilots against 'any Loss consequent upon the Settlements to be made under the Pilotage Law Amendment Act, 1853: 'And whereas when the Merchant Shipping Law Amendment Act, 1853, came into operation, the said 'Calculation was not completed:' Be it enacted, That such Payment may, with the Consent of the Board of Trade, be made by the *Trinity House* in the same Manner as Payment of the Debts, Liabilities, and Expenses referred to in the said Twelfth Section of the said last-mentioned Act; and this Section shall come into operation immediately after the passing of this Act.

Provision as to Wages, &c. received before 1852.

9. All Monies arising from any Wages and Effects of deceased Seamen or Apprentices to the Sea Service which were received before the First Day of *January* One thousand eight hundred and fifty-two shall be applied in the same Manner as if the same had been received under the Provisions of "The Merchant Shipping Act, 1854."

Receiver General to conform to Directions of Board of Trade.

10. The Receiver General of Droits of Admiralty shall, as to all Things to be done by him in virtue of his Office, conform to all lawful Directions given for that Purpose by the Board of Trade; and on a Vacancy occurring in his Office no Successor shall be appointed, but thereupon all Powers and Privileges vested in such Receiver General shall be transferred to the Board of Trade; and this Section shall come into operation immediately after the passing of this Act.

Powers of Board of Trade as to Appointment of Receivers.

11. Receivers appointed by the said Receiver General under the Act of the Tenth Year of the Reign of Her present Majesty, Chapter Ninety-nine, shall hold their Offices only during the Pleasure of the Board of Trade; and the Serjeants of the Admiralty of the Cinque Ports, their Deputies or other Officers, authorized to perform the Duties and to exercise the Powers within the Jurisdiction of the Cinque Ports elsewhere performed and exercised by such Receivers as aforesaid, shall perform and exercise the same only during the Pleasure and subject to the Directions of the Board of Trade; and all such Receivers, Serjeants, Deputies, and other Officers as aforesaid shall possess in the several Districts within which they have hitherto exercised their Duties the same Powers, Rights, and Privileges, and perform the same Duties, as are by the said Merchant Shipping Act, 1854, vested in and committed to the Receivers therein mentioned, save only that they shall not be entitled to take the Command in Cases of Ships or Boats stranded or in distress, unless authorized so to do by the Board of Trade.

Payment of Receivers.

12. There shall be payable to such Receivers, Serjeants, Deputies, and other Officers as aforesaid such Fees and other Remuneration as are by the said Merchant Shipping Act, 1854, made payable to Receivers appointed thereunder, and Payment thereof shall be made by the same Persons and in the same Manner, and shall be capable of being enforced by the same Means, as Payment of the Fees or other Remuneration payable to the Receivers appointed under "The Merchant Shipping Act, 1854," are payable or capable of being enforced, or as near thereto as Circumstances permit; and, save as aforesaid, and saving also any Expenses actually and properly incurred, no such Receiver, Serjeant, Deputy, or other Officer as aforesaid shall be entitled to demand or receive from any Person any Fees or other Sums in respect of any Services performed by him as Receiver; and this Section shall come into operation immediately after the passing of this Act.

Application of Fees.

13. All Fees or other Remuneration received by any such Receiver, Serjeant, Deputy, or other Officer as aforesaid may be applied by him to his own Use.

Ninth Part of Merchant Shipping Act, 1854, to come into operation immediately.

14. The Provisions contained in the Ninth Part of "The Merchant Shipping Act, 1854," shall come into operation at the same Time as if the same were herein repeated, and were hereby expressed to be intended to come into operation immediately after the passing of this Act; and the following Acts, that is to say, the Act of the Seventh Year of King *George* the Second, Chapter Fifteen, the Act of the Twenty-sixth Year of King *George* the Third, Chapter Eighty-six, and the Act of the Fifty-third Year of King *George* the Third, Chapter One hundred and fifty-nine, shall be considered as repealed immediately after the passing of this Act.

Mode of Procedure, Criminal Cases.

15. All Criminal Proceedings under "The Seamen's Fund Winding-up Act, 1851," "The Pilotage Law Amendment Act, 1853," "The Merchant Shipping Law Amendment Act, 1853," or this Act, shall be carried on in the same Manner as similar Proceedings under "The Merchant Shipping Act, 1854;"

and

and all Rules of Law, Practice, and Evidence which are applicable to such last-mentioned Proceedings shall be applicable to Criminal Proceedings under this Act.

Penalty on Masters of Ships leaving certain Seamen in Distress in this Country.

16. If a Native of any Country in *Asia*, *Africa*, or of any of the Islands in the *South Sea* or the *Pacific Ocean*, or of any other Country not having any Consul in the United Kingdom, is brought to the United Kingdom in any Ship, *British* or Foreign, as a Seaman, and is left in the United Kingdom, and within Six Months of his being so left becomes chargeable upon the Poor Rate, or commits any Act by reason of the Committal whereof he is liable to be convicted as an idle and disorderly Person, or any other Act of Vagrancy, the Master or Owner of the said Ship, or in case of a Foreign Ship the Person who is Consignee of the Ship at the Time of the Seaman being so left as aforesaid, shall incur a Penalty not exceeding Thirty Pounds, unless he can show that the Person so left as aforesaid quitted the Ship without the Consent of the Master, or that due Means have been afforded by such Master, Owner, or Consignee, or One of them, to such Person, of returning to his Native Country, or to the Country in which he was shipped; and the Court inflicting such Penalty may order the whole or any Part of such Penalty to be applied towards the Relief or sending Home of such Person.

SCHEDULE to which this Act refers.

Acts and Parts of Acts to be repealed.

Reference to Act.	Title of Act.	Extent of Repeal.
8 Eliz. Cap. 13.	An Act touching Sea Marks and Mariners.	The whole Act, except Section 5.
12 Anne, Stat. 2. Cap. 18.	An Act for the preserving all such Ships and Goods thereof which shall happen to be forced on shore or stranded on the Coasts of this Kingdom or on any other of Her Majesty's Dominions.	So much as is not already repealed.
4 Geo. 1. Cap. 12.	An Act for enforcing and making perpetual an Act of the Twelfth Year of Her late Majesty, intituled "An Act for the preserving all such "Ships and Goods thereof which shall happen "to be forced on shore or stranded upon the "Coasts of this Kingdom or any other of Her "Majesty's Dominions;" and for inflicting the Punishment of Death on such as shall wilfully burn or destroy Ships.	So much as is not already repealed.
7 Geo. 2. Cap. 15.	An Act to settle how far Owners of Ships shall be answerable for the Acts of the Masters or Mariners.	The whole Act.
20 Geo. 2. Cap. 38.	An Act for the Relief and Support of maimed disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service.	So much as is not already repealed.
26 Geo. 2. Cap. 19.	An Act for enforcing the Laws against Persons who shall steal or detain shipwrecked Goods, and for the Relief of Persons suffering Losses thereby.	So much as is not already repealed.
26 Geo. 3. Cap. 86.	An Act to explain and amend an Act made in the Seventh Year of His late Majesty's Reign, intituled "An Act to settle how far Owners "of Ships shall be answerable for the Acts of "the Masters or Mariners;" and for giving a further Relief to the Owners of Ships.	The whole Act.
26 Geo. 3. Cap. 101.	An Act for erecting certain Lighthouses in the Northern Parts of Great Britain.	The whole Act.
28 Geo. 3. Cap. 25.	An Act to render more effectual an Act passed in the Twenty-sixth Year of His present Majesty's Reign, intituled "An Act for erecting certain "Lighthouses in the Northern Parts of Great "Britain."	The whole Act.

Merchant Shipping Acts Repeal.

Reference to Act.	Title of Act.	Extent of Repeal.
29 Geo. 3. Cap. 52.	An Act to give further Powers to the Commissioners for erecting certain Lighthouses in the Northern Parts of Great Britain.	The whole Act.
38 Geo. 3. Cap. 57. (Local and Personal.)	An Act for incorporating the Commissioners appointed for erecting certain Lighthouses in the Northern Parts of Great Britain.	The whole Act.
46 Geo. 3. Cap. 106.	An Act to provide for the better Execution of the several Acts relating to the Revenues, Matters, and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in Ireland.	Sections 75 and 76.
46 Geo. 3. Cap. 132.	An Act for erecting a Lighthouse on the Bell or Cape Rock on the Eastern Coast of Scotland, and for enabling the Commissioners of the Treasury to advance a certain Sum of Money out of the Consolidated Fund of Great Britain towards that Purpose.	The whole Act.
48 Geo. 3. Cap. 130.	An Act for preventing the various Frauds and Depredations committed on Merchants, Shipowners, and Underwriters, by Boatmen and others, within the Jurisdiction of the Cinque Ports, and also for remedying certain Defects relative to the Adjustment of Salvage under a Statute made in the Twelfth Year of the Reign of Her late Majesty Queen Anne.	The whole Act.
50 Geo. 3. Cap. 95.	An Act to enable the Corporation for preserving and improving the Port of Dublin to erect, repair, and maintain Lighthouses round the Coast of Ireland, and to raise a Fund for defraying the Charge thereof.	The whole Act.
51 Geo. 3. Cap. 66.	An Act to amend and render more effectual several Acts for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious, and for erecting, repairing, and maintaining Lighthouses round the Coast of Ireland, and to raise a Fund for defraying the Charge thereof.	The whole Act, so far as relates to Lighthouses and Light Dues.
52 Geo. 3. Cap. 115.	An Act to make more effectual Provision for enabling the Corporation for preserving and improving the Port of Dublin to erect, repair, and maintain Lighthouses and Lights round the Coasts of Ireland, and to raise a Fund for defraying the Charge thereof.	The whole Act.
53 Geo. 3. Cap. 159.	An Act to limit the Responsibility of Shipowners in certain Cases.	The whole Act.
54 Geo. 3. Cap. 136.	An Act for enabling the Commissioners of the Northern Lighthouses to purchase the Island and Light of May, at the Entrance of the Frith of Forth, for enabling the Commissioners of the Treasury to advance a certain Sum of Money towards that Purpose, and for amending several Acts in regard to the Northern Lighthouses.	The whole Act.
55 Geo. 3. Cap. lxvii. (Local and Personal.)	An Act for enabling the Commissioners of the Northern Lighthouses to erect Lighthouses on the Isles of Man and Calf of Man.	The whole Act.
59 Geo. 3. Cap. 12.	An Act to amend the Laws for the Relief of the Poor.	Section 32.

Merchant Shipping Acts Repeal.

Reference to Act.	Title of Act.	Extent of Repeal.
1 & 2 Geo. 4. Cap. 76.	An Act to continue and amend certain Acts for preventing the various Frauds and Depredations committed on Merchants, Shipowners, and Underwriters, by Boatmen and others, within the Jurisdiction of the Cinque Ports, and also for remedying certain Defects relative to the Adjustment of Salvage under a Statute made in the Twelfth Year of the Reign of Her late Majesty Queen Anne.	The whole Act, except Sections 1, 2, 3, 4, 5, 15, 16, and 18.
4 Geo. 4. Cap. 88.	An Act for regulating Vessels carrying Passengers between Great Britain and Ireland.	The whole Act.
6 Geo. 4. Cap. 125.	An Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the better preservation of Floating Lights, Buoys, and Beacons.	The whole Act.
9 Geo. 4. Cap. 86.	An Act to amend an Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the better Preservation of Floating Lights, Buoys, and Beacons.	The whole Act.
11 Geo. 4. Cap. 20.	An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy.	Section 82.
4 & 5 Wm. 4. Cap. 52.	An Act to amend an Act of the Twentieth Year of His Majesty King George the Second, for the Relief and Support of sick, maimed, and disabled Seamen, and the Widows and Children of such as shall be killed, slain, or drowned in the Merchant Service, and for other Purposes.	So much as is not already repealed.
5 & 6 Wm. 4. Cap. 19.	An Act to amend and consolidate the Laws relating to the Merchant Seamen of the United Kingdom, and for forming and maintaining a Register of all the Men engaged in that Service.	So much as is not already repealed.
6 & 7 Wm. 4. Cap. 79.	An Act for vesting Lighthouses, Lights, and Sea Marks on the Coasts of England in the Corporation of Trinity House of Deptford Strond; and for making Provisions respecting Lighthouses, Lights, Buoys, and Beacons, and Sea Marks, and the Tolls and Duties payable in respect thereof.	The whole Act.
1 & 2 Vict. Cap. 66.	An Act for maintaining a Lighthouse at Gibraltar, and respecting Lighthouses not within the United Kingdom.	The whole Act.
3 & 4 Vict. Cap. 68.	An Act to enable Her Majesty in Council to authorize Ships and Vessels belonging to Countries having Treaties of Reciprocity with the United Kingdom to be piloted, in certain Cases, without having a licensed Pilot on board; and also to regulate the Mode in which Pilot Boats shall be painted and distinguished.	The whole Act.
7 & 8 Vict. Cap. 112.	An Act to amend and consolidate the Laws relating to Merchant Seamen; and for keeping a Register of Seamen.	The whole Act.
8 & 9 Vict. Cap. 86.	An Act for the General Regulation of the Customs.	Sections 45. 51. 53. and 140.
8 & 9 Vict. Cap. 87.	An Act for the Prevention of Smuggling -	Section 10.
8 & 9 Vict. Cap. 89.	An Act for the registering of British Vessels -	The whole Act.

Merchant Shipping Acts Repeal.

Reference to Act.	Title of Act.	Extent of Repeal.
8 & 9 Vict. Cap. 116.	An Act for the Protection of Seamen entering on board Merchant Ships.	The whole Act.
9 & 10 Vict. Cap. 99.	An Act for consolidating and amending the Laws relating to Wreck and Salvage.	The whole Act.
12 & 13 Vict. Cap. 29.	An Act to amend the Laws in force for the Encouragement of British Shipping and Navigation.	The whole Act.
12 & 13 Vict. Cap. 88.	An Act to amend the Laws relating to Pilotage.	The whole Act.
13 & 14 Vict. Cap. 93.	An Act for improving the Condition of Masters, Mates, and Seamen, and maintaining Discipline in the Merchant Service.	The whole Act.
13 & 14 Vict. Cap. 95.	An Act to amend the Laws relating to the Customs.	Section 14.
14 & 15 Vict. Cap. 35.	An Act to extend the Benefits of certain Provisions of the General Merchant Seamen's Act relating to Apprentices bound to the Sea Service to Apprentices bound to the Sea Service by Boards of Guardians of the Poor in Ireland, and to enable such Guardians to place out Boys in the Naval Service.	The whole Act, except Section 10.
14 & 15 Vict. Cap. 79.	An Act to consolidate and amend the Laws relating to the Regulation of Steam Navigation, and to the Boats and Lights to be carried by sea-going Vessels.	The whole Act.
14 & 15 Vict. Cap. 96.	An Act to amend the Mercantile Marine Act, 1850.	The whole Act.
14 & 15 Vict. Cap. 102.	An Act to amend the Acts relating to the Merchant Seamen's Fund, and to provide for winding up the said Fund, and for the better Management thereof in the meantime.	Sections 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 61.
16 & 17 Vict. Cap. 129.	An Act further to amend the Law relating to Pilotage.	The whole Act, except Sections 3, 4, 5, 8, 10, 11, 12, 13, and so much of Section 9 as relates to the Recovery of Pilotage Rates by Cinque Ports Pilots licensed before the Act came into operation.
16 & 17 Vict. Cap. 131.	An Act to amend various Laws relating to Merchant Shipping.	The whole Act, except Sections 12, 13, 24, 28, and 29.
17 & 18 Vict. Cap. 5.	An Act to admit Foreign Ships to the Coasting Trade.	Section 4.

CAP. CXXI.

An Act to apply a Sum out of the Consolidated Fund and certain other Sums to the Service of the Year One thousand eight hundred and fifty-four, and to appropriate the Supplies granted in this Session of Parliament. [12th *August* 1854.]

§ I. There shall be applied for the Service of the Year 1854 the Sum of £22,322,743 9*s.* 11*d.* out of the Consolidated Fund.

II. The Treasury may cause £22,322,743 9*s.* 11*d.* of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of *England* may advance £22,322,743 9*s.* 11*d.* on the Credit of this Act, notwithstanding 5 & 6 *W.* & *M. c.* 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank as Security for such Advances.

VII. Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may apply, for the Service of the Year 1854, £149,342 15*s.* 1*d.* Surplus of Ways and Means, and £500,000 Part of Sum in Exchequer.

X. Appropriation of Ways and Means to Services hereafter expressed.—17 & 18 *Vict. c.* 2., 17 & 18 *Vict. c.* 3., 17 & 18 *Vict. c.* 12., 17 & 18 *Vict. c.* 21., and 17 & 18 *Vict. c.* 23.

XI. There shall be issued,

£	12,874,505	0	0	For Navy Services; *viz.*	
	2,654,371	0	0	For Wages to 63,500 Seamen and Marines, additional Pay to Coast Guard Men, &c. and for Balance of Pay to Ships "*Erebus*" and "*Terror*"	For the Year ending 31st *March* 1855.
	1,070,324	0	0	For Victuals, &c. in the Navy	
	143,467	0	0	For Salaries, &c. of the Admiralty Office, and Expenses arising out of the Declaration of War	
	50,000	0	0	For the Royal Naval Coast Volunteers	
	51,722	0	0	For the Navy Scientific Departments	
	133,451	0	0	For Naval Establishments at home, &c.	
	22,297	0	0	For Naval Establishments abroad	
	930,648	0	0	For Wages of Artificers, &c. at home	
	38,259	0	0	For Wages of Artificers, &c. abroad	
	1,840,063	0	0	For Naval Stores, &c.	
	379,642	0	0	For new Works in Naval Establishments	
	62,000	0	0	For Medicines, &c.	
	60,653	0	0	For Naval Miscellaneous Services	
	657,575	0	0	For Naval Half Pay, &c.	
	476,659	0	0	For Military Pensions	
	148,798	0	0	For Civil Pensions	
	3,321,750	0	0	For Freight of Ships, &c. for Army and Ordnance Services	
	20,000	0	0	For Expenses of Prisoners of War	
	812,826	0	0	For Packet Service	
XII.	8,810,059	0	0	For Army Services, *viz.*	
	4,723,288	0	0	For Forces in United Kingdom and Stations abroad (except *East Indies*)	From 1st *April* 1854 to 31st *March* 1855.
	221,382	0	0	For General Staff Officers, &c.	
	105,093	0	0	For Allowances to Officers, &c. of Public Military Departments	
	17,401	0	0	For Royal Military College	
	20,756	0	0	For Royal Military Asylum, &c.	
	88,000	0	0	For Volunteer Corps	
	20,500	0	0	For Rewards for distinguished Military Services	
	46,000	0	0	For Pay of General Officers	
	59,600	0	0	For Full Pay for Retired Officers	
	356,000	0	0	For Half Pay for Retired Officers	
	33,671	0	0	For Half Pay for Officers of disbanded Foreign Corps, &c.	
	115,889	0	0	For Pensions to Widows	

Consolidated Fund (Appropriation).

	£ 75,500	0	0	For Compassionate List, &c - - -	From 1st *April* 1854 to 31st *March* 1855.
	30,694	0	0	For In-Pensioners of *Chelsea* and *Kilmainham* Hospitals - - - - -	
	1,215,712	0	0	For Out-Pensioners of *Chelsea* Hospital, &c. -	
	38,000	0	0	For Superannuations in Military Public Departments - - - - -	
	600,271	0	0	For Commissariat Department - - -	
	44,302	0	0	For Half Pay of Commissariat Department -	
	998,000	0	0	For Militia - - - - - -	
§ XIII.	4,583,701	0	0	For Ordnance Services; *viz.*	For the Year ending 31st *March* 1855.
	1,014,289	0	0	For Pay of Ordnance Military Corps - -	
	653,910	0	0	For Commissariat and Barrack Supplies, &c. -	
	73,719	0	0	For Expense of Ordnance Office - -	
	283,645	0	0	For Establishments at home and abroad - -	
	266,524	0	0	For Wages, &c. - - - -	
	995,427	0	0	For Ordnance Stores for Land and Sea Service -	
	932,821	0	0	For Works and Repairs - - - -	
	154,368	0	0	For Scientific Branch - - - -	
	177,998	0	0	For Non-effective Services - - -	
	31,000	0	0	For *Enfield* Factory - - -	
XIV.	16,024,100	0	0	To pay off Exchequer Bills of 1854; and	
	500,000	0	0	To discharge Supplies for 1853, or for any preceding Year.	
XV.	3,000,000	0	0	For additional Expense in the War against *Russia*.	
XVI.	100,000	0	0	For Civil Contingences - - -	To 31st *March* 1855.
				CIVIL SERVICES.—*Class* 1.	
XVII.	135,863	0	0	For Repair of Royal Palaces, &c. - -	
	19,437	0	0	For Completion of South Wing of *Buckingham Palace* - - - - -	
	66,585	0	0	For Repair of Royal Parks, &c. - -	
	141,294	0	0	For New Houses of Parliament - -	
	10,000	0	0	For additional Works, &c. at Stationery Office, in 1854.	
	10,000	0	0	For Public Record Repository, in 1854.	
	155,486	0	0	For *Holyhead* Harbour - - -	
	237,000	0	0	For Harbours of Refuge - - -	
	676	0	0	For *Port Patrick* Harbour - - -	
	26,118	0	0	For Public Buildings in Department of Public Works in *Ireland* - - -	
	13,370	0	0	For *Kingstown* Harbour - - -	
				CIVIL SERVICES.—*Class* 2.	
XVIII.	83,076	0	0	For Salaries, &c. of Houses of Parliament -	To 31st *March* 1855.
	55,146	0	0	For the Treasury - - - -	
	27,552	0	0	For the Home Department - - -	
	72,372	0	0	For the Foreign Department - - -	
	40,550	0	0	For Department of War and Colonies - -	
	2,700	0	0	For Lord Privy Seal - - -	
	23,850	0	0	For Office of Paymaster General - -	
	7,295	0	0	For Department of Comptroller General of Exchequer - - - -	
	20,124	0	0	For Office of Commissioners of Works and Public Buildings - - - -	
	22,846	0	0	For Office of Woods, Forests, &c. - -	
	2,791	0	0	For State Paper Office - - -	
	3,463	0	0	Part Expenses of Ecclesiastical Commissioners -	
	210,902	0	0	For Administration of Poor Laws - -	
	82,504	0	0	For the Mint - - - - -	
	12,691	0	0	For Public Records - - -	
	15,115	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	1,700	0	0	For Civil Charges, *Scotland*, &c. - -	
	6,283	0	0	For Officers, &c. of Lord Lieutenant of *Ireland* -	

Consolidated Fund (Appropriation).

	£ 16,744	0	0	For Salaries of Chief Secretary, &c. *Ireland* -	
	6,704	0	0	For Paymaster of Civil Services, *Ireland* -	
	24,218	0	0	For Board of Public Works, *Ireland* - -	
	32,000	0	0	For Foreign and Secret Services - -	
	255,560	0	0	For Stationery, &c. for Public Departments -	
	68,600	0	0	For the Privy Council, Privy Council for Trade, Education Office, &c. - - -	
				CIVIL SERVICE.—*Class* 3.	
§ XIX.	29,561	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin, &c. - -	
	17,079	0	0	For Expenses of Sheriffs, Salaries of Officers of the Exchequer, &c. - - -	
	8,415	0	0	For Insolvent Debtors Court - -	
	92,455	0	0	For Law Expenses, *Scotland* - - -	
	55,470	0	0	For Criminal Prosecutions, and Law Charges, *Ireland* - - - -	
	37,000	0	0	For Metropolitan Police, *Dublin* - - -	
	250,000	0	0	For Charges formerly paid out of County Rates -	
	17,306	0	0	For General Superintendence of Prisons, &c. -	
	371,383	0	0	For Government Prisons, and Convict Establishments at home - - - -	
	164,165	0	0	For Maintenance of Prisoners and Removal of Convicts - - - - -	
	92,765	0	0	For Transportation of Convicts - -	
	342,702	0	0	For Convict Establishments in the Colonies -	
				CIVIL SERVICES.—*Class* 4.	
XX.	263,000	0	0	For Public Education in *Great Britain* - -	
	193,040	0	0	For Education, *Ireland* - - -	
	79,845	0	0	For Department of Practical Art, &c. - -	To
	2,006	0	0	For certain Professors at *Oxford* and *Cambridge*	31st *March* 1855.
	3,875	0	0	For *London* University - - - -	
	7,710	0	0	For Grants to *Scottish* Universities - -	
	300	0	0	For Royal *Irish* Academy - - -	
	300	0	0	For Royal *Hibernian* Academy - -	
	2,600	0	0	For Royal *Belfast* Academical Institution -	
	2,259	0	0	For Queen's University, *Ireland* - -	
	55,225	0	0	For Salaries and Expenses of *British* Museum -	
	101,142	0	0	For new Buildings, &c. at *British* Museum -	
	1,500	0	0	For Antiquities for *British* Museum - -	
	7,490	0	0	For National Gallery - - -	
	2,020	0	0	For Magnetic Observatories, &c. - -	
	500	0	0	For Royal Geographical Society - -	
				CIVIL SERVICES.—*Class* 5.	
XXI.	4,049	0	0	For Civil Establishment of the *Bermudas* -	
	7,547	0	0	For Ecclesiastical Establishment, *British North American* Provinces - - -	
	9,438	0	0	For *Indian* Department in *Canada* - -	
	22,928	0	0	For Salaries of Governors, &c. of *West India* Colonies and *Prince Edward's Island* - -	
	28,875	0	0	For Salaries, &c. of Stipendiary Justices in *West India* Colonies and the *Mauritius* - - -	
	14,110	0	0	For Civil Establishments on the Western Coast of *Africa* - - - - -	
	11,276	0	0	For *St. Helena* - - - -	
	2,383	0	0	For *Western Australia* - - -	
	976	0	0	For *Heligoland* - - - - -	
	3,023	0	0	For *Falkland Islands* - - -	
	4,400	0	0	For *British* Settlement at *Hong Kong* - -	
	1,000	0	0	For *Labuan* - - - -	

Consolidated Fund (Appropriation).

	£ 16,840	0	0	For Colonial Land and Emigration Board, &c. -	To 31st *March* 1855.
	20,000	0	0	For Support of captured Negroes, &c. -	
	11,250	0	0	For Commissions for suppressing the Slave Trade	
	156,865	0	0	For the Consular Establishments abroad -	
	18,500	0	0	For Missions abroad - - - - -	
				CIVIL SERVICES.—*Class* 6.	
§ XXII.	135,772	0	0	For Superannuations, &c. to Public Officers -	
	2,561	0	0	For *Toulonese* and *Corsican* Emigrants, &c. -	
	2,210	0	0	For National Vaccine Institution, in 1854.	
	325	0	0	For Refuge for Destitute, in 1854.	
	4,200	0	0	For *Polish* Refugees, &c. - - - -	
	4,469	0	0	To pay Miscellaneous Allowances - -	
	1,352	0	0	For Foundling Hospital Department, House of Industry, *Dublin* - - - -	
	11,859	0	0	For House of Industry, *Dublin* - -	
	500	0	0	For Female Orphan House, *Dublin* - -	
	1,215	0	0	For *Westmoreland* Lock Hospital, *Dublin* -	
	500	0	0	For Lying-in Hospital, *Dublin* - -	
	795	0	0	For Dr. *Stevens'* Hospital, *Dublin* - -	
	1,900	0	0	For House of Recovery, &c. *Dublin* - -	
	250	0	0	For Hospital for Incurables, *Dublin* - -	
	38,745	0	0	For Protestant Dissenting Ministers, *Ireland* -	
	6,426	0	0	For Charitable Allowances, &c., *Ireland* -	
				CIVIL SERVICES.—*Classes* 7 *and* 8.	
XXIII.	13,930	0	0	For Incumbered Estates Commission, *Ireland* -	
	15,000	0	0	For Charity Commission for *England* and *Wales*	
	7,550	0	0	For Statute Law Commission - -	
	900	0	0	For Commission for Publication of Ancient Laws of *Ireland* - - - -	
	23,700	0	0	For Compensations, &c. payable under the Patent Law Amendment Act - - -	
	78,815	0	0	For Pensions to Masters and Seamen, &c. under the Merchant Seamen's Fund Act - -	
	25,500	0	0	For *Battersea* Park - - - - -	
	35,000	0	0	For Embankment, &c. between *Battersea* and *Vauxhall* Bridges, &c. - - -	To 31st *March* 1855
	3,393	0	0	For *British* Ambassador's House at *Paris* -	
	10,900	0	0	For Lighthouses abroad - - -	
	2,500	0	0	For building a Museum for the Royal *Dublin* Society - - - -	
	27,500	0	0	For Purchase of additional Lands at *Kensington Gore* - - - - -	
	5,000	0	0	For Expedition for the Exploration of *Australia*	
	2,800	0	0	For Medical Staff sent to *West India* Islands, &c. - - - - -	
	25,000	0	0	For Claims upon Suitors Fund of Court of Admiralty - - - -	
	45,000	0	0	For Claims respecting the *Orange River* Territory	
	140,000	0	0	For Purchase of *Burlington House* and Grounds, *Piccadilly* - - - -	
	10,000	0	0	For new Consular Offices, &c. at *Constantinople*	
	2,055	0	0	For reinstating Chapel at the Embassy, *Constantinople* - - - - -	
	1,400	0	0	For *British* Protestant Cemetery at *Madrid* -	
	2,500	0	0	For Repair of Royal Monuments in *Westminster Abbey* - - - -	
	1,000	0	0	For Repair of Statue of *Charles I.* at *Charing Cross* - - - - -	
	13,000	0	0	For Cost of collecting Agricultural Statistics -	
	6,000	0	0	For Repair of Breach in *Spurn Point* - -	
	12,055	0	0	For General Board of Health - - -	

	£ 17,300	0	0	For Department of Secretary of State for War, from 12th *June* 1854.	To 31st *March* 1855.
	16,889	0	0	For effecting an Exchange of the Office of the Duchy of *Cornwall*	
	2,273	0	0	For Office for Registration of Joint Stock Companies at Board of Trade	
	50,000	0	0	For *British* Department of the Universal Exhibition at *Paris*	
				REVENUE DEPARTMENTS.	
§ XXIV.	840,785	0	0	For Customs Department	
	479,320	0	0	For the Coast Guard, &c.	
	1,154,594	0	0	For Inland Revenue Department	
	52,769	0	0	For Revenue Police, *Ireland*, and "*Seamew* Steamer"	
	1,525,335	0	0	For Post Office Services and Collection of the Revenue	
				DEPARTMENTS FROM CONSOLIDATED FUND, &c.	
XXV.	149,859	0	0	For Expenses of Departments heretofore charged on Consolidated Fund or Public Revenue	
	849,402	0	0	For legal Expenses, ditto	
	109,634	0	0	For miscellaneous Charges, ditto	

XXVI. Supplies to be applied only for the Purposes aforesaid.

XXVII. Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXVIII. Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXIX. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXX. Persons concerned in issuing, paying, and receiving Money for Payment of Half Pay, without the requisite Oaths, indemnified. 16 & 17 *Vict. c.* 110.

XXXI. Half Pay allowed to Officers of the *Manx* Fencibles.

XXXII. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXXIII. Surplus of Sum by 16 & 17 *Vict. c.* 110. appropriated to Half Pay Officers to be disposed of as Her Majesty shall direct.

XXXIV. Widows, &c., claiming Pensions to make required Declaration.

XXXV. Declarations to be made as specified in 5 & 6 *W.* 4. *c.* 62.

CAP. CXXII.

An Act for the further Alteration and Amendment of the Laws and Duties of Customs.

[12th *August* 1854.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. On and after the Eighth Day of *August* One thousand eight hundred and fifty-four, in lieu and instead of all other Duties and Drawbacks of Customs, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon Goods imported into or exported from any Part of *Great Britain* and *Ireland*, the several Duties of Customs, and there shall be allowed the several Drawbacks, as the same are respectively inserted, described, and set forth in Table (A.) to this Act annexed; and in lieu of all Duties of Customs now payable by Law upon the Importation of Goods into the *Isle of Man*, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the several Duties of Customs as the same are respectively set forth in Figures in Table (B.) to this Act annexed; and all the Goods described as free in the said Table (A.) shall be exempt from Duty on the Importation

Instead of all other Duties and Drawbacks there shall be paid and allowed the Duties and Drawbacks specified in Tables annexed. Duties in Table to be levied on

Goods imported into Isle of Man.

Importation thereof into *Great Britain* and *Ireland*, and those described as free in the said Table (B.) shall be exempt from Duty on the Importation thereof into the *Isle of Man*.

Goods not reported may be detained.

II. Goods not duly reported may be detained by any Officer or Officers of Customs until the same are so reported, and the Cause of the Omission explained to the Satisfaction of the Commissioners of Customs, who may thereupon restore the same on such Terms as they may deem proper; and such Goods may in the meantime, should the said Commissioners deem necessary, be removed to the Queen's Warehouse.

Extension of Time for perfecting Sight Entries.

III. The Time prescribed by the Sixty-fourth Section of "The Customs Consolidation Act, 1853," for perfecting Entries by Bill of Sight, may be extended at the Discretion of the Commissioners of Customs.

Commissioners of Customs to permit special Entries.

IV. The Commissioners of Customs may permit the Entries of Goods in such Form and Manner and on such Conditions as they may direct to meet the Exigencies of any Case to which the general Laws and Regulations may not be strictly applicable.

As to Entries of Arms, &c.

V. On the Entry of Arms and Ammunition of War, whether for Home Use, Exportation, or in Transit, the Number of Articles of each Description, as denominated in Table (A.) to this Act, shall be stated in the Import, Export, or Transit Entry, as the Case may be.

Goods not worth the Duty, &c. in Warehouse may be destroyed.

VI. All Goods deposited in the Queen's Warehouse, and not duly cleared therefrom within Three Calendar Months, if the same cannot be sold for a Sum sufficient to pay the Duties and Charges if offered for Sale for Home Consumption, or the Charges if offered for Sale for Exportation, may be destroyed by Direction of the Commissioners of Customs.

The re-weighing, re-gauging, &c. of Goods on quintennial re-warehousing, may in certain Cases be dispensed with.

VII. On the re-warehousing in the Name of the Proprietor of Goods, either by himself or by the Warehousekeeper, after the Expiration of Five Years from the last preceding warehousing or re-warehousing thereof under Sections One hundred and three and One hundred and four of "The Customs Consolidation Act, 1853," the Commissioners of Customs may (first being satisfied that the same are in the Warehouse, that the Packages are entire, and that there is no Ground to suspect that there is any undue Deficiency therein,) dispense with the re-weighing, re-gauging, or re-measuring and strict Examination thereof, if they be such as are liable on Delivery to the Payment of Duty according to the landing Weight, Measure, or Quantity thereof, and also, at the Request of the Warehousekeeper or Proprietor of the Warehouse, may (first being satisfied as aforesaid) dispense with the re-weighing, re-gauging, re-measuring, or strict Examination on such re-warehousing as aforesaid, of Goods being Wines or other Goods the Duties whereon are payable at the Delivery, Weight, Measure, or Quantity, and which may be liable to Injury by such re-weighing, re-guaging, re-measuring, or strict Examination; but in either of these Cases the Warehousekeeper or Proprietor of such Warehouse shall be liable at the Time of Delivery of such Goods to pay the Duties due on any Deficiency therein not allowed by Law which may then be found to exist, instead of being called upon to make good any Deficiencies which might have been found to exist had such re-weighing, re-gauging, re-measuring, or Examination been resorted to at the Time of such re-warehousing.

Ships with Cargo to clear.

VIII. If any Ship having Cargo on board shall depart from any Port without being duly cleared, the Master shall forfeit the Sum of One hundred Pounds.

Tobacco may be legally imported in Packages of 80lbs. Weight.

IX. Nothing in the Customs Consolidation Act, 1853, shall extend to render any Ship of One hundred and twenty Tons Burden or upwards liable to Forfeiture on account of any Tobacco, Cigars, or Snuff imported in such Ships into the United Kingdom in Packages each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff, nor to render any Tobacco, Cigars, or Snuff liable to Forfeiture by reason of its being imported in such Packages, nor to render any such Ship or any Tobacco, Cigars, or Snuff so imported liable to Forfeiture under the Two hundred and twelfth Section of the said Act.

Prohibited Goods not to be shipped from the Channel Islands to the United Kingdom.

X. If in the Channel Islands any Goods, the Importation whereof into the United Kingdom is prohibited or restricted, shall be shipped or brought to any Wharf, Quay, or other Place in or be waterborne to be shipped on board any Ship clearing or departing from those Islands to the United Kingdom, such Goods shall be forfeited, and any Person who shall so ship, bring, or waterbear to be shipped any such Goods, or be otherwise knowingly concerned therein, shall forfeit the Sum of One hundred Pounds or Treble the Value of the Goods, at the Election of the Commissioners of Customs.

Bay Islands to be on same Footing as the Bermudas.

XI. The Islands in the *Bay of Honduras*, called the *Bay Islands*, shall be deemed and taken to be excepted or excluded from the Operation of the One hundred and fifty-ninth Section of the "Customs Consolidation Act, 1853," to the same Extent as the *Bahamas* or *Bermuda Islands* are thereby excepted or excluded.

British and Irish Spirits prohibited to be brought from the Isle of Man.

XII. *British* or *Irish* Spirits may be exported from *Great Britain* or *Ireland* to Parts beyond the Seas, or be removed to the *Isle of Man*, in Casks of the Content of Ten Gallons each at the least, but no *British* or *Irish* Spirits shall be removed or exported from the *Isle of Man* to any other Part of the United Kingdom, under pain of Forfeiture thereof.

Count for harbouring, &c. smuggled Goods.

XIII. The Words "otherwise dealing with certain prohibited, restricted, or uncustomed Goods" in Count Sixteen of Schedule B. to "The Customs Consolidation Act, 1853," shall be deemed to apply to and include the harbouring or having Possession, as the Case may be, of any such Goods, and it shall not be necessary to prove that the Party charged was concerned in the unshipping thereof.

XIV. The

When Defendant's Option may not be exercised.

XIV. The Option given to a Defendant by Section Two hundred and sixty-four of "The Customs Consolidation Act, 1853," of removing any Proceedings against himself before any Justice to a Superior Court, shall be not exercised after the Commencement of the Trial thereof before such Justice.

14 & 15 Vict. c. 99. not to extend to Revenue Cases.

XV. The Second Section of the Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Ninety-nine, shall not be deemed to apply to any Prosecution, Suit, or other Proceeding, in respect of any Offence, or for the Recovery of any Penalties or Forfeitures, under any Law now or hereafter to be made, relating to the Customs or Inland Revenue.

Provision as to Importation of Tobacco, &c. into Channel Islands.

XVI. Section One hundred and ninety-three of "The Customs Consolidation Act, 1853," is hereby repealed, but no Tobacco, Cigars, or Snuff shall be imported into the Channel Islands, nor be carried from any one of the said Islands to another of them, or from one Part of any of the said Islands to another Part of the same, unless in Ships of not less Burden than Fifty Tons, except from the United Kingdom in Ships of not less than Forty Tons Burden regularly trading from thence to those Islands, nor unless in Packages each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff, nor unless the Provisions in and under which the like Sort of Goods may be legally imported into the United Kingdom are complied with; and all Cigars, Tobacco, or Snuff imported into the said Islands, or carried, shipped, or removed, contrary hereto, or which shall be found or discovered to have been on board any Ship or Boat within One League of the Coasts thereof, shall be forfeited, together with the Ship or Boat.

When Exemption in 192. of "Customs Consolidation Act, 1853," to apply.

XVII. The Exemption contained in the Proviso of Section One hundred and ninety-two of "The Customs Consolidation Act, 1853," in respect of Spirits, shall only apply in Cases where such Spirits are shipped, removed, imported, exported, or carried Coastwise in Ships of not less Burden than Fifty Tons, as required by the foregoing Part of the said Section.

Declaratory Explanation of Term "Malt."

XVIII. Doubts having arisen as to the Meaning of the Prohibition in regard to Malt contained in the Forty-fourth Section of "The Customs Consolidation Act, 1853," the Term Malt shall be deemed to include all Malt, whether in Grain or in the Form of concentrated Extract or Essence, but shall not include any of the fermented Liquors made from Malt now specified in the Tariff.

Dispensation of Shipping Documents Outwards.

XIX. So much of the One hundred and forty-second Section of "The Customs Consolidation Act, 1853," as requires a Duplicate Bill of Lading on the Shipment of Goods, and, within Fourteen Days after Clearance of the Ship, a List of such Goods, with the Quantities and Values thereof, is hereby repealed, except as to Shipments at the Port of *Liverpool*, with respect to which so much only of the said Section as requires the Values of the Goods to be stated in such List is hereby repealed; but if the Exporter shall fail, either by himself or his Agent, to deliver to the Searcher a Shipping Bill, with Duplicates thereof where required, of the Goods exported by him as prescribed by the said Act, he shall forfeit the Sum of Twenty Pounds.

Isle of Man to be deemed Part of United Kingdom.

XX. The *Isle of Man* shall be deemed and taken to be Part of the United Kingdom for the Purposes of this or any other Act relating to the Customs, save as to the Rates of Duties and Drawbacks charged or allowed.

Interpretation Clause.

XXI. When any of the Terms mentioned in the Three hundred and fifty-seventh Section of "The Customs Consolidation Act, 1853," are used in this or any other Act relating to the Customs, the Terms so used shall have the same Interpretation and Meaning as are given to them in the said Section.

TABLE A.

Duties applicable to Great Britain and Ireland.

		£	s.	d.
Arms, viz.:				
Swords, Cutlasses, Matchetts, Bayonets, Gun Locks, Cannon or Mortars of Iron not mounted nor accompanied with Carriages	the Cwt.	0	2	6
Cannon or Mortars of Brass not mounted nor accompanied with Carriages	the Cwt.	0	10	0
Cannon or Mortars mounted or accompanied with Carriages, and other Fire-arms, viz. Muskets, Rifles, Carbines, Fowling Pieces, or Guns of any other Sorts not enumerated, and Pistols	for every 100*l.* Value thereof	10	0	
Ammunition, viz.:	the Cwt.			
Shot, large and small, of Lead	the Cwt.	0	2	0
" " of Iron	"	0	2	6
Rockets and other Combustibles, for Purposes of War, and not otherwise enumerated or described	for every 100*l.* Value thereof	10	0	0
Baskets	the Cubic Foot	0	0	4
Boxes, viz.—Brass	the Cwt.	1	10	0
Not otherwise charged with Duty	for every 100*l.* Value	10	0	0
Buttons and Studs of Metal			free.	
" " other Sorts			free.	
Cherries, dried	the lb.	0	0	2
Comfits, dry	the lb.	0	0	2
Confectionery	the lb.	0	0	2

	£	s.	d.
Eggs - - - - the Cubic Foot of the Package, internal Measurement	0	0	8
Of and from British Possessions, the Cubic Foot of the Package, internal Measurement	0	0	4
Embroidery on Silk, or Silk mixed with other Materials, not being Silk Net, for every 100*l.* Value	15	0	0
Of and from British Possessions - - - for every 100*l.* Value	5	0	0
Ginger - - - - - - - - the Cwt.	0	5	0
Glass—Plate Glass, cast or rolled, of whatever Thickness, whether silvered, polished, or rough, and silvered Glass not otherwise enumerated - - - - -	free.		
Gongs - - - - - - - - the Cwt.	1	0	0
Hops—until the 1st August 1855 - - - - - the Cwt.	1	0	0
From and after that Date - - - - - - - the Cwt.	2	5	0
Japanned or Lacquered Ware - - - - - - - the Cwt.	1	0	0
Iron, Manufactures of, coated with Brass or Copper by any galvanic Process - the Cwt.	0	3	6
Lucifers, of Wood - the Cubic Foot of the external Package, measured internally	0	0	4
Marmalade - - - - - - - - the lb.	0	0	2
Musical Instruments, viz.: Harmoniums and Seraphines - - - - each	1	5	0
Concertinas, all Sorts - - - the 100 Notes	0	5	0
Oil Cloth - - - - - - the Square Yard	0	0	1½
Opera Glasses, viz.:			
Single - - - - - - - - each	0	1	0
Double, and all Marine and Race Glasses, not being Telescopes - - each	0	2	6
Paper, viz.:—Printed, Painted, or Stained Paper Hangings, or Flock Paper - the lb.	0	0	3
Platting, viz.:—of Chip, not being of greater Value than Sixpence per Piece of Sixty Yards the lb.	0	0	6
Willow Squares - - - - - - the Cwt.	0	10	0
Plums preserved in Sugar - - - - - - the lb.	0	0	2
Silks, viz.:—Corahs, Choppas, Bandannas, Tussore Cloth, Romals and Taffaties, viz.:			
In Pieces not exceeding 6¼ Yards in Length - - - the Piece	0	0	6
In Pieces exceeding 6¼ Yards and not exceeding 7¼ Yards in Length - the Piece	0	0	8
In Pieces exceeding 7¼ Yards, and not exceeding 12 Yards in Length - the Piece	0	0	10
China Crape Shawls, Scarfs, Handkerchiefs, and Pieces—			
Plain and Damask - - - - - - the lb.	0	3	0
Embroidered - - - - - - the lb.	0	5	0
Manufactures of Silk, or of Silk mixed with Metal or any other Material, the Produce of Europe, viz.:			
Ribbons of Velvet or Plush, wholly of Silk or of Silk mixed with Cotton, not exceeding Nine Inches in Width—			
Plain or embossed by Depression, without Satin or Fancy Edge - the lb.	0	5	0
Figured, brocaded, striped, or spotted, or with Satin or Fancy Edge, and Silk Ribbons in any way mixed or ornamented with Velvet or Plush - the lb.	0	10	0
Manufactures of Silk, or of Silk mixed with any other Material called Plush, not being Ribbons - - - - - - - the lb.	0	3	0
Articles thereof - - - - - - - the lb.	0	3	6
Spirits, viz.:—			
Not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes's Hydrometer; for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon - the Gallon	0	15	0
Of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4th Vict. Cap. 8. have or shall have been fulfilled, if imported—			
Into England - - - - - - the Gallon	0	8	2
Into Scotland - - - - - the Gallon	0	6	0
Into Ireland - - - - - - the Gallon	0	4	4
And further, if imported into Scotland as imposed by the Act 17th & 18th Vict. Cap. 29. - - - - - - the Gallon	0	0	4
Rum Shrub, Cordials, and Liqueurs of and from a British Possession in America or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, if imported—			
Into England - - - - - - the Gallon	0	8	2
Into Scotland - - - - - - the Gallon	0	6	0
Into Ireland - - - - - - the Gallon	0	4	4
And further, if imported into Scotland, as imposed by the Act 17th & 18th Vict. Cap. 29. - - - - - - the Gallon	0	0	4

	£	s.	d.
Other Spirits and Strong Waters being sweetened or mixed so that the Degree of Strength cannot be ascertained as aforesaid - - - - - - the Gallon	1	0	0
Stays or Corsets, of Linen or of Cotton, or of Linen and Cotton mixed - the Doz. Pairs	0	2	0
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated - - - - - - - - - the lb.	0	0	2
Sulphate of Potash - - - - - - - - - -	free.		
Vinegar - - - - - - - - - - the Gallon	0	0	4½
Yarn, Woollen - - - - - - - - - - -	free.		
Worsted for Fancy Purposes, of Two or more Threads, not being fit for Embroidery, the lb.	0	0	3

A Drawback shall be allowed on all Roasted Coffee exported as Ships' Stores, or removed to the Isle of Man for Consumption therein, equal in Amount to the Import Duty chargeable on Raw Coffee; and on Tobacco manufactured in the United Kingdom, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases containing not less than Eighty Pounds net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores—the lb. 2*s.* 7½*d.*, and 5 per Cent. thereon.

TABLE B.

Duties applicable to the Isle of Man.

Spirits, viz.;	£	s.	d.
Rum Shrub of the British Possessions - - - - - - the Gallon	0	3	8
Rum and other Spirits of the British Possessions, not being sweetened or mixed Spirits or Liqueurs, Cordials, or perfumed Spirits, for every Gallon of the Strength of Proof by Sykes's Hydrometer, and so on in proportion for any greater or less Strength than the Strength of Proof, or for any greater or less Quantity than a Gallon - the Gallon	0	3	8
Liqueurs, Cordials, mixed, sweetened, and perfumed Spirits - - the Gallon	0	10	0
Of the British Possessions - - - - - - - the Gallon	0	5	0

CAP. CXXIII.

An Act to render any Dealing with Securities issued during the present War between *Russia* and *England* by the *Russian* Government a Misdemeanor. [12th *August* 1854.]

'WHEREAS it is expedient to prevent as much as possible the *Russian* Government from raising 'Funds for the Purpose of prosecuting the War which it at present carries on against this 'Country:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Prohibiting the Dealing in Russian Stocks, &c.

I. If, during the Continuance of Hostilities between Her Majesty and the Emperor of *Russia*, any Person within Her Majesty's Dominions, or any *British* Subject in any Foreign Country, shall wilfully or knowingly take, acquire, become possessed of, or interested in any Stocks, Funds, Scrip, Bonds, Debentures, or Securities for Money which, since the Twenty-ninth Day of *March* One thousand eight hundred and fifty-four, have or hath been, or which, during the Continuance of Hostilities as aforesaid, shall be, created, entered into, or secured by or in the Name of the Government of *Russia*, or any Person or Persons on its Behalf, every Person so taking, acquiring, becoming possessed of or interested in any such Stocks, Funds, Scrip, Bonds, or Debentures as aforesaid shall be guilty of a Misdemeanor, and in *Scotland* of an Offence punishable with Fine or Imprisonment: Provided always, that the Provisions of this Act shall not extend to or include the Case of any such Person or Subject claiming an Interest in the Estate or Effects of any deceased Person, or the Case of any such Person or Subject taking the Estate or Effects of his Debtor in Execution, or the Case of any such Person or Subject claiming in any Country to be interested under any Bankruptcy, Insolvency, Sequestration, Cessio Bonorum, or Disposition of Property in trust for Creditors, but that in every such Case the *British* Subject may take and receive any Stocks, Funds, Scrip, Bond, or Debentures, or any Share, Legacy, Dividend, Debt, or Sum of Money due or belonging to him, which may arise from or be produced by the Sale or Proceeds of any such Stocks, Funds, Scrip, Bonds, or Debentures as aforesaid; and provided also, that nothing herein contained shall be construed to include the Government Notes which are used as a circulating Medium in the *Russian* Dominions.

As to Trial of Offences committed beyond the Limits of the United Kingdom.

II. All Offences against this Act committed beyond the Limits of the United Kingdom may be inquired of, tried, determined, and dealt with as if the same had been respectively committed within the Body of the County of *Middlesex*.

This Act not to affect the Law of Treason.

III. Nothing herein contained shall have the Effect of reducing to a Misdemeanor any such Offence which if this Act had not been passed would amount to the Crime of High Treason, or be deemed in any Manner to alter or affect the Law relating to High Treason; but no Person indicted for a Misdemeanor under this Act shall be entitled to an Acquittal on the Ground that the Acts proved against him amount in Law to the Crime of High Treason.

As to Payment of Costs of Prosecution.

IV. On any Indictment for a Misdemeanor under this Act the Costs of the Prosecution shall be allowed as directed by the several Acts, Seventh *George* the Fourth, Chapter Sixty-four, and Fourteenth and Fifteenth *Victoria*, Chapter Fifty-five; and all the Provisions of the said Acts empowering Courts to order Payment of Costs and Expenses, and Compensation for Trouble and Loss of Time, in the Cases of the Misdemeanors in the said Acts mentioned, shall extend and be applicable to Indictments for Misdemeanor under this Act.

CAP. CXXIV.

An Act to settle the Contribution to be made by certain Baronies in *Roscommon* and *Galway* and the County of the Town of *Galway* to the *Midland Great Western Railway of Ireland* Company. [12th *August* 1854.]

12 & 13 Vict. c. 62.

'WHEREAS under the Act of the Twelfth and Thirteenth Years of Her present Majesty, Chapter 'Sixty-two, the Commissioners of Her Majesty's Treasury were empowered to charge the Consolidated Fund and to direct the Issue thereout to the Commissioners for the Reduction of the National 'Debt of a Sum not exceeding in the whole Five hundred thousand Pounds, and the last-mentioned 'Commissioners were thereby appointed Trustees for holding the Monies to be issued as aforesaid on a 'separate Account, under the Title of "The Commissioners for the Reduction of the National Debt on '"account of the Public Works Loan Fund," and it was provided that the said Commissioners of the 'Treasury should, if they thought fit, require the Public Works Loan Commissioners to advance to the '*Midland Great Western Railway of Ireland* Company any Sums of Money not exceeding in the whole 'Five hundred thousand Pounds, and the Repayment thereof, with Interest, as therein mentioned, not 'exceeding Three Pounds Ten Shillings *per Centum per Annum*, should be secured by such Mortgages 'as therein-after mentioned, and the said Railway Company were authorized to borrow of the said 'Public Works Loan Commissioners any Sum or Sums of Money not exceeding in the whole the Sum 'of Five hundred thousand Pounds, and to mortgage the Railways and Undertaking authorized by the 'Acts therein mentioned, and other the Effects of the Company; and it was by the said Act enacted, 'that if any Monies should be borrowed by the said Railway Company under the Provisions of that 'Act, then, so long as any Part whatever of the Principal Monies borrowed should remain unpaid, a 'Sum equal to One Pound Fifteen Shillings *per Centum* on the Sum or Sums originally borrowed should '(subject as therein-after mentioned) be paid half-yearly to the said Railway Company by the Baronies 'therein mentioned in the County of *Roscommon*, and by all the several Baronies and Half Baronies 'in the County of *Galway*, and by the County of the Town of *Galway*, all in that Part of the United 'Kingdom of *Great Britain* and *Ireland* called *Ireland*, rateably and in the Proportions to be ascertained as therein-after mentioned; and it was thereby provided, that if, after the said Railway from '*Athlone* to *Galway* should have been opened, there should be any Profit made by such Railway in any 'Half Year, then the Amount thereof should be deducted from the half-yearly Amount which would 'otherwise be payable by such Baronies and Half Baronies and County of the Town of *Galway*, and 'if such Profit should equal or exceed the Amount so to be paid, then no such Payment should be 'made; and that the Commissioners of the Treasury, during such Period as any Principal or Interest 'Monies should remain unpaid in respect of the Securities to be given to the said Public Works Loan 'Commissioners, should appoint a fit Person or Persons, not exceeding Three, to audit the Accounts of 'the said Railway Company, and to make Certificates, in pursuance of the Directions therein-after contained; and that for the Purpose of ascertaining the Amount of net Profits (if any) of the whole or any 'Portion of the said Railway from *Athlone* to *Galway*, the said Railway Company should, from Time to 'Time and at all Times, so long as any Principal Monies should remain unpaid in respect of any Securities aforesaid, keep the Accounts of the Receipts and Expenditure relating to the whole or any Portion of 'the Railway between *Athlone* and *Galway*, and all Matters connected therewith, separate from all other 'Receipts and Expenditure by the said Railway Company; and that the said Company should, after any 'such Advances, and within One Calendar Month after the Thirtieth Day of *June* and the Thirty-first Day 'of *December* in every Year, render to the said Auditor or Auditors a distinct Account of all the Receipts 'and Expenditure for the then preceding Half Year of and relating to the said Railway from *Athlone* to '*Galway*, and every Part thereof, which Account the said Auditor or Auditors should examine as 'therein is mentioned, and he or they should adjust and balance such Accounts relating to the said 'Railway from *Athlone* to *Galway*, and complete such Audit, for the Purpose of ascertaining whether 'during such preceding Half Year any Profit should have been made, and of preparing such Certificate 'as therein-after mentioned; and that such Auditor or Auditors should, on the Completion of every 'half-yearly Audit, and so long as any Monies advanced to the said Railway Company as aforesaid 'should remain unpaid, ascertain whether the said Railway Company had for the preceding Half 'Year made such half-yearly Payments as by virtue of the Security or Securities for any such Loan or 'Loans they should be liable to pay, and also, after the said Railway from *Athlone* to *Galway*, or any 'Part thereof, should have been completed and opened to the Public (from a Profit and Loss Account of 'the Income and Expenditure of the said Railway from *Athlone* to *Galway*), ascertain the Amount, if 'any, of Profit which should appear on such Account to have been made during such Half Year; and that

'when

'when such Auditor or Auditors should find that the said Railway Company had made such Payments as 'aforesaid for the preceding Half Year, and not before, then he or they should, by a Certificate under his 'or their Hand or Hands, certify the same, and also the Amount of Profit, if any, appearing on such 'Account as aforesaid; and (after deducting such Profit, if any, from the Amount of the said half-yearly 'Payments of One Pound Fifteen Shillings *per Centum* secured to be paid by such Baronies and Half 'Baronies and County of the Town of *Galway* as aforesaid,) the said Auditor or Auditors should in such 'Certificate state the Balance remaining to be paid to make up such half-yearly Payments of One Pound 'Fifteen Shillings *per Centum* as aforesaid, and the proportionate Part of such Balance which was to be 'raised in each such Barony and Half Barony and County of the Town of *Galway*, such proportionate 'Parts to be ascertained as in the said Act mentioned; and it was enacted, that in taking and keeping 'the aforesaid Account of Profit and Loss no Payment by the said Railway Company to the said Public 'Works Loan Commissioners, nor any Receipts by the said Railway Company in respect of such half-'yearly Payments of One Pound Fifteen Shillings *per Centum*, should be taken into account as Profit or 'Loss, but the same should solely contain the Amount of Income and Expenditure relating to the aforesaid 'Railway from *Athlone* to *Galway*, and when in any One Half Year the Amount of Profit should exceed 'the Sum which in case of no Profit would have been payable by such Baronies and Half Baronies and 'County of the Town of *Galway*, then, after deducting therefrom the Amount which would otherwise 'have been so payable, the Balance of any Profit remaining should be carried to the next half-yearly 'Account as Profit; and it was enacted, that the said Auditor or Auditors should, on the Request of the 'said Railway Company, and within One Calendar Month after the Date of every such Certificate, deliver 'the said Certificate and a Duplicate or Duplicates thereof to the said Company; and it was enacted, 'that the said Railway Company should from Time to Time deliver the said Certificate, or such 'Duplicate thereof as aforesaid, to the Secretary of the Grand Jury of each County or County of a Town 'in which any such Barony or Half Barony or County of a Town as aforesaid should be situate, 'and that the Monies according to such Certificate to be raised and levied off such respective Baronies 'or Half Baronies in each of the said Counties, or off such County of a Town, should be raised and 'levied accordingly, as therein is mentioned, and paid to the said Railway Company, as therein is 'mentioned: And whereas the Sum of Five hundred thousand Pounds was, by Four Instalments of 'One hundred thousand Pounds each, and two of Fifty thousand Pounds each, by the Direction of 'the Commissioners of the Treasury advanced by the said Public Works Loan Commissioners to the 'said Railway Company, and the said Sums so advanced, with Interest thereon after the Rate of Three 'Pounds Ten Shillings *per Centum per Annum*, were duly secured by certain Mortgage Securities, 'according to the Direction of the said Commissioners of the Treasury, and such Principal Sums are 'still unpaid: And whereas the said Railway from *Athlone* to *Galway* has been completed and opened 'for the Use of the Public, and the whole of the said Sum of Five hundred thousand Pounds so 'borrowed, together with a considerable further Sum of Money raised by the said Company, was ex-'pended by the said Company in the Construction of the said Railway and the Works connected there-'with: And whereas Questions have arisen between the said Railway Company and the said Baronies or 'Half Baronies and County of the Town of *Galway*, so as aforesaid, and in such Events as aforesaid, 'liable to contribute to the Payment of Monies equal to the aforesaid Interest on the said Sum of Five 'hundred thousand Pounds so borrowed as aforesaid, as to the actual Amount of Monies which the said 'Company were authorized to expend in the Construction of the said Line of Railway; and inasmuch as 'it is apprehended that certain of the said Monies so expended, though beneficial generally to the Public 'and to the said Railway Company, may not have been in all Cases expended on Works by which the 'said Baronies or Half Baronies and County of the Town of *Galway* may be considered to derive direct 'Advantage, it is expedient, for preventing Litigation, and to ascertain and fix the precise Principal 'Sum in respect of which the said Baronies or Half Baronies and County of the Town of *Galway* 'are to contribute such half-yearly Sum as aforesaid, in such Events as aforesaid, and therefore the said 'Railway Company have agreed that the Sum expended by the said Company shall for the Purposes 'aforesaid, as from the First Day of *July* One thousand eight hundred and fifty-four, be taken at the 'Sum of Four hundred and seventy thousand Pounds, instead of the said Sum of Five hundred thousand 'Pounds so borrowed as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

The Sum of 470,000*l.* to be considered and taken as that in respect of which the said Baronies, &c. are to contribute.

I. The Principal Sum in respect of which the said Baronies or Half Baronies and County of the Town of *Galway* are, under and by virtue of the Provisions of the said Act, liable to contribute as aforesaid, shall, as from the said First Day of *July* One thousand eight hundred and fifty-four, be taken at the Sum of Four hundred and seventy thousand Pounds, and the said Sum of Four hundred and seventy thousand Pounds shall, as from the said First Day of *July* One thousand eight hundred and fifty-four, be considered and taken by the Auditor or Auditors acting under the said Act as the Sum in respect of which the said Baronies or Half Baronies and County of the Town of *Galway* are to contribute such half-yearly Payments of One Pound Fifteen Shillings *per Centum* as aforesaid, instead of the Sum of Five hundred thousand Pounds; and that when and as Four hundred and seventy thousand Pounds, Part of the said Sum of Five hundred thousand Pounds so borrowed as aforesaid, shall have been paid, no further Contributions shall

Nothing to alter Liability of Company to pay the Money advanced by Commissioners.

shall be made by the said Baronies or Half Baronies and County of the Town of *Galway:* Provided always, that nothing in this Act contained shall be held to alter in any way the Liability of the said Railway Company to pay the whole or such Part of the Five hundred thousand Pounds advanced by the said Public Works Commissioners as shall remain unpaid, together with the Interest which shall from Time to Time accrue upon the same.

CAP. CXXV.

An Act for the further Amendment of the Process, Practice, and Mode of Pleading in and enlarging the Jurisdiction of the Superior Courts of Common Law at *Westminster*, and of the Superior Courts of Common Law of the Counties Palatine of *Lancaster* and *Durham*.

[12th *August* 1854.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Judge may, by Consent, try Questions of Fact.

I. The Parties to any Cause may, by Consent in Writing, signed by them or their Attorneys, as the Case may be, leave the Decision of any Issue of Fact to the Court, provided that the Court, upon a Rule to show Cause, or a Judge on Summons, shall, in their or his Discretion, think fit to allow such Trial; or provided the Judges of the Superior Courts of Law at *Westminster* shall, in pursuance of the Power herein-after given to them, make any General Rule or Order dispensing with such Allowance, either in all Cases or in any particular Class or Classes of Cases to be defined in such Rule or Order; and such Issue of Fact may thereupon be tried and determined, and Damages assessed where necessary, in open Court, either in Term or Vacation, by any Judge who might otherwise have presided at the Trial thereof by Jury, either with or without the Assistance of any other Judge or Judges of the same Court, or included in the same Commission at the Assizes; and the Verdict of such Judge or Judges shall be of the same Effect as the Verdict of a Jury, save that it shall not be questioned upon the Ground of being against the Weight of Evidence; and the Proceedings upon and after such Trial, as to the Power of the Court or Judge, the Evidence, and otherwise, shall be the same as in the Case of Trial by Jury.

Two Judges may sit at same Time for Trial of Causes pending in the same Court.

II. It shall be lawful for any One of the Judges of any of the Superior Courts at *Westminster*, at the Request of the Lord Chief Justice or Lord Chief Baron, to try the Causes entered for Trial at Nisi Prius in *Westminster* and *London* in either of the Courts, on the same Days on which the said Lord Chief Justice or Lord Chief Baron, or any other Judge of the same Court, shall be sitting to try Causes at those Places respectively, or at either of them, so that the Trial of Two Causes may be proceeded with at the same Time; and all Jurors, Witnesses, and other Persons who may have been summoned or required to attend at or for the Trial of any Cause before the said Lord Chief Justice or Lord Chief Baron, as the Case may be, shall give their Attendance at and for the Trial thereof before such other Judge as may be sitting to try the same by virtue of this Act; and it shall be lawful for the Associates and other Officers of the Lord Chief Justice or Lord Chief Baron, as the Case may be, to appoint from Time to Time fit and proper Persons, to be approved by the said Lord Chief Justice or Lord Chief Baron, to attend for them and on their Behalf respectively before such Judge; and the Trial of every Cause which shall be so had by virtue of this Act shall, if necessary, be entered of Record, as having been had before the Judge by whom such Cause in fact was tried.

Power to Court or Judge to direct Arbitration before Trial.

III. If it be made appear, at any Time after the issuing of the Writ, to the Satisfaction of the Court or a Judge, upon the Application of either Party, that the Matter in dispute consists wholly or in part of Matters of mere Account which cannot conveniently be tried in the ordinary Way, it shall be lawful for such Court or Judge, upon such Application, if they or he think fit, to decide such Matter in a summary Manner, or to order that such Matter, either wholly or in part, be referred to an Arbitrator appointed by the Parties, or to an Officer of the Court, or, in Country Causes, to the Judge of any County Court, upon such Terms as to Costs and otherwise as such Court or Judge shall think reasonable; and the Decision or Order of such Court or Judge, or the Award or Certificate of such Referee, shall be enforceable by the same Process as the Finding of a Jury upon the Matter referred.

Special Case may be stated, and Question of Fact tried.

IV. If it shall appear to the Court or a Judge that the Allowance or Disallowance of any particular Item or Items in such Account depends upon a Question of Law fit to be decided by the Court, or upon a Question of Fact fit to be decided by a Jury, or by a Judge upon the Consent of both Parties as hereinbefore provided, it shall be lawful for such Court or Judge to direct a Case to be stated, or an Issue or Issues to be tried; and the Decision of the Court upon such Case, and the Finding of the Jury or Judge upon such Issue or Issues, shall be taken and acted upon by the Arbitrator as conclusive.

Arbitrator may state Special Case.

V. It shall be lawful for the Arbitrator upon any compulsory Reference under this Act, or upon any Reference by Consent of Parties where the Submission is or may be made a Rule or Order of any of the Superior Courts of Law or Equity at *Westminster*, if he shall think fit, and if it is not provided to the contrary, to state his Award, as to the whole or any Part thereof, in the Form of a Special Case for the Opinion of the Court, and when an Action is referred, Judgment, if so ordered, may be entered according to the Opinion of the Court.

VI. If

Power to Judge to direct Arbitration at Time of Trial, when Issues of Fact left to his Decision.

VI. If upon the Trial of any Issue of Fact by a Judge under this Act it shall appear to the Judge that the Questions arising thereon involvé Matter of Account which cannot conveniently be tried before him, it shall be lawful for him, at his Discretion, to order that such Matter of Account be referred to an Arbitrator appointed by the Parties, or to an Officer of the Court, or, in Country Causes, to a Judge of any County Court, upon such Terms as to Costs, and otherwise, as such Judge shall think reasonable; and the Award or Certificate of such Referee shall have the same Effect as herein-before provided as to the Award or Certificate of a Referee before Trial; and it shall be competent for the Judge to proceed to try and dispose of any other Matters in question, not referred, in like Manner as if no Reference had been made.

Proceedings before and Power of such Arbitrator.

VII. The Proceedings upon any such Arbitration as aforesaid shall, except otherwise directed hereby or by the Submission or Document authorizing the Reference, be conducted in like Manner, and subject to the same Rules and Enactments, as to the Power of the Arbitrator and of the Court, the Attendance of Witnesses, the Production of Documents, enforcing or setting aside the Award, and otherwise, as upon a Reference made by Consent under a Rule of Court or Judge's Order.

Power to send back to Arbitrator.

VIII. In any Case where Reference shall be made to Arbitration as aforesaid the Court or a Judge shall have Power at any Time, and from Time to Time, to remit the Matters referred, or any or either of them, to the Re-consideration and Re-determination of the said Arbitrator, upon such Terms, as to Costs and otherwise, as to the said Court or Judge may seem proper.

Application to set aside the Award.

IX. All Applications to set aside any Award made on a compulsory Reference under this Act shall and may be made within the First Seven Days of the Term next following the Publication of the Award to the Parties, whether made in Vacation or Term; and if no such Application is made, or if no Rule is granted thereon, or if any Rule granted thereon is afterwards discharged, such Award shall be final between the Parties.

Enforcing of Awards within Period for setting them aside.

X. Any Award made on a compulsory Reference under this Act may, by Authority of a Judge, on such Terms as to him may seem reasonable, be enforced at any Time after Seven Days from the Time of Publication, notwithstanding that the Time for moving to set it aside has not elapsed.

If Action commenced by One Party after all have agreed to Arbitration, Court or Judge may stay Proceedings.

XI. Whenever the Parties to any Deed or Instrument in Writing to be hereafter made or executed, or any of them, shall agree that any then existing or future Differences between them or any of them shall be referred to Arbitration, and any One or more of the Parties so agreeing, or any Person or Persons claiming through or under him or them, shall nevertheless commence any Action at Law or Suit in Equity against the other Party or Parties, or any of them, or against any Person or Persons claiming through or under him or them in respect of the Matters so agreed to be referred, or any of them, it shall be lawful for the Court in which Action or Suit is brought, or a Judge thereof, on Application by the Defendant or Defendants, or any of them, after Appearance and before Plea or Answer, upon being satisfied that no sufficient Reason exists why such Matters cannot be or ought not to be referred to Arbitration according to such Agreement as aforesaid, and that the Defendant was at the Time of the bringing of such Action or Suit and still is ready and willing to join and concur in all Acts necessary and proper for causing such Matters so to be decided by Arbitration, to make a Rule or Order staying all Proceedings in such Action or Suit, on such Terms as to Costs and otherwise as to such Court or Judge may seem fit: Provided always, that any such Rule or Order may at any Time afterwards be discharged or varied as Justice may require.

On Failure of Parties or Arbitrators, Judge may appoint single Arbitrator or Umpire.

XII. If in any Case of Arbitration the Document authorizing the Reference provide that the Reference shall be to a single Arbitrator, and all the Parties do not, after Differences have arisen, concur in the Appointment of an Arbitrator; or if any appointed Arbitrator refuse to act, or become incapable of acting, or die, and the Terms of such Document do not show that it was intended that such Vacancy should not be supplied, and the Parties do not concur in appointing a new one; or if, where the Parties or Two Arbitrators are at liberty to appoint an Umpire or Third Arbitrator, such Parties or Arbitrators do not appoint an Umpire or Third Arbitrator; or if any appointed Umpire or Third Arbitrator refuse to act, or become incapable of acting, or die, and the Terms of the Document authorizing the Reference do not show that it was intended that such a Vacancy should not be supplied, and the Parties or Arbitrators respectively do not appoint a new one; then in every such Instance any Party may serve the remaining Parties or the Arbitrators, as the Case may be, with a written Notice to appoint an Arbitrator, Umpire, or Third Arbitrator respectively; and if within Seven clear Days after such Notice shall have been served no Arbitrator, Umpire, or Third Arbitrator be appointed, it shall be lawful for any Judge of any of the Superior Courts of Law or Equity at *Westminster*, upon Summons to be taken out by the Party having served such Notice as aforesaid, to appoint an Arbitrator, Umpire, or Third Arbitrator, as the Case may be, and such Arbitrator, Umpire, and Third Arbitrator respectively shall have the like Power to act in the Reference and make an Award as if he had been appointed by Consent of all Parties.

When Reference is to Two Arbitrators and One Party fail to appoint, other Party

XIII. When the Reference is or is intended to be to Two Arbitrators, One appointed by each Party, it shall be lawful for either Party, in the Case of the Death, Refusal to act, or Incapacity of any Arbitrator appointed by him, to substitute a new Arbitrator, unless the Document authorizing the Reference show that it was intended that the Vacancy should not be supplied; and if on such a Reference One Party fail to appoint an Arbitrator, either originally or by way of Substitution as aforesaid, for Seven clear Days

may appoint Arbitrator to act alone.

Days after the other Party shall have appointed an Arbitrator, and shall have served the Party so failing to appoint with Notice in Writing to make the Appointment, the Party who has appointed an Arbitrator may appoint such Arbitrator to act as sole Arbitrator in the Reference, and an Award made by him shall be binding on both Parties as if the Appointment had been by Consent; provided, however, that the Court or a Judge may revoke such Appointment, on such Terms as shall seem just.

Two Arbitrators may appoint Umpire.

XIV. When the Reference is to Two Arbitrators, and the Terms of the Document authorizing it do not show that it was intended that there should not be an Umpire, or provide otherwise for the Appointment of an Umpire, the Two Arbitrators may appoint an Umpire at any Time within the Period during which they have Power to make an Award, unless they be called upon by Notice as aforesaid to make the Appointment sooner.

Award to be made in Three Months, unless Parties or Court enlarge Time.

XV. The Arbitrator acting under any such Document or compulsory Order of Reference as aforesaid, or under any Order referring the Award back, shall make his Award under his Hand, and (unless such Document or Order respectively shall contain a different Limit of Time) within Three Months after he shall have been appointed, and shall have entered on the Reference, or shall have been called upon to act by a Notice in Writing from any Party, but the Parties may by Consent in Writing enlarge the Term for making the Award; and it shall be lawful for the Superior Court of which such Submission, Document, or Order is or may be made a Rule or Order, or for any Judge thereof, for good Cause to be stated in the Rule or Order for Enlargement, from Time to Time to enlarge the Term for making the Award; and if no Period be stated for the Enlargement in such Consent or Order for Enlargement, it shall be deemed to be an Enlargement for One Month; and in any Case where an Umpire shall have been appointed it shall be lawful for him to enter on the Reference in lieu of the Arbitrators, if the latter shall have allowed their Time or their extended Time to expire without making an Award, or shall have delivered to any Party or to the Umpire a Notice in Writing stating that they cannot agree.

Rule to deliver Possession of Land pursuant to Award to be enforced as a Judgment in Ejectment.

XVI. When any Award made on any such Submission, Document, or Order of Reference as aforesaid directs that Possession of any Lands or Tenements capable of being the Subject of an Action of Ejectment shall be delivered to any Party, either forthwith or at any future Time, or that any such Party is entitled to the Possession of any such Lands or Tenements, it shall be lawful for the Court of which the Document authorizing the Reference is or is made a Rule or Order to order any Party to the Reference who shall be in possession of any such Lands or Tenements, or any Person in possession of the same claiming under or put in possession by him since the making of the Document authorizing the Reference, to deliver Possession of the same to the Party entitled thereto, pursuant to the Award, and such Rule or Order to deliver Possession shall have the Effect of a Judgment in Ejectment against every such Party or Person named in it, and Execution may issue, and Possession shall be delivered by the Sheriff as on a Judgment in Ejectment.

Agreement or Submission in Writing may be made Rule of Court, unless a contrary Intention appear.

XVII. Every Agreement or Submission to Arbitration by Consent, whether by Deed or Instrument in Writing not under Seal, may be made a Rule of any One of the Superior Courts of Law or Equity at *Westminster*, on the Application of any Party thereto, unless such Agreement or Submission contain Words purporting that the Parties intend that it should not be made a Rule of Court; and if in any such Agreement or Submission it is provided that the same shall or may be made a Rule of One in particular of such Superior Courts, it may be made a Rule of that Court only; and if when there is no such Provision a Case be stated in the Award for the Opinion of One of the Superior Courts, and such Court be specified in the Award, and the Document authorizing the Reference have not, before the Publication of the Award to the Parties, been made a Rule of Court, such Document may be made a Rule only of the Court specified in the Award; and when in any Case the Document authorizing the Reference is or has been made a Rule or Order of any One of such Superior Courts, no other of such Courts shall have any Jurisdiction to entertain any Motion respecting the Arbitration or Award.

Speeches to the Jury.

XVIII. Upon the Trial of any Cause the Addresses to the Jury shall be regulated as follows: The Party who begins, or his Counsel, shall be allowed, in the event of his Opponent not announcing at the Close of the Case of the Party who begins his Intention to adduce Evidence, to address the Jury a Second Time at the Close of such Case, for the Purpose of summing up the Evidence; and the Party on the other Side, or his Counsel, shall be allowed to open the Case, and also to sum up the Evidence (if any); and the Right to reply shall be the same as at present.

Power to adjourn Trial.

XIX. It shall be lawful for the Court or Judge, at the Trial of any Cause, where they or he may deem it right for the Purposes of Justice, to order an Adjournment for such Time, and subject to such Terms and Conditions as to Costs, and otherwise, as they or he may think fit.

Affirmation instead of Oath in certain Cases.

XX. If any Person called as a Witness, or required or desiring to make an Affidavit or Deposition, shall refuse or be unwilling from alleged conscientious Motives to be sworn, it shall be lawful for the Court or Judge or other presiding Officer, or Person qualified to take Affidavits or Depositions, upon being satisfied of the Sincerity of such Objection, to permit such Person, instead of being sworn, to make his or her solemn Affirmation or Declaration in the Words following; *videlicet*,

'I *A.B.* do solemnly, sincerely, and truly affirm and declare, That the taking of any Oath is, according to my religious Belief, unlawful; and I do also solemnly, sincerely, and truly affirm and declare, *&c.*'

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form.

XXI. If

XXI. If any Person making such solemn Affirmation or Declaration shall wilfully, falsely, and corruptly affirm or declare any Matter or Thing, which, if the same had been sworn in the usual Form, would have amounted to wilful and corrupt Perjury, every such Person so offending shall incur the same Penalties as by the Laws and Statutes of this Kingdom are or may be enacted or provided against Persons convicted of wilful and corrupt Perjury. Persons making a false Affirmation be subject to the same Punishment as for Perjury.

XXII. A Party producing a Witness shall not be allowed to impeach his Credit by general Evidence of bad Character, but he may, in case the Witness shall in the Opinion of the Judge prove adverse, contradict him by other Evidence, or, by Leave of the Judge, prove that he has made at other Times a Statement inconsistent with his present Testimony; but before such last-mentioned Proof can be given, the Circumstances of the supposed Statement, sufficient to designate the particular Occasion, must be mentioned to the Witness, and he must be asked whether or not he has made such Statement. How far a Party may discredit his own Witness.

XXIII. If a Witness, upon Cross-examination as to a former Statement made by him relative to the Subject Matter of the Cause, and inconsistent with his present Testimony, does not distinctly admit that he has made such Statement, Proof may be given that he did in fact make it; but before such Proof can be given, the Circumstances of the supposed Statement, sufficient to designate the particular Occasion, must be mentioned to the Witness, and he must be asked whether or not he has made such Statement. Proof of contradictory Statements of adverse Witness.

XXIV. A Witness may be cross-examined as to previous Statements made by him in Writing, or reduced into Writing, relative to the Subject Matter of the Cause without such Writing being shown to him; but if it is intended to contradict such Witness by the Writing, his Attention must, before such contradictory Proof can be given, be called to those Parts of the Writing which are to be used for the Purpose of so contradicting him: Provided always, that it shall be competent for the Judge, at any Time during the Trial, to require the Production of the Writing for his Inspection, and he may thereupon make such Use of it for the Purposes of the Trial as he shall think fit. Cross-examination as to previous Statements in Writing.

XXV. A Witness in any Cause may be questioned as to whether he has been convicted of any Felony or Misdemeanor, and, upon being so questioned, if he either denies the Fact, or refuses to answer, it shall be lawful for the opposite Party to prove such Conviction; and a Certificate containing the Substance and Effect only (omitting the formal Part) of the Indictment and Conviction for such Offence, purporting to be signed by the Clerk of the Court, or other Officer having the Custody of the Records of the Court where the Offender was convicted, or by the Deputy of such Clerk or Officer (for which Certificate a Fee of Five Shillings and no more shall be demanded or taken), shall, upon Proof of the Identity of the Person, be sufficient Evidence of the said Conviction, without Proof of the Signature or official Character of the Person appearing to have signed the same. Proof of previous Conviction of a Witness may be given.

XXVI. It shall not be necessary to prove by the attesting Witness any Instrument to the Validity of which Attestation is not requisite; and such Instrument may be proved by Admission, or otherwise, as if there had been no attesting Witness thereto. Attesting Witness need not be called.

XXVII. Comparison of a disputed Writing with any Writing proved to the Satisfaction of the Judge to be genuine shall be permitted to be made by Witnesses; and such Writings, and the Evidence of Witnesses respecting the same, may be submitted to the Court and Jury as Evidence of the Genuineness, or otherwise, of the Writing in dispute. Comparison of disputed Writing.

XXVIII. Upon the Production of any Document as Evidence at the Trial of any Cause, it shall be the Duty of the Officer of the Court whose Duty it is to read such Document to call the Attention of the Judge to any Omission or Insufficiency of the Stamp; and the Document, if unstamped, or not sufficiently stamped, shall not be received in Evidence until the whole or (as the Case may be) the Deficiency of the Stamp Duty, and the Penalty required by Statute, together with the additional Penalty of One Pound, shall have been paid. Provision for stamping Documents at the Trial.

XXIX. Such Officer of the Court shall, upon Payment to him of the whole or (as the Case may be) of the Deficiency of the Stamp Duty payable upon or in respect of such Document, and of the Penalty required by Statute, and of the additional Penalty of One Pound, give a Receipt for the Amount of the Duty or Deficiency which the Judge shall determine to be payable, and also of the Penalty, and thereupon such Document shall be admissible in Evidence, saving all just Exceptions on other Grounds; and an Entry of the Fact of such Payment and of the Amount thereof shall be made in a Book kept by such Officer; and such Officer shall, at the End of each Sittings or Assizes (as the Case may be), duly make a Return to the Commissioners of the Inland Revenue of the Monies, if any, which he has so received by way of Duty or Penalty, distinguishing between such Monies, and stating the Name of the Cause and of the Parties from whom he received such Monies, and the Date, if any, and Description of the Document for the Purpose of identifying the same; and he shall pay over the said Monies to the Receiver General of the Inland Revenue, or to such Person as the said Commissioners shall appoint or authorize to receive the same; and in case such Officer shall neglect or refuse to furnish such Account, or to pay over any of the Monies so received by him as aforesaid, he shall be liable to be proceeded against in the Manner directed by the Eighth Section of an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to repeal certain Stamp Duties, and to grant others in lieu thereof, and to amend the Laws relating to the Stamp Duties;* and the said Commissioners shall, upon Request, and Production of the Receipt herein-before mentioned, cause such Documents to be stamped with the proper Stamp or Stamps in respect of the Sums so paid as aforesaid: Officer of the Court to receive the Duty and Penalty. 13 & 14 Vict. c. 97.

said: Provided always, that the aforesaid Enactment shall not extend to any Document which cannot now be stamped after the Execution thereof on Payment of the Duty and a Penalty.

Documents not liable to Stamp Duty.

XXX. No Document made or required under the Provisions of this Act shall be liable to any Stamp Duty.

No new Trial for ruling as to Stamp.

XXXI. No new Trial shall be granted by reason of the ruling of any Judge that the Stamp upon any Document is sufficient, or that the Document does not require a Stamp.

Error may be brought on a Special Case.

XXXII. Error may be brought upon a Judgment upon a Special Case in the same Manner as upon a Judgment upon a Special Verdict, unless the Parties agree to the contrary; and the Proceedings for bringing a Special Case before the Court of Error shall, as nearly as may be, be the same as in the Case of a Special Verdict; and the Court of Error shall either affirm the Judgment or give the same Judgment as ought to have been given in the Court in which it was originally decided, the said Court of Error being required to draw any Inferences of Fact from the Facts stated in such Special Case which the Court where it was originally decided ought to have drawn.

Grounds to be stated in Rule for new Trial.

XXXIII. In every Rule Nisi for a new Trial or to enter a Verdict or Nonsuit, the Grounds upon which such Rule shall have been granted shall be shortly stated therein.

If Rule refused, Party may appeal.

XXXIV. In all Cases of Rules to enter a Verdict or Nonsuit upon a Point reserved at the Trial, if the Rule to show Cause be refused or granted and then discharged or made absolute, the Party decided against may appeal.

Appeal upon Rule discharged or absolute.

XXXV. In all Cases of Motions for a new Trial upon the Ground that the Judge has not ruled according to Law, if the Rule to show Cause be refused, or if granted be then discharged or made absolute, the Party decided against may appeal, provided any One of the Judges dissent from the Rule being refused, or, when granted, being discharged or made absolute, as the Case may be, or, provided the Court in its Discretion think fit that an Appeal should be allowed; provided that where the Application for a new Trial is upon Matter of Discretion only, as on the Ground that the Verdict was against the Weight of Evidence or otherwise, no such Appeal shall be allowed.

Courts of Error to be Courts of Appeal.

XXXVI. The Court of Error, the Exchequer Chamber, and the House of Lords shall be Courts of Appeal for the Purposes of this Act.

Notice of Appeal.

XXXVII. No Appeal shall be allowed unless Notice thereof be given in Writing to the opposite Party or his Attorney, and to One of the Masters of the Court, within Four Days after the Decision complained of, or such further Time as may be allowed by the Court or a Judge.

Bail.

XXXVIII. Notice of Appeal shall be a Stay of Execution, provided Bail to pay the Sum recovered and Costs, or to pay Costs where the Appellant was Plaintiff below, be given, in like Manner and to the same Amount as Bail in Error, within Eight Days after the Decision complained of, or before Execution delivered to the Sheriff.

Form of Appeal.

XXXIX. The Appeal herein-before mentioned shall be upon a Case to be stated by the Parties, (and in case of Difference, to be settled by the Court or a Judge of the Court appealed from,) in which Case shall be set forth so much of the Pleadings, Evidence, and the Ruling or Judgment objected to, as may be necessary to raise the Question for the Decision of the Court of Appeal.

Rule granted on Appeal, how disposed of.

XL. When the Appeal is from the Refusal of the Court below to grant a Rule to show Cause, and the Court of Appeal grant such Rule, such Rule shall be argued and disposed of in the Court of Appeal.

Judgment Court of Appeal.

XLI. The Court of Appeal shall give such Judgment as ought to have been given in the Court below; and all such further Proceedings may be taken thereupon as if the Judgment had been given by the Court in which the Record originated.

Powers of Court of Appeal as to Costs, &c.

XLII. The Court of Appeal shall have Power to adjudge Payment of Costs, and to order Restitution; and they shall have the same Powers as the Court of Error in respect of awarding Process and otherwise.

Error upon Award of Trial de novo.

XLIII. Upon an Award of a Trial *de novo* by any One of the Superior Courts or by the Court of Error, upon Matter appearing upon the Record, Error may at once be brought; and if the Judgment in such or any other Case be affirmed in Error, it shall be lawful for the Court of Error to adjudge Costs to the Defendant in Error.

Payment of Costs upon new Trial.

XLIV. When a new Trial is granted, on the Ground that the Verdict was against Evidence, the Costs of the First Trial shall abide the Event, unless the Court shall otherwise order.

Affidavits on new Matter.

XLV. Upon Motions founded upon Affidavits it shall be lawful for either Party, with Leave of the Court or a Judge, to make Affidavits in answer to the Affidavits of the opposite Party, upon any new Matter arising out of such Affidavits, subject to all such Rules as shall hereafter be made respecting such Affidavits.

Power to Court or Judge to direct oral Examinations of Witnesses.

XLVI. Upon the hearing of any Motion or Summons it shall be lawful for the Court or Judge, at their or his Discretion, and upon such Terms as they or he shall think reasonable, from Time to Time to order such Documents as they or he may think fit to be produced, and such Witnesses as they or he may think necessary to appear, and be examined *viva voce*, either before such Court or Judge, or before the Master, and upon hearing such Evidence, or reading the Report of such Master, to make such Rule or Order as may be just.

XLVII. The

Proceedings before and upon such Examination.

XLVII. The Court or Judge may by such Rule or Order, or any subsequent Rule or Order, command the Attendance of the Witnesses named therein, for the Purpose of being examined, or the Production of any Writings or other Documents to be mentioned in such Rule or Order; and such Rule or Order shall be proceeded upon in the same Manner, and shall have the same Force and Effect, as a Rule of the Court under an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable Courts of Law to order the Examination of Witnesses upon Interrogatories or otherwise;* and it shall be lawful for the Court, or Judge, or Master to adjourn the Examination from Time to Time as Occasion may require; and the Proceedings upon such Examination shall be conducted, and the Depositions taken down, as nearly as may be, in the Mode now in use with respect to the *vivâ voce* Examination of Witnesses under the last-mentioned Act. 1 W. 4. c. 22.

Examination of Person who refuses to make an Affidavit.

XLVIII. Any Party to any Civil Action or other Civil Proceeding in any of the Superior Courts, requiring the Affidavit of a Person who refuses to make an Affidavit, may apply by Summons for an Order to such Person to appear and be examined upon Oath before a Judge or Master, to whom it may be most convenient to refer such Examination, as to the Matters concerning which he has refused to make an Affidavit; and a Judge may, if he think fit, make such Order for the Attendance of such Person before the Person therein appointed to take such Examination, for the Purpose of being examined as aforesaid, and for the Production of any Writings or Documents to be mentioned in such Order, and may therein impose such Terms as to such Examination, and the Costs of the Application and Proceedings thereon, as he shall think just.

Proceedings upon Order for Examination.

XLIX. Such Order shall be proceeded upon in like Manner as an Order made under the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, and the Examination thereon shall be conducted, and the Depositions taken down and returned, as nearly as may be, in the Mode now used on *vivâ voce* Examinations under the said Act of Parliament.

Discovery of Documents.

L. Upon the Application of either Party to any Cause or other Civil Proceeding in any of the Superior Courts, upon an Affidavit by such Party of his Belief that any Document, to the Production of which he is entitled for the Purpose of Discovery or otherwise, is in the Possession or Power of the opposite Party, it shall be lawful for the Court or Judge to order that the Party against whom such Application is made, or if such Party is a Body Corporate, that some Officer to be named of such Body Corporate, shall answer on Affidavit, stating what Documents he or they has or have in his or their Possession or Power relating to the Matters in dispute, or what he knows as to the Custody they or any of them are in, and whether he or they objects or object (and if so, on what Grounds,) to the Production of such as are in his or their Possession or Power; and upon such Affidavit being made the Court or Judge may make such further Order thereon as shall be just.

Power to deliver written Interrogatories to opposite Party.

LI. In all Causes in any of the Superior Courts, by Order of the Court or a Judge, the Plaintiff may, with the Declaration, and the Defendant may, with the Plea, or either of them by Leave of the Court or a Judge may, at any other Time, deliver to the opposite Party or his Attorney (provided such Party, if not a Body Corporate, would be liable to be called and examined as a Witness upon such Matter) Interrogatories in Writing upon any Matter as to which Discovery may be sought, and require such Party, or in the Case of a Body Corporate, any of the Officers of such Body Corporate, within Ten Days to answer the Questions in Writing by Affidavit, to be sworn and filed in the ordinary Way; and any Party or Officer omitting, without just Cause, sufficiently to answer all Questions as to which a Discovery may be sought within the above Time, or such extended Time as the Court or a Judge shall allow, shall be deemed to have committed a Contempt of the Court, and shall be liable to be proceeded against accordingly.

Affidavits by Party proposing to interrogate, and his Attorney.

LII. The Application for such Order shall be made upon an Affidavit of the Party proposing to interrogate, and his Attorney or Agent, or, in the Case of a Body Corporate, of their Attorney or Agent, stating that the Deponents or Deponent believe or believes that the Party proposing to interrogate, whether Plaintiff or Defendant, will derive material Benefit in the Cause from the Discovery which he seeks, that there is a good Cause of Action or Defence upon the Merits, and, if the Application be made on the Part of the Defendant, that the Discovery is not sought for the Purpose of Delay; provided that where it shall happen, from unavoidable Circumstances, that the Plaintiff or Defendant cannot join in such Affidavit, the Court or Judge may, if they or he think fit, upon Affidavit of such Circumstances by which the Party is prevented from so joining therein, allow and order that the Interrogatories may be delivered without such Affidavit.

Oral Examination of Parties, when to be allowed.

LIII. In Case of Omission, without just Cause, to answer sufficiently such written Interrogatories, it shall be lawful for the Court or a Judge, at their or his Discretion, to direct an oral Examination of the interrogated Party, as to such Points as they or he may direct, before a Judge or Master; and the Court or Judge may by such Rule or Order, or any subsequent Rule or Order, command the Attendance of such Party or Parties before the Person appointed to take such Examination, for the Purpose of being orally examined as aforesaid, or the Production of any Writings or other Documents to be mentioned in such Rule or Order, and may impose therein such Terms as to such Examination, and the Costs of the Application, and of the Proceedings thereon, and otherwise, as to such Court or Judge shall seem just.

LIV. Such

Proceedings upon such Rule or Order.

LIV. Such Rule or Order shall have the same Force and Effect, and may be proceeded upon in like Manner, as an Order made under the said herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth.

Depositions upon such Examinations to be returned to Master's Office.

1 W. 4. c. 22.

LV. Whenever, by virtue of this Act, an Examination of any Witness or Witnesses has been taken before a Judge of One of the said Superior Courts, or before a Master, the Depositions taken down by such Examiner shall be returned to and kept in the Master's Office of the Court in which the Proceedings are pending; and Office Copies of such Depositions may be given out, and the Depositions may be otherwise used, in the same Manner as in the Case of Depositions taken under the herein-before mentioned Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth.

Examiner may make special Report to the Court.

LVI. It shall be lawful for every Judge or Master named in any such Rule or Order as aforesaid for taking Examinations under this Act, and he is hereby required to make, if need be, a special Report to the Court in which such Proceedings are pending, touching such Examination, and the Conduct or Absence of any Witness or other Person thereon or relating thereto; and the Court is hereby authorized to institute such Proceedings and make such Order and Orders upon such Report as Justice may require, and as may be instituted and made in any Case of Contempt of the Court.

Costs of Rule &c. to be in the Discretion of the Court.

LVII. The Costs of every Application for any Rule or Order to be made for the Examination of Witnesses by virtue of this Act, and of the Rule or Order and Proceedings thereon, shall be in the Discretion of the Court or Judge by whom such Rule or Order is made.

Inspection by Jury, of Parties, or Witnesses.

LVIII. Either Party shall be at liberty to apply to the Court or a Judge for a Rule or Order for the Inspection by the Jury, or by himself, or by his Witnesses, of any Real or Personal Property the Inspection of which may be material to the proper Determination of the Question in dispute; and it shall be lawful for the Court, or a Judge, if they or he think fit, to make such Rule or Order, upon such Terms as to Costs and otherwise as such Court or Judge may direct: Provided always, that nothing herein contained shall affect the Provisions of the "Common Law Procedure Act, 1852," or any previous Act, as to obtaining a View by a Jury: Provided also, that all Rules and Regulations now in force and applicable to the Proceedings by View under the said last-mentioned Act shall be held to apply to Proceedings for Inspection by a Jury under the Provisions of this Act, or as near thereto as may be.

Rule or Order for summoning Jury.

LIX. The several Courts, or any Judge thereof, may make all such Rules or Orders upon the Sheriff or other Person as may be necessary to procure the Attendance of a Special or Common Jury for the Trial of any Cause or Matter depending in such Courts, at such Time and Place and in such Manner as they or he may think fit.

Examination of Judgment Debtor as to Debts due to him.

LX. It shall be lawful for any Creditor who has obtained a Judgment in any of the Superior Courts to apply to the Court or a Judge for a Rule or Order that the Judgment Debtor should be orally examined as to any and what Debts are owing to him before a Master of the Court, or such other Person as the Court or Judge shall appoint; and the Court or Judge may make such Rule or Order for the Examination of such Judgment Debtor, and for the Production of any Books or Documents, and the Examination shall be conducted in the same Manner as in the Case of an oral Examination of an opposite Party before a Master under this Act.

Judge may order an Attachment of Debts.

LXI. It shall be lawful for a Judge, upon the *ex-parte* Application of such Judgment Creditor, either before or after such oral Examination, and upon Affidavit by himself or his Attorney stating that Judgment has been recovered, and that it is still unsatisfied, and to what Amount, and that any other Person is indebted to the Judgment Debtor, and is within the Jurisdiction, to order that all Debts owing or accruing from such Third Person (herein-after called the Garnishee) to the Judgment Debtor shall be attached to answer the Judgment Debt; and by the same or any subsequent Order it may be ordered that the Garnishee shall appear before the Judge or a Master of the Court, as such Judge shall appoint, to show Cause why he should not pay the Judgment Creditor the Debt due from him to the Judgment Debtor, or so much thereof as may be sufficient to satisfy the Judgment Debt.

Order for Attachment to bind Debts.

LXII. Service of an Order that Debts due or accruing to the Judgment Debtor shall be attached, or Notice thereof to the Garnishee, in such Manner as the Judge shall direct, shall bind such Debts in his Hands.

Proceedings to levy Amount due from Garnishee to Judgment Debtor.

LXIII. If the Garnishee does not forthwith pay into Court the Amount due from him to the Judgment Debtor or an Amount equal to the Judgment Debt, and does not dispute the Debt due or claimed to be due from him to the Judgment Debtor, or if he does not appear upon Summons, then the Judge may order Execution to issue, and it may be sued forth accordingly, without any previous Writ or Process, to levy the Amount due from such Garnishee towards Satisfaction of the Judgment Debt.

Judge may allow Judgment Creditor to sue Garnishee.

LXIV. If the Garnishee disputes his Liability, the Judge, instead of making an Order that Execution shall issue, may order that the Judgment Creditor shall be at liberty to proceed against the Garnishee by Writ, calling upon him to show Cause why there should not be Execution against him for the alleged Debt, or for the Amount due to the Judgment Debtor, if less than the Judgment Debt, and for Costs of Suit; and the Proceedings upon such Suit shall be the same, as nearly as may be, as upon a Writ of Revivor issued under "The Common Law Procedure Act, 1852."

Garnishee discharged.

LXV. Payment made by or Execution levied upon the Garnishee under any such Proceeding as aforesaid shall be a valid Discharge to him as against the Judgment Debtor to the Amount paid or levied, although such Proceeding may be set aside or the Judgment reversed.

LXVI. In

LXVI. In each of the Superior Courts there shall be kept at the Master's Office a Debt Attachment Book, and in such Book Entries shall be made of the Attachment and Proceedings thereon, with Names, Dates, and Statements of the Amount recovered, and otherwise; and the Mode of keeping such Books shall be the same in all the Courts; and Copies of any Entries made therein may be taken by any Person, upon Application to any Master. Attachment Book to be kept by the Masters of each Court.

LXVII. The Costs of any Application for an Attachment of Debt under this Act, and of any Proceedings arising from or incidental to such Application, shall be in the Discretion of the Court or a Judge. Costs of Application.

LXVIII. The Plaintiff in any Action in any of the Superior Courts, except Replevin and Ejectment, may endorse upon the Writ and Copy to be served a Notice that the Plaintiff intends to claim a Writ of Mandamus, and the Plaintiff may thereupon claim in the Declaration, either together with any other Demand which may now be enforced in such Action, or separately, a Writ of Mandamus commanding the Defendant to fulfil any Duty in the Fulfilment of which the Plaintiff is personally interested. Action for Mandamus to enforce the Performance of Duties.

LXIX. The Declaration in such Action shall set forth sufficient Grounds upon which such Claim is founded, and shall set forth that the Plaintiff is personally interested therein, and that he sustains or may sustain Damage by the Nonperformance of such Duty, and that Performance thereof has been demanded by him, and refused or neglected. Declaration in Action for Mandamus.

LXX. The Pleadings and other Proceedings in any Action in which a Writ of Mandamus is claimed shall be the same in all respects, as nearly as may be, and Costs shall be recoverable by either Party, as in an ordinary Action for the Recovery of Damages. Proceedings upon Claim for Mandamus.

LXXI. In case Judgment shall be given to the Plaintiff that a Mandamus do issue, it shall be lawful for the Court in which such Judgment is given, if it shall see fit, besides issuing Execution in the ordinary Way for the Costs and Damages, also to issue a peremptory Writ of Mandamus to the Defendant, commanding him forthwith to perform the Duty to be enforced. Judgment and Execution.

LXXII. The Writ need not recite the Declaration or other Proceedings, or the Matter therein stated, but shall simply command the Performance of the Duty, and in other respects shall be in the Form of an ordinary Writ of Execution, except that it shall be directed to the Party and not to the Sheriff, and may be issued in Term or Vacation, and returnable forthwith; and no Return thereto, except that of Compliance, shall be allowed, but Time to return it may, upon sufficient Grounds, be allowed by the Court or a Judge, either with or without Terms. Form of peremptory Writ.

LXXIII. The Writ of Mandamus so issued as aforesaid shall have the same Force and Effect as a peremptory Writ of Mandamus issued out of the Court of Queen's Bench, and in case of Disobedience may be enforced by Attachment. Effect of Writ of Mandamus, &c.

LXXIV. The Court may, upon Application by the Plaintiff, besides or instead of proceeding against the disobedient Party by Attachment, direct that the Act required to be done may be done by the Plaintiff, or some other Person appointed by the Court, at the Expense of the Defendant; and upon the Act being done, the Amount of such Expense may be ascertained by the Court, either by Writ of Inquiry or Reference to a Master, as the Court or a Judge may order; and the Court may order Payment of the Amount of such Expenses and Costs, and enforce Payment thereof by Execution. The Court may order the Act to be done at the Expense of the Defendant.

LXXV. Nothing herein contained shall take away the Jurisdiction of the Court of Queen's Bench to grant Writs of Mandamus; nor shall any Writ of Mandamus issued out of that Court be invalid by reason of the Right of the Prosecutor to proceed by Action for Mandamus under this Act. Prerogative Writ of Mandamus preserved.

LXXVI. Upon Application by Motion for any Writ of Mandamus in the Court of Queen's Bench, the Rule may in all Cases be absolute in the first instance, if the Court shall think fit; and the Writ may bear Teste on the Day of its issuing, and may be made returnable forthwith, whether in Term or in Vacation, but Time may be allowed to return it, by the Court or a Judge, either with or without Terms. Proceedings for Prerogative Writ of Mandamus, accelerated.

LXXVII. The Provisions of "The Common Law Procedure Act, 1852," and of this Act, so far as they are applicable, shall apply to the Pleadings and Proceedings upon a Prerogative Writ of Mandamus issued by the Court of Queen's Bench. Proceedings on Prerogative Writ of Mandamus.

LXXVIII. The Court or a Judge shall have Power, if they or he see fit so to do, upon the Application of the Plaintiff in any Action for the Detention of any Chattel, to order that Execution shall issue for the Return of the Chattel detained, without giving the Defendant the Option of retaining such Chattel upon paying the Value assessed, and that if the said Chattel cannot be found, and unless the Court or a Judge should otherwise order, the Sheriff shall distrain the Defendant by all his Lands and Chattels in the said Sheriff's Bailiwick, till the Defendant render such Chattel, or, at the Option of the Plaintiff, that he cause to be made of the Defendant's Goods the assessed Value of such Chattel; provided that the Plaintiff shall, either by the same or a separate Writ of Execution, be entitled to have made of the Defendant's Goods the Damages, Costs, and Interest in such Action. Specific Delivery of Chattels.

LXXIX. In all Cases of Breach of Contract or other Injury, where the Party injured is entitled to maintain and has brought an Action, he may, in like Case and Manner as herein-before provided with respect to Mandamus, claim a Writ of Injunction against the Repetition or Continuance of such Breach of Contract, or other Injury, or the Committal of any Breach of Contract or Injury of a like kind, arising out of the same Contract, or relating to the same Property or Right; and he may also in the same Action include a Claim for Damages or other Redress. Claim of Writ of Injunction.

LXXX. The

Form of Writ of Summons and Endorsement thereon.

LXXX. The Writ of Summons in such Action shall be in the same Form as the Writ of Summons in any Personal Action, but on every such Writ and Copy thereof there shall be endorsed a Notice that in default of Appearance the Plaintiff may, besides proceeding to Judgment and Execution for Damages and Costs, apply for and obtain a Writ of Injunction.

Form of Proceedings and of Judgment.

LXXXI. The Proceedings in such Action shall be the same, as nearly as may be, and subject to the like Control, as the Proceedings in an Action to obtain a Mandamus under the Provisions herein-before contained; and in such Action Judgment may be given that the Writ of Injunction do or do not issue, as Justice may require; and in case of Disobedience such Writ of Injunction may be enforced by Attachment by the Court, or, when such Courts shall not be sitting, by a Judge.

Writ of Injunction may be applied for at any Stage of the Cause.

LXXXII. It shall be lawful for the Plaintiff at any Time after the Commencement of the Action, and whether before or after Judgment, to apply *ex parte* to the Court or a Judge for a Writ of Injunction to restrain the Defendant in such Action from the Repetition or Continuance of the wrongful Act or Breach of Contract complained of, or the Committal of any Breach of Contract or Injury of a like kind, arising out of the same Contract, or relating to the same Property or Right; and such Writ may be granted or denied by the Court or Judge upon such Terms as to the Duration of the Writ, keeping an Account, giving Security, or otherwise, as to such Court or Judge shall seem reasonable and just, and in case of Disobedience such Writ may be enforced by Attachment by the Court, or, when such Courts shall not be sitting, by a Judge: Provided always, that any Order for a Writ of Injunction made by a Judge, or any Writ issued by virtue thereof, may be discharged or varied or set aside by the Court, on Application made thereto by any Party dissatisfied with such Order.

Equitable Defence may be pleaded.

LXXXIII. It shall be lawful for the Defendant or Plaintiff in replevin in any Cause in any of the Superior Courts in which, if Judgment were obtained, he would be entitled to Relief against such Judgment on equitable Grounds, to plead the Facts which entitle him to such Relief by way of Defence, and the said Courts are hereby empowered to receive such Defence by way of Plea; provided that such Plea shall begin with the Words "For Defence on equitable Grounds," or Words to the like Effect.

Equitable Defence after Judgment.

LXXXIV. Any such Matter which, if it arose before or during the Time for pleading, would be an Answer to the Action by way of Plea, may, if it arise after the Lapse of the Period during which it could be pleaded, be set up by way of Auditâ querelâ.

Equitable Replication.

LXXXV. The Plaintiff may reply, in answer to any Plea of the Defendant, Facts which avoid such Plea upon equitable Grounds; provided that such Replication shall begin with the Words "For Replication on equitable Grounds," or Words to the like Effect.

Court or Judge may strike out equitable Plea or Replication.

LXXXVI. Provided always, that in case it shall appear to the Court, or any Judge thereof, that any such equitable Plea or equitable Replication cannot be dealt with by a Court of Law so as to do Justice between the Parties, it shall be lawful for such Court or Judge to order the same to be struck out on such Terms as to Costs and otherwise as to such Court or Judge may seem reasonable.

Actions on lost Instruments.

LXXXVII. In case of any Action founded upon a Bill of Exchange or other negotiable Instrument, it shall be lawful for the Court or a Judge to order that the Loss of such Instrument shall not be set up, provided an Indemnity is given, to the Satisfaction of the Court or Judge, or a Master, against the Claims of any other Person upon such negotiable Instrument.

Jurisdiction under Shipowners Act.

53 G. 3. c. 159.

LXXXVIII. The Superior Courts or any Judge thereof may, upon summary Application, by Rule or Order, exercise such and the like Jurisdiction as may, under the Provisions of an Act of Parliament made and passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act to limit the Responsibility of Shipowners in certain Cases*, be exercised by any Court of Equity.

False Evidence.

LXXXIX. Any Person who shall, upon any Examination upon Oath or Affirmation, or in any Affidavit in Proceedings under this Act, wilfully and corruptly give false Evidence, or wilfully and corruptly swear or affirm anything which shall be false, being convicted thereof, shall be liable to the Penalties of wilful and corrupt Perjury.

Execution to fix Bail.

XC. Writs of Execution to fix Bail may be tested and returnable in Vacation.

Scire facias on Judgment of Assets in futuro.

XCI. Proceedings against Executors upon a Judgment of Assets *in futuro* may be had and taken in the Manner provided by "The Common Law Procedure Act, 1852," as to Writs of Revivor.

To compel Continuance or Abandonment of Action in case of Death.

XCII. Where an Action would, but for the Provisions of "The Common Law Procedure Act, 1852," have abated by reason of the Death of either Party, and in which the Proceedings may be revived and continued under that Act, the Defendant or Person against whom the Action may be so continued may apply by Summons to compel the Plaintiff, or Person entitled to proceed with the Action in the Room of the Plaintiff, to proceed according to the Provisions of the said Act within such Time as the Judge shall order; and in default of such Proceeding the Defendant or other Person against whom the Action may be so continued as aforesaid shall be entitled to enter a Suggestion of such Default, and of the representative Character of the Person by or against whom the Action may be proceeded with, as the Case may be, and to have Judgment for the Costs of the Action and Suggestion against the Plaintiff, or against the Person entitled to proceed in his Room, as the Case may be, and in the latter Case to be levied of the Goods of the Testator or Intestate.

Claimant in Second Ejectment for same

XCIII. If any Person shall bring an Action of Ejectment after a prior Action of Ejectment for the same Premises has been or shall have been unsuccessfully brought by such Person, or by any Person through

through or under whom he claims against the same Defendant, or against any Person through or under whom he defends, the Court or a Judge may, if they or he think fit, on the Application of the Defendant at any Time after such Defendant has appeared to the Writ, order that the Plaintiff shall give to the Defendant Security for the Payment of the Defendant's Costs, and that all further Proceedings in the Cause shall be stayed until such Security be given, whether the prior Action has been or shall have been disposed of by Discontinuance, or by Nonsuit, or by Judgment for the Defendant. Premises against same Defendant may be ordered to give Security for Costs.

XCIV. No Writ of Execution issued before the Twenty-fourth Day of *October* One thousand eight hundred and fifty-two, if unexecuted, shall remain in force for more than Six Calendar Months after the Twenty-fourth Day of *October* One thousand eight hundred and fifty-four, unless the same be renewed as herein-after mentioned, but all such Writs may be renewed from Time to Time in the same Manner as Writs issued after the Twenty-fourth Day of *October* One thousand eight hundred and fifty-two may now be renewed under the "Common Law Procedure Act, 1852," Section CXXIV. As to Writs of Execution issued before 24th October 1852.

XCV. The Superior Courts may appoint and hold Sittings either in Banc, or for the Trial of Issues in Fact by Judge or Jury, at any Time or Times, whether in Term or Vacation, not being between the Tenth of *August* and the Twenty-fourth of *October*. Courts may appoint Sittings.

XCVI. It shall be lawful for the Superior Courts of Common Law, and every Judge thereof, and any Judge sitting at Nisi Prius, at all Times to amend all Defects and Errors in any Proceedings under the Provisions of this Act, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend or not; and all such Amendments may be made with or without Costs, and upon such Terms as to the Court or Judge may seem fit; and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made, if duly applied for. Amendments.

XCVII. It shall be lawful for the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, from Time to Time to make all such General Rules and Orders for the effectual Execution of this Act, and of the Intention and Object hereof, and for fixing the Costs to be allowed for and in respect of the Matters herein contained, and the Performance thereof, as in their Judgment shall be necessary or proper, and for that Purpose to meet from Time to Time as Occasion may require: Provided that nothing herein contained shall be construed to restrain the Authority or limit the Jurisdiction of the said Courts or of the Judges thereof to make Rules or Orders, or otherwise to regulate and dispose of the Business therein. General Rules may be made by the Judges.

XCVIII. Such new or altered Writs and Forms of Proceedings may be issued, entered, and taken, as may by the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, be deemed necessary or expedient for giving Effect to the Provisions herein-before contained, and in such Forms as the Judges of such Courts respectively shall from Time to Time think fit to order; and such Writs and Proceedings shall be acted upon and enforced in such and the same Manner as Writs and Proceedings of the said Courts are now acted upon and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Writ or Proceeding the Form of which shall be in any Manner altered in pursuance of this Act shall nevertheless be of the same Force and Virtue as if no Alteration had been made therein, except as far as the Effect thereof may be varied by this Act. New Forms of Writs and other Proceedings.

XCIX. In the Construction of this Act the Word "Court" shall be understood to mean any One of the Superior Courts of Common Law at *Westminster;* and the Word "Judge" shall be understood to mean a Judge or Baron of any of the said Courts; and the Word "Master" shall be understood to mean a Master of any of the said Courts; and the Word "Action" shall be understood to mean any Personal Action in any of the said Courts. Interpretation of Terms.

C. All the Enactments and Provisions of this Act not relating exclusively to the Sittings for Trials of Causes or Issues in Fact at *London* or *Westminster* shall extend and apply to the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham*, and Actions and Proceedings therein respectively, subject to the following Modifications: All the Powers given by this Act to the Judges of the said Superior Courts of Common Law at *Westminster* to make General Rules and Orders shall and may be exercised by the respective Judges of the Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham*, being Judges of One of the said Common Law Courts at *Westminster*, or any Two of them respectively, with respect to the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively, and Matters and Proceedings therein within the Jurisdiction of the same Courts respectively; and all Powers under this Act exercisable by any One Judge of the Superior Courts at *Westminster* shall and may be exercisable by One Judge of the said Superior Courts of the said Counties Palatine, being also a Judge of One of the said Courts at *Westminster*, as to Matters and Proceedings in the said Superior Courts of the said Counties Palatine. Provisions relating to Superior Courts to apply to Court of Common Pleas at Lancaster and Court of Pleas at Durham.

CI. Provided always, That all the Provisions of this Act applicable to Masters of the said Courts at *Westminster* shall apply to the respective Prothonotaries of the Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* and their respective Deputies acting in the Execution of the Duties of such Offices, which acting Officers respectively may singly exercise with reference to Matters and Proceedings in the last-mentioned Courts respectively the Powers hereby given to the Masters of the Superior Courts at *Westminster*. Provisions as to Masters of Superior Courts to apply to Prothonotaries of Palatinate Courts.

CII. Provided

Court of Queen's Bench to be the Court of Appeal from Palatinate Courts.

CII. Provided also, as to Proceedings in Appeal, That the Court of Queen's Bench, being the Court of Error from the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively, shall also be the Court of Appeal from the said respective Courts for the Purposes of this Act in reference to Motions for New Trials, or to enter Verdicts or Nonsuits previously made to the Judges of the said respective Courts of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively.

ss. 19 to 32 to apply to every Civil Court in England and Ireland.

CIII. The Enactments contained in Sections Nineteen, Twenty, Twenty-one, Twenty-two, Twenty-three, Twenty-four, Twenty-five, Twenty-six, Twenty-seven, and Twenty-eight, Twenty-nine, Thirty, Thirty-one, and Thirty-two of this Act shall apply and extend to every Court of Civil Judicature in *England* and *Ireland*.

Commencement of Act.

CIV. The Provisions of this Act shall come into operation on the Twenty-fourth Day of *October* in the Year of our Lord One thousand eight hundred and fifty-four.

Her Majesty may direct all or Part of this Act to extend to any Court of Record.

CV. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act, or of the Rules to be made in pursuance thereof, shall apply to all or any Court or Courts of Record in *England* and *Wales*, and within One Month after such Order shall have been made and published in the *London Gazette* such Provisions and Rules respectively shall extend and apply in manner directed by such Order, and any such Order may be in like Manner from Time to Time altered and annulled; and in and by any such Order Her Majesty may direct by whom any Powers or Duties incident to the Provisions applied under this Act, or the Common Law Procedure Act, 1852, shall and may be exercised with respect to Matters in such Court or Courts, and may make any Orders or Regulations which may be deemed requisite for carrying into operation in such Court or Courts the Provisions so applied.

Short Title of Act.

CVI. In citing this Act in any Instrument, Document, or Proceeding it shall be sufficient to use the Expression "The Common Law Procedure Act, 1854."

Act not to extend to Ireland or Scotland.

CVII. Nothing in this Act shall extend to *Ireland* or *Scotland*, save as aforesaid.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

Cap. i.

AN Act for better supplying with Gas the Town of *Middleton* and the Neighbourhood thereof in the County Palatine of *Lancaster*. [12th *May* 1854.]

[*Power to raise additional Capital*, £20,000., § 23.]

Cap. ii.

An Act to enable the *London* Life Association to increase the Amount authorized by their Deed of Settlement to be assured upon a single Life in the said Society. [12th *May* 1854.]

[*Power to increase Assurances on single Lives*, § 1.]

Cap. iii.

An Act for granting further Powers to "The *Radcliffe and Pilkington* Gas Company." [12th *May* 1854.]

[*Power to raise additional Capital*, £18,000., § 24.]

Cap. iv.

An Act to enable the *Leeds* New Gas Company to raise a further Sum of Money; to consolidate and amend the Acts relating to the Company; and for other Purposes. [12th *May* 1854.]

[*Power to raise additional Cayital*, £50,000., § 19.]

Cap. v.

An Act for enabling the *Brighton, Hove, and Preston* Constant Service Waterworks Company to purchase the Undertaking of the *Brighton, Hove, and Preston* Waterworks Company; and for granting to the first-named Company all necessary Powers for supplying with Water the Parishes of *Brighton, Hove*, and *Preston* in the County of *Sussex*. [12th *May* 1854.]

[*For Protection of Brighton, Cuckfield, and Lovel Heath Turnpike Road*, § 64. *Act not to apply to the Royal Pavilion, without Consent*, § 71.]

Cap. vi.

An Act for incorporating and extending the Powers of the *Hastings and Saint Leonards* Gas Company. [12th *May* 1854.]

[*Provision as to Capital of Company*, § 15. *Power to borrow Money on Mortgage*, § 18.]

Cap. vii.

An Act for enabling the *Norwich Equitable* Fire Assurance Company to sue and be sued in that Name, and for other Purposes. [12th *May* 1854.]

Cap. viii.

An Act for the Improvement of the Borough of *Warrington;* and for enabling the Council thereof to erect a covered Market; and for other Purposes. [12th *May* 1854.]

[*Power to Corporation to borrow Money on Mortgage*, § 16. *Provision as to Payment of Debts*, § 17. *Provision as to Payment of Sewers made before passing of this Act*, § 41. *Penalties imposed by* 10 & 11 *Vict. c.* 34., *as to Prevention of Smoke may be remitted by Justices*, § 49. *Saving of Rights*, § 67.]

Cap. ix.

An Act to warp and improve certain Lands in the Level of *Hatfield Chase*. [12th *May* 1854.]

[*Power to raise Capital*, £30,000., § 4. *Power to borrow Money on Mortgage*, § 7. *Power to raise Money on Security of warped Lands*, § 30. *Saving Rights of Commissioners of Sewers of Hatfield Chase*, § 32. *Saving Rights of the Crown*, § 37.]

Cap. x.

An Act for enabling the *Nottingham* Waterworks Company to raise a further Sum of Money; and for amending some of the Provisions of the Act relating to such Company. [12th *May* 1854.]

[*Capital augmented to* £250,000., § 3.]

Cap. xi.

An Act to consolidate the Stock and Powers of the Corporation of "The *Royal Exchange* Assurance of Houses and Goods from Fire" with the Stock and Powers of the Corporation of "The *Royal Exchange* Assurance," and to confer on the last-named Corporation the Powers of "The *Royal Exchange* Assurance Annuity Company" and "The *Royal Exchange* Assurance Loan Company," and to give additional Powers to "The *Royal Exchange* Assurance." [12th *May* 1854.]

[*Consolidation of Capital Stocks*, § 1.]

Cap. xii.

An Act to confer additional Powers upon the Corporation of the *Amicable* Society for a perpetual Assurance Office, for the Purposes of Investment. [12th *May* 1854.]

Cap. xiii.

An Act to enable the Dock Company at *Kingston-upon-Hull* to raise a further Sum of Money, and to convert the Mortgage and Bond Debt of the Company into Debenture Stock and Perpetual Annuities; and for other Purposes. [12th *May* 1854.]

[*Power to borrow additional Money on Mortgage*, § 3. *Company not enabled to levy passing Tolls*, § 50.]

Cap. xiv.

An Act for establishing a Police Superannuation Fund in the Borough of *Liverpool*. [12th *May* 1854.]

Cap. xv.

An Act to make further Provision for the Sewerage, Sanitary Regulation, and Improvement of the Borough of *Liverpool*. [12th *May* 1854.]

[*For Purposes of Act, Borough to be distinguished into "The Out Townships" and "The Parish of Liverpool,"* § 6.]

Cap. xvi.

An Act for better supplying with Water the Town of *Southport* in the County Palatine of *Lancaster*, and the Neighbourhood thereof. [12th *May* 1854.]

[*Power to borrow, not exceeding* £4,000., *on Mortgage*, § 8.]

Cap. xvii.

An Act for supplying with Gas *Ramsbottom* and other Places in the Parish of *Bury* in the County Palatine of *Lancaster*. [12th *May* 1854.]

[*Power to borrow, not exceeding* £2,500., *on Mortgage*, § 12.]

Cap. xviii.

An Act to enable the *Rossendale* Waterworks Company to raise a further Sum of Money. [12th *May* 1854.]

[*Power to raise, by new Shares,* £15,000., § 1. *Power to borrow on Mortgage*, § 6.]

Cap. xix.

An Act for enabling the *Scarborough* Public Market Company to raise a further Sum of Money, and for amending and consolidating the Provisions of the Act relating to such Company. [12th *May* 1854.]

[*Power to raise additional Capital,* £14,000., § 19. *Power to raise Money by Mortgage*, § 22. *Saving Rights of Corporation to Harbour Dues*, § 59.]

Cap. xx.

An Act for lighting with Gas the Borough of *Bolton* and Places near thereto, and for other Purposes, and of which the Short Title is "The *Bolton* Gas Company's Act, 1854." [12th *May* 1854.]

[*Power to raise further Capital on Mortgage*, § 25. *Money borrowed not to be converted into Capital*, § 29.]

Cap. xxi.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Kingswood* District of Turnpike Roads in the County of *Gloucester*. [12th *May* 1854.]

[7 & 8 *Geo.* 4. *c.* c. *repealed, and this Act to be put in force*, § 1. *Tolls to be paid but once a Day*, § 9. *Coal Waggons to pay an additional Half Toll between* 31*st October and* 1*st April in each Year*, § 11. *Act to commence on the Fourth Wednesday after the passing, and continue in force for Twenty-one Years*, § 25.]

Cap. xxii.

An Act for repealing "The *Stafford* Gas Act, 1846;" and for re-constituting the *Stafford* Gas Company, with additional Powers; and for other Purposes. [2d *June* 1854.]

[9 & 10 *Vict. c.* cxiv. *repealed and Company dissolved*, § 1. *Company re-established*, § 6. *Capital to be* £26,666. 13*s.* 4*d.*, *divided into* 4,000 *Shares of* £6. 13*s.* 4*d. each*, § 16. *Power to raise on Mortgage not exceeding* £5,000., § 26.]

Cap. xxiii.

An Act to enable "The *Burry* Port Company" to raise additional Capital, and to make Arrangements for the Satisfaction of the Mortgage and other Debts due from the Company; and to amend the Acts relating to the Company; and for other Purposes. [2d *June* 1854.]

[*Power to raise additional Capital, by new Shares, not exceeding* £20,000., § 2. *And to arrange for Discharge of Mortgage Debt and Interest*, §§ 4 *and* 5.]

Cap. xxiv.

An Act to enable the *Whitehaven Junction* Railway Company to raise a further Sum of Money, and to amend the Acts relating to the said Railway. [2d *June* 1854.]

[*Power to increase Capital not exceeding* £12,000., *by new Shares*, § 2. *And to borrow on Mortgage*, § 7.]

Cap. xxv.

An Act for improving and maintaining the Harbour or Port of *Port Gordon* in the County of *Banff*. [2d *June* 1854.]

[*Clauses of "Harbours, Docks, and Piers Clauses Act*, 1847," *as to Life Boats, &c., not to be in force until required by Admiralty*, § 2. *Power to levy Rates*, § 10. *Power to lease Rates*, § 14. *Saving Rights of the Crown*, § 23. *Not to affect Claims of the Duke of Richmond, &c., in respect to Sea Grounds*, § 25.]

Cap. xxvi.

An Act for lighting with Gas *Bacup*, *Waterfoot*, *Newchurch*, *Rawtenstall*, *Crawshaw Booth*, and other Places in the Forest of *Rossendale* in *Lancashire*. [2d *June* 1854.]

[*Incorporation of Company*, § 5. *Effects of Bacup Company vested in new Company*, § 7. *Capital* £40,000. *to be divided into Shares of* £10. *each*, § 14. *For Protection of Messrs. Whitehead*, § 26. *Saving Rights of Haslingden Waterworks Company*, § 32.]

Cap. xxvii.

An Act for supplying with Water the Town and Municipal Borough of *Clitheroe* in the County of *Lancaster*. [2d *June* 1854.]

[*Capital* £10,000., § 7. *Power to borrow on Mortgage*, § 11. *Provisions as to Supply of Water, Messrs. Garnett and Horsefalls*, §§ 34 *to* 38. *Compensation, &c. to Owners of Grindleton Mill*, §§ 39, 40, 41.]

Cap. xxviii.

An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to widen certain Streets in and otherwise improve the said City; to raise a further Sum of Money; and for other Purposes. [2d *June* 1854.]

[*Ground adjoining Saint Peter's Church may be sold to Corporation*, § 22. *Application of Purchase Money*, § 23. *Power to borrow Money on the Credit of Gas Works*, § 25.]

Cap. xxix.

An Act to amend an Act intituled *An Act for incorporating the* Madras *Railway Company, and for other Purposes connected therewith.* [2d *June* 1854.]

Cap. xxx.

An Act for better supplying the Inhabitants of the Parish of *Harrow* in the County of *Middlesex* with Water. [2d *June* 1854.]

[*Incorporation of Company*, § 6. *Capital*, £6,000., § 15. *Power to borrow Money on Mortgage*, §§ 20 *and* 21. *Power to raise additional Capital by new Shares*, § 41.]

Cap. xxxi.

An Act for the Improvement of the City of *Hereford*, and for other Purposes, and of which the Short Title is "The *Hereford* Improvement Act, 1854." [2d *June* 1854.]

[14 *Geo.* 3. *c.* xxxviii., 56 *Geo.* 3. *c.* xxiii., *and* 1 & 2 *Vict. c.* lxix. *repealed*, § 6. *Compensation to Bishop of Hereford under* 1 & 2 *Vict. c.* lxix. *to continue*, § 10. *Saving present and future Rights under repealed Act*, § 11. *For Protection of Newport, Abergavenny, and Hereford Railway Company*, § 66. *Burials in certain Churches &c. discontinued*, § 72. *Compensation for Loss, &c. by Discontinuance of Burials*, § 74. *Fees to Incumbents and Parish Clerks*, §§ 97 *and* 98.]

Cap. xxxii.

An Act for building a Bridge over the River *Tame*, to connect the Borough of *Ashton-under-Lyne* with the Township of *Dukinfield*. [2d *June* 1854.]

[*Capital*, £5,000., § 4. *Power to borrow on Mortgage.* § 7. *Saving Rights of Manchester, Sheffield, and Lincolnshire Railway Company*, § 32. *Saving Rights of Earl of Stamford and Warrington and Lord of the Manor of Ashton-under-Lyne*, §§ 35, 36, *and* 37.]

Cap. xxxiii.

An Act for more effectually lighting with Gas the Town of *Cardiff* and certain Parishes adjacent thereto in the County of *Glamorgan*. [2d *June* 1854.]

[7 *Will.* 4. *c.* xix. *repealed, and Company re-incorporated*, §§ 2 *and* 3. *Capital*, £20,000., § 13. *As to additional Capital*, §§ 18 *to* 22. *Power to borrow on Bond*, § 23. *General Saving of Rights*, § 47. *Saving Rights of the Marquis of Bute*, § 48.]

Cap. xxxiv.

An Act for making and maintaining Docks in the Borough and County of *Newcastle-upon-Tyne*. [2d *June* 1854.]

[*Capital*, £180,000., § 6. *Power to borrow on Mortgage*, § 9. *Saving Rights of the Admiralty, Corporation of Newcastle, and of the Crown*, §§ 52, 53, *and* 54.]

Cap. xxxv.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Weymouth* and *Melcombe Regis* in the County of *Dorset* to provide Market Houses for the Sale of certain marketable Commodities, and to erect and maintain an improved Pier or Landing Place within the Borough; and for other Purposes. [2d *June* 1854.]

[*Saving Rights of Corporation of Weymouth and of the Crown*, §§ 65 *and* 66.]

Cap. xxxvi.

An Act to repeal the Act relating to the *Ridghill and Lanes and Holehouse* Turnpike Road, and to make other Provisions in lieu thereof. [2d *June* 1854.]

[7 *Geo.* 4. *c.* xxi. *repealed and this Act put in force*, § 1. *Persons having paid Toll to return Toll-free*, § 12. *Act to commence on the Fourth Friday after passing, and to continue for Twenty-four Years*, § 25.]

Cap. xxxvii.

An Act to enable the Company of Proprietors of the *Birmingham* Waterworks to raise further Money. [2d *June* 1854.]

[*Power to raise additional Capital by new Shares*, § 2. *Power to borrow on Mortgage*, § 19.]

Cap. xxxviii.

An Act for the Extension of the *Manchester* Corporation Waterworks, and for other Purposes, and of which the Short Title is "The *Manchester* Corporation Waterworks Act, 1854." [2d *June* 1854.]

[*The Act of* 1851 *repealed, and this Act put in force*, § 2. *Power to borrow additional Monies*, £200,000, § 11. *Saving Rights of Corporation to pay off Incumbrances*, § 23. *Saving Rights of Corporation of Salford*, § 30.]

Cap. xxxix.

An Act to enable the *New River* Company to construct certain Sewers, Drains, and other Works in and near the Town of *Hertford*; and for other Purposes. [2d *June* 1854.]

15 & 16 Vict. c. clx.

'WHEREAS an Act was passed in the Fifteenth and Sixteenth Years of the Reign of Her present 'Majesty, intituled *An Act to enable the Governor and Company of the* New River *to improve* 'their Supply of Water, and for other Purposes: And whereas it is expedient that the said Company 'should be enabled to provide more effectually against the Deterioration of the Waters supplying the 'said *New River*, by the Construction of certain intercepting Sewers, Drains, and other Works in and 'near the Town of *Hertford*, and that the Limits of the said Act should be more clearly defined: And 'whereas the following Acts have been passed, relating more or less directly to the said Company; '*videlicet*, the several Acts of the Thirteenth Year of *Elizabeth*, Chapter 18, of the Third Year of *James* 'the First, Chapter 18, of the Fourth Year of *James* the First, Chapter 12, of the Eleventh Year of 'George the Second, Chapter 14, of the Twelfth Year of *George* the Second, Chapter 32, of the Seventh 'Year of *George* the Third, Chapter 51, and of the Nineteenth Year of *George* the Third, Chapter 58, 'respectively, and the several Acts (Local or Local and Personal) of the Forty-fifth Year of *George* the 'Third, Chapter 69, of the Third Year of *George* the Fourth, Chapter 109, of the Thirteenth and Four-'teenth Years of *Victoria*, Chapter 109, and the Sixteenth and Seventeenth Year of *Victoria*, Chapter '166, respectively: And whereas the said Company are willing to execute the said Works, but the same 'cannot be effected without the Authority of Paliament:' May it therefore please Your Majesty that it may

may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. That in citing this Act for any Purpose, it shall be sufficient to use the Expression "The *New River* Company's (*Hertford* Sewerage Diversion) Act, 1854."

8 & 9 Vict. c. 18. incorporated.

II. That "The Lands Clauses Consolidation Act, 1845," shall, for the Purposes of this Act, be incorporated with this Act.

10 & 11 Vict. c. 17. incorporated.

III. That the Second and Third Sections of "The Waterworks Clauses Act, 1847," and also the Provisions and Clauses of that Act with respect to the "Construction of the Waterworks," with respect to the "Construction of Works for the Accommodation of Lands adjoining the Waterworks," with respect to the "breaking-up Streets for the Purpose of laying Pipes," with respect to the Provision for "guarding against fouling the Water of the Undertakers," and with respect to the "Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices," and with respect to Access to the Special Act, shall be incorporated with this Act, and shall extend only to the several Works by this Act authorized to be made; and in construing those Sections of that Act in connexion with this Act, the Words "Waterworks" shall be deemed to include Sewers and Drains.

Power to make Works according to deposited Plan.

IV. 'Whereas a Plan and Section showing the Line and Levels of the Works herein-after particularly 'described, and a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or 'reputed Owners, Lessees, and Occupiers of the Lands and Streams in or through which the said Works 'are intended to be made or pass, have been deposited with the Clerk of the Peace for the County of '*Hertford:*' Be it enacted, That, subject to the Provisions of this Act, the Company may from Time to Time make and maintain the several Works by this Act authorized, and herein-after particularly described, in the Line and in and through the Lands delineated in the Plan of such Works, and described in the Book of Reference relating thereto, and may enter upon, take, and use such of the Lands described or mentioned in the Plan of such Works, and in the said Book of Reference relating thereto, as shall be necessary for the Purposes thereof.

Works authorized as herein named.

V. That the Works by this Act authorized shall comprise the following:

First, a Sewer or Drain commencing in the Parish of *Bengeo* in the County of *Hertford*, at the Western End of the public Highway called *Port Vale*, and terminating in the Parish of *Saint Andrew, Hertford*, in the said County, at or near the East End of a Bridge over the River *Beane* called *Cow Bridge:*

Second, a Sewer or Drain commencing in the Parish of *Saint Andrew, Hertford*, in the public Highway called the *North Road*, near to *Sele's Mill*, and terminating in the said Parish by a Junction with the Sewer or Drain firstly herein-before described at the East End of *Cow Bridge* aforesaid:

Third, a Sewer or Drain commencing in the same Parish, in the public Highway called the *Hertingfordbury Road*, at or near the Cottager's Allotment Gardens there, and terminating in the same Parish by a Junction with the said firstly and secondly described Sewers or Drains at the East End of *Cow Bridge* aforesaid:

Fourth, a Sewer or Drain commencing in the same Parish by a Junction with the first, second, and third herein-before described Sewers or Drains at their Point of Junction at the East End of *Cow Bridge* aforesaid, and terminating in the Parish of *Saint John, Hertford*, by a Junction with the intended Sewer or Drain eighthly herein-after described, in the Road leading to the *King's Meads*, at or near the *Hertford* Station of the *Eastern Counties* Railway Company:

Fifth, a Pipe Track, Sewer or Drain commencing in the said Parish of *Saint Andrew, Hertford*, at the South End of the public Highway called *Hartham Lane*, and terminating in the Parish of *Saint John, Hertford*, by a Junction with the fourthly herein-before described Sewer or Drain in certain Lands called *Hartham Mead:*

Sixth, a Sewer or Drain in the said Parish of *Saint John, Hertford*, commencing on the Western Side of the *Lee* Navigation, at or near to *Bull's Plain Bridge*, and terminating in the same Parish by a Junction with the Drain or Sewer fourthly herein-before described, near the Bridge across the *Dicker Mill Head* Stream:

Seventh, a River Channel, and other Works connected therewith, on the River *Beane*, commencing in the said Parish of *Saint Andrew, Hertford*, at or near the Point of Junction of the said River *Beane* with the Back Stream from the Waste Gates of *Sele's Mill*, and terminating in the said Parish of *Saint Andrew, Hertford*, by a Junction with the River *Beane* at or near and on the South Side of *Cow Bridge* aforesaid, and to divert the Waters of the said River *Beane* and Stream into the said Channel:

Eighth, a Sewer or Drain commencing in the Parish of *Brickendon*, otherwise Liberty of *Brickendon*, in the Parish of *All Saints, Hertford*, in the County of *Hertford*, on the East Side of the River *Lee*, at or near a Garden now occupied by *Josh. Sterry*, and terminating in the said Parish of *Saint John, Hertford*, in the Road leading to *King's Meads* by a Junction with the Sewer or Drain fourthly herein-before described, at its Terminus at or near the *Hertford* Station of the *Eastern Counties* Railway Company:

Ninth, a Sewer or Drain commencing in the Parish of *Saint John, Hertford*, aforesaid, in the said Road leading to the said *King's Meads* at a Point where the said Sewers or Drains fourthly and eighthly herein-before described terminate and unite, and terminating in the Parish of *Great Amwell* in the County of *Hertford*, in *Amwell Marsh*, by a Junction with the River *Lee* Navigation at

at or near the lower Side of *Amwell Marsh* Lock; which said intended Sewer or Drain will pass from, through, or into the several Parishes, Townships, and Extra-parochial and other Places of *Saint John Hertford, Ware, Great Amwell,* and *Little Amwell,* or some of them, all in the County of *Hertford.*

Company to prevent Impediments in River Beane.

VI. That in constructing any Sewer or other Work, under the Powers of this Act, in, across or under the River *Beane,* the Company shall so construct the same as not to lessen the present sectional Area of the said River; and no Part of the Top of any Sewer or Pipe which shall be laid in the Bed of the said River shall be higher than One hundred Feet Six Inches above the datum Line of the Sections deposited and referred to in this Act.

Power to make an Outfall to the ninthly-described Sewer into manifold Ditch, &c.

VII. Provided always, That the Company, if they think fit, may make the ninthly-described Sewer or Drain to terminate by an Outfall into such Part of the *Manifold Ditch* lying below the *Tumbling Bay,* now fixed and standing across that Ditch, as is within the Limits of Deviation marked on the Plans deposited for the Purposes of this Act, and may forbear to make such Part of that Sewer or Drain as would be between that Outfall into *Manifold Ditch* and the proposed Junction of that Sewer or Drain with the River *Lee* Navigation at or near the lower Side of *Amwell Marsh Lock.*

Company not to discharge Sewage Water into the River Lee until purified.

VIII. Provided always, That the Company shall not at any Time discharge or permit any Sewage or Sewage Water to flow from any of the Sewers or Drains by this Act authorized, immediately or mediately, into any Part of the River *Lee* or of the River *Lee* Navigation, until after it has been subjected to the Process of Purification known as *Higg's* Patent Process, intituled in the Letters Patent thereof "The Means of collecting the Contents of Sewers and Drains in Cities, Towns, and Villages, and for applying the same to agricultural and other useful Purposes," or some other Process which from Time to Time may be in use as the best then known practicable Process for the Purification thereof.

Board of Trade to decide as to Proceeding of Purification.

IX. That if any Question shall arise between the Company and any of the Parties interested in the Waters of the same River or Navigation as to the *bonâ fide* Compliance with this Provision, the Parties in difference or either of them may refer the Question to the Board of Trade, and that Board may make such Inquiries thereon as it thinks fit, and may declare what in its Opinion is the best then known practicable Process for such Purification; and every such Declaration, until it be superseded by a subsequent Declaration of the Board in the Premises, shall, for the Purposes of this Act, be conclusive as to what is the best then known practicable Process for such Purification; and the Expenses from Time to Time incurred by the Board in the Premises shall be ascertained by the Board, and shall be paid by the Parties in difference, or One of them, as the Board directs.

Company to make Embankments, &c., for Construction and Maintenance of Works.

X. That it shall be lawful for the Company to make and maintain all necessary Tunnels, Pipe Tracks, Sluices, Embankments, Aqueducts, Channels of Communication, Filtering Beds, Tanks, Culverts, Engines, Drains, Flood Gates, and other Conveniences for the effectual Construction, Use, and Maintenance of the Works by this Act authorized, and to remove any of their existing Works which may interfere therewith.

Company may cross and divert Roads, &c.

XI. That, subject to the Provisions of the several Acts incorporated herewith, it shall be lawful for the Company to cross, divert, break up, or alter all such Turnpike and other Roads, Highways, Footways, Tunnels, Bridges, Streets, Tramroads, Rivers, Navigations, Streams, Brooks, Watercourses, Drains, Pipes, and Sewers within the Parishes or Places from, in, through, or into which any of the Works will pass or be made as may be necessary for effecting the Objects and Purposes of the intended Works by this Act authorized.

Provisions of 8 & 9 Vict. c. 20. as to Interference with Roads incorporated with this Act.

XII. That the Clauses of "The Railways Clauses Consolidation Act, 1845," numbered 53, 54, 55, 56, and 57, relating to the Substitution of other Roads for Roads interfered with, and to the Restoration of Roads interfered with, shall be incorporated with this Act; and in construing those Clauses in connexion with this Act, the expression "the Company" shall mean the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London,* and the Expression "the Railway" shall mean the Works by this Act authorized to be constructed.

Stream at Amwell to be conveyed over certain Works.

XIII. That in constructing the Works aforesaid, where the same shall pass the Stream now flowing between the Fields numbered 29 and 30 on the said deposited Plans, in *Great Amwell* aforesaid, the said Stream shall not be in any Manner diverted, but shall be carried under or over the same Works.

Sewer in Ware District to be covered and kept in repair by Company.

XIV. That such Part of the said Sewer herein-before ninthly described as shall pass through or into the District of the *Ware* Local Board of Health, or any Part thereof, under the Provisions of this Act, shall be covered and not open, and shall, if made, at all Times be maintained and kept in good Repair, Order, and Condition by the Company; and the said Local Board shall have Power to make such Communication therewith as they may think fit for the Purposes of Sewerage.

As to Alteration of Gas and Water Pipes.

XV. That it shall be lawful for the Company, for the Purpose of constructing the Works herein-before mentioned within the Parishes and Places of *Bengeo, Saint Andrew Hertford, Saint John Hertford, All Saints Hertford,* and *Brickendon,* in the Town and County of *Hertford,* to raise, sink, or otherwise alter the Position of any of the Watercourses, Water Pipes, or Gas Pipes, belonging to any of the Houses adjoining or near to the Works, and within the Parishes and Places aforesaid, and also the Mains or Pipes laid down by any Corporation, Company, Society, or Persons who may furnish the Inhabitants of such Houses or Places with Water or Gas, and also to remove all other Obstructions to such Construction, so as the same be respectively done with as little Detriment and Inconvenience to such Corporation, Company, Society, Persons, or Inhabitants as the Circumstances will admit, and be done under the Superintendence and to the reasonable Satisfaction of the Parties to which such Water Pipes or Gas Pipes belong, and of the several Commissioners or Trustees or Persons having Control of the

the Pavements, Sewers, Roads, Highways, Streets, Lanes, and other public Passages and Places within the Parish, District, or Place where such Mains, Pipes, or Obstructions shall be situate, or of their Surveyor, if they or he shall think fit to attend after receiving not less than Forty-eight Hours Notice for that Purpose.

Company not to disturb Pipes until they have laid down others.

XVI. Provided always, That it shall not be lawful for the Company to remove or displace any of the Mains or Pipes (other than private Service Pipes), Syphons, Plugs, or other Works belonging to such Corporation, Company, Society, or Persons, or to do anything to impede the Passage of Water or Gas into or through such Mains or Pipes, until good and sufficient Mains or Pipes, Syphons, Plugs, and all other Works necessary or proper for continuing the Supply of Water or Gas as sufficiently as the same was supplied by the Mains or Pipes proposed to be removed or displaced, shall at the Expense of the Company have been first made and laid down in lieu thereof, and be ready for Use in a Position as little varying from that of the Pipes or Mains proposed to be removed or displaced as may be consistent with the Construction of the said Works, and to the Satisfaction of the Surveyor and Engineer of such Corporation, Water or Gas Company or Society, or, in case of Disagreement between such Surveyor or Engineer and the Company, as a Justice shall direct.

Not to lay Pipes contrary to any Act.

XVII. That it shall not be lawful for the Company to lay down any such Pipes contrary to the Regulations of any Act of Parliament relating to such Corporation, Water or Gas Company or Society.

Company to make full Compensation for all Loss or Damage done.

XVIII. That the Company shall make good all Damage done to the Property of the Corporation, or Water or Gas Company or Society, by the Disturbance thereof, and shall make full Compensation to all Parties for any Loss or Damage which they may sustain by reason of any Interference with the Mains, Pipes, or Works of such Corporation, Water or Gas Company or Society, or with the private Service Pipes of any Person supplied by them with Water or Gas.

Lands of Eastern Counties Company not to be taken without Consent.

XIX. 'And whereas Part of the Works by this Act authorized as shown on the Plans so deposited as 'aforesaid may be constructed within the Line of the Fences of the *Eastern Counties* Railway:' Therefore, notwithstanding this Act or anything therein contained, the Company shall not enter upon, take, or use any Lands of the *Eastern Counties* Railway Company within the general Line of the Fences which guard that Railway without their previous Consent in Writing under the Hand of their Secretary.

Powers of Eastern Counties Railway Company.

XX. That the *Eastern Counties* Railway Company may make, and the Company may accept, a Grant in perpetuity, at an annual Rent, of a Right of making, maintaining, and using, according to the deposited Plans, the Works by this Act authorized to be made in the Lands of the *Eastern Counties* Railway Company, whether within or outside of such Fences, and any Agreement for such a Grant made between those Companies before or after the passing of this Act shall be binding on them respectively.

Recovery of Rent in arrear.

XXI. That the Rent reserved by any such Grant may be sued for and recovered by the *Eastern Counties* Railway Company in any Court of competent Jurisdiction.

Control of the Surface to remain in the Eastern Counties Railway Company.

XXII. Provided always, That, notwithstanding anything in this Act or in any such Grant contained, the *Eastern Counties* Railway Company shall have the entire Control of the Surface of the Land comprised in any such Grant, subject to the Right granted, and may use the same for any Widening or Enlargement of their Railway or Works: Provided nevertheless, that they shall not, after the Execution of any such Grant, do anything which would deprive the Company of the Right of User granted to them, or which would prevent their having Access to any Works made in pursuance of this Act in Lands of the *Eastern Counties* Railway Company, for repairing or maintaining such Works.

Traffic on the Eastern Counties Railway not to be obstructed.

XXIII. That the Company shall not make any Work or do any Act by which the Traffic on the *Eastern Counties* Railway may be obstructed or impeded, and if the Company make any Work or do any Act having such Effect they shall for every such Offence pay to the *Eastern Counties* Railway Company Fifty Pounds, and also after Notice in Writing from the Superintendent, Servants, or Secretary of the same Company to remove such Obstruction, a further Sum of Fifty Pounds for every Hour during which such Obstruction continues, or during which such Traffic is impeded, and every such Penalty shall be recoverable, with Costs, in any Court of competent Jurisdiction.

For the Protection of the Eastern Counties Railway.

XXIV. That this Act or anything therein contained shall not authorize any Disturbance of or Alteration in the Position or Level of the Rails on the *Eastern Counties* Railway, or any Part thereof, without the previous Consent in Writing of the *Eastern Counties* Railway Company under the Hand of their Secretary; and all Works made under this Act, so far as they may interfere with or affect the *Eastern Counties* Railway, or any of the Works or Property of the *Eastern Counties* Railway Company, shall be done, and any Pipes laid or Channels made under that Railway, or under any of the Lands of that Company, shall be laid or made under the Direction and to the reasonable Satisfaction of their Engineer, and according to Plans and Specifications approved by him previously to the Commencement of any such Works; and before entering upon any Land of that Company for the Purpose of executing any Work; under this Act, the Company or their Engineer shall give not less than Twenty-one clear Days Notice in Writing to the Secretary of that Railway Company of their Intention to commence such Work, and of the Mode in which the same is proposed to be done; and if any Dispute arise between the Engineer of the Company and the Engineer of the *Eastern Counties* Railway Company, as to the Manner of executing any Work affecting the *Eastern Counties* Railway, or the Lands of the *Eastern Counties* Railway Company, every such Dispute shall be determined by Arbitration in the Manner prescribed by the "Companies Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration.

Provisions as to Repairs of Works of East-

XXV. That the Company shall not acquire any Right or Property in the Railway or in any of the Lands of the *Eastern Counties* Railway Company within the general Line of the Fences which guard that Railway, other than the Right, subject to the Provisions of this Act, of executing the several Works necessary

ern Counties Railway Company.

necessary and proper for constructing and maintaining the Works by this Act authorized in the Lands of that Railway Company, and for repairing the same Works, and all such Repairs shall from Time to Time be done under the Superintendence and to the reasonable Satisfaction of the Engineer of that Railway Company, and the Company shall, on Demand, pay to that Railway Company all Expenses occasioned to or incurred by them, in case from the Necessity of the same they shall themselves make any such Repair for or by reason of the Maintenance or Repair on such Lands of such Works respectively, and the *Eastern Counties* Railway Company may sue for and recover the Amount of such Expenses in any Court of competent Jurisdiction; and if any Dispute arise between the Two Companies as to the Mode of making, repairing, or maintaining any such Work, every such Dispute shall be determined by Arbitration, in the Manner prescribed by the "Companies Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration.

Eastern Counties Railway Company not to be liable for Damages.

XXVI. That the *Eastern Counties* Railway Company shall not, by reason of any such Lease or otherwise howsoever, be liable for any Damage occasioned to any Lands or to any Person by or in consequence of the Construction, Imperfection, or Failure of, or otherwise with respect to any of the Works by this Act authorized, but the Company shall be exclusively liable for all such Damage.

Saving Rights of Eastern Counties Railway Company.

XXVII. Provided always, That, except only as is by this Act expressly provided with reference to the Works under this Act authorized to be made, this Act or anything therein contained shall not take away, lessen, alter, or in any way prejudicially affect any of the Rights, Powers, Authorities, or Privileges of the *Eastern Counties* Railway Company.

Sewers to be used for the Drainage of Hertford.

XXVIII. That from and after the making and Completion of the several new Sewers and Drains herein-before described in the said Parishes or Places of *Bengeo, Saint Andrew Hertford, Saint John Hertford, All Saints Hertford,* and *Brickendon,* in the Town and County of *Hertford,* it shall be lawful for all Persons resident in the said several Parishes and Places to drain their Houses and Premises, and for all Surveyors and others having the Superintendence of the public Streets, Courts, Lanes, and Highways in the said several Parishes and Places, to drain the same by means of the Sewers and Drains by this Act authorized to be made, and from Time to Time to make such Openings and Communications into the said intended Sewers or Drains as shall be necessary for that Purpose; and such Openings and Communications may be made after Twenty-four Hours Notice to the Company, and shall be made under the Superintendence and to the Satisfaction of the Engineer or Agent of the Company.

Company may intercept Sewerage Water draining into River Lee from Town of Hertford.

XXIX. That from and after the making and Completion of the several new Sewers and Drains herein-before described in the several Parishes and Places in the Town and County of *Hertford,* it shall be lawful for the Company to enter upon any House, Buildings, and Premises to collect and intercept all Sewage Water from all Sewers or Drains leading from Houses, Streets, or other Premises in the said several Parishes or Places of *Bengeo, Saint Andrew Hertford, Saint John Hertford, All Saints Hertford,* and *Brickendon,* or any of them, and which now discharge into the River *Lee* or other Streams leading into the same, and to divert the said Sewage Water into the Sewers and Drains by this Act authorized to be made in the said several Parishes and Places, by means of proper and sufficient Culverts or Drains to be made by and at the Expense of the Company from the said existing Sewers of the said Houses, Streets, or other Premises, and the same shall be done by the Company accordingly, and such connecting Culverts or Drains shall thereafter be maintained by the Owners or Occupiers of the said Houses and other Premises, and the Surveyors in case of Streets.

Penalty for draining into River Lee.

XXX. That if any Person, after the Completion (so far as regards the Part passing by and furnishing an Outfall to his House, Buildings, or Premises) of the Sewers and Drains by this Act authorized to be made in the said several Parishes and Places of *Bengeo, Saint Andrew Hertford, Saint John Hertford, All Saints Hertford,* and *Brickendon,* in the Town and County of *Hertford,* shall make or carry any new Sewer or Drain from his House, Buildings, or Premises into or shall continue to use any Sewer or Drain now discharging its Waters into the said River *Lee,* from any Lands or Houses situate in the said Parishes or Places in the Town and County of *Hertford,* (after such last-mentioned Sewer or Drain shall have been rendered unnecessary by a proper and sufficient Sewer or Drain having been made by the Company in lieu thereof as aforesaid,) he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and the Company may remove, stop up, and abate any such Sewer or Drain as a Nuisance; and the Expense of such Removal, Stopping up, and Abatement, shall be paid by the Party causing such Nuisance, and may be recovered in the same Manner as Damages not specially provided for are by this Act and the Acts incorporated herewith directed to be recovered.

Saving Rights of Corporation of Hertford.

XXXI. That this Act or anything therein contained shall not extend or be construed to extend to prejudice, diminish, or affect any of the Rights, Powers, or Authorities vested in the Mayor, Aldermen, and Burgesses of the Borough of *Hertford,* but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Powers for compulsory Purchase of Lands limited.

XXXII. That the Powers by this Act conferred on the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period within which Works are to be completed.

XXXIII. That the Works hereby authorized may be completed on or before the Thirtieth Day of *June* One thousand eight hundred and fifty-seven, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Works or otherwise in relation thereto shall cease to be exercised, except as to so much of the Works as are then completed, and the necessary Repair and Maintenance of such Works.

XXXIV. That

Owners may grant Leases.

XXXIV. That all Persons by this Act empowered to convey Lands to the Company shall have full Power for the Purposes of this Act to grant to the Company any Lands and Streams, or the Right of User thereof, and to grant to the Company any Easement, Power, or Authority in or over such Lands or Streams in perpetuity in consideration of an annual Rent: Provided always, that in all such Grants, when made by any Corporation or by any Individual entitled to any Estate or Interest other than a Fee Simple for his own Benefit, there be reserved the best Rent or Remuneration that can reasonably be gotten for the Premises thereby granted, such Rent or Remuneration not being less than such as shall be determined according to the Provisions with respect to the Purchase of Lands by Agreement of "The Lands Clauses Consolidation Act, 1845," by Two able practical Surveyors or their Umpire: Provided also, that it shall be lawful for the Company to purchase at any subsequent Period the Release or Discharge of such Rent or Remuneration, Covenants and Stipulations, reserved by and contained in any such Grant.

Defining Limits of recited Act.

XXXV. 'And whereas the Company claim to have the Power by Charter, and under the Provisions 'of the said first-recited Act, to supply with Water (amongst other Parishes and Places) the Parishes 'and Places of *Saint John* without the Borough of *Hertford*, *Ware*, *Great Amwell*, *Little Amwell*, *Saint* '*Margarets*, *Hoddesdon*, *Wormley*, *Broxbourne*, *Cheshunt*, *Enfield*, *Edmonton*, and *Tottenham*, in the 'Counties of *Hertford* and *Middlesex*; but such Right has been questioned, and it is expedient that the 'Limits of the Liability of the Company to supply Water, and the Rights of the Public to demand the 'same, should be defined:' Be it therefore enacted, That for the Purposes of the said firstly-recited Act the Limits for the Supply of Water by the Company shall include and be deemed to include the Parishes and Places before named in this Section, and that Act shall be read and construed as if those Parishes and Places had been therein expressed to be included.

Power to borrow further Bond.

XXXVI. That, in addition to the several Sums of Money authorized to be raised by the said first-recited Act, it shall be lawful for the Company to borrow on Bond such further Sums of Money as shall from Time to Time, by any Order of a General Court of the Company, be authorized to be borrowed, not exceeding in the whole the Sum of One hundred thousand Pounds, and to secure the Repayment thereof, with Interest, by Bonds as herein-after provided.

Extending certain Provisions of first recited Act to this Act.

XXXVII. That the whole of the several Sections and Provisions of the said first-recited Act numbered respectively in the Copies thereof printed by the Printers to the Queen's most Excellent Majesty 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, such Sections and Provisions respectively relating "to the reborrowing of Money by the Company," "to the stamping of Bonds for securing Money," "to the Rights of Obligees in such Bonds," "to the Register of such Bonds," "to the Transfers of such Bonds," "to the Register of the Transfer of such Bonds," "to the Payment of Interest on Money borrowed on such Bonds," "to the Transfer of any Interest on such Bonds," "to the fixing of Periods for the Repayment of Money borrowed where no Period is fixed," and "to the Cessation of Interest after Notice to pay off such Bonds," and also the Schedules A. and B. annexed thereto, shall extend and apply to the several Objects and Purposes of this Act.

Application of Monies raised by Bond.

XXXVIII. That all Monies raised on Bond under the Powers of this Act shall be applicable only to the Purposes of the Undertaking and Works of the Company.

Power to apprehend Persons committing Offences named in Sect. 61 of 10 & 11 Vict. c. 17.

XXXIX. That it shall be lawful for any Constable or any Officer or Agent of the Company, and all Persons called by him to his Assistance, to seize and detain any Person who shall have committed any of the Offences enumerated in the Sixty-first Section of "The Waterworks Clauses Act, 1847," and whose Name or Residence shall be unknown to such Constable, Officer, or Agent, and to convey him with all convenient Dispatch before some Justice, without any Warrant or other Authority than this Act, and such Justice shall proceed with all convenient Dispatch to the hearing and determining of the Complaint against such Offender.

Saving Rights of the Ware Local Board of Health.

XL. Provided always, That this Act or anything herein contained shall not take away, lessen, alter, abridge, or prejudice any of the Rights, Powers, Authorities, or Privileges of the *Ware* Local Board of Health, under "The Public Health Act, 1848," or any Act incorporated therewith.

Saving Rights of the Trustees of the River Lee.

XLI. That this Act or anything herein contained shall not take away, alter, abridge, lessen, or prejudicially affect any Property, Right, Remedy, Protection, Power, Authority, Privilege, Toll, Duty, Exemption, or Benefit vested in or now enjoyed or exercised by the Trustees of the River *Lee*; but all such Property, Rights, Remedies, Protection, Powers, Authorities, Privileges, Tolls, Duties, Exemptions, or Benefit (except so far as the same are specially altered by this Act) shall be and remain in full Force and Effect, and shall be available for the Benefit of the said Trustees, in the same Manner to all Intents and Purposes as if this Act had not passed.

Saving Rights of Board of Ordnance.

XLII. That nothing in this Act contained shall extend or be construed to extend to prejudice or affect any Right, Title, or Interest belonging to the Principal Officers of Her Majesty's Ordnance.

Company not exempt from 15 & 16 Vict. c. 84.

XLIII. That nothing herein contained shall be construed to exempt the Company from the Provisions of the "Metropolis Water Act, 1852."

Expenses of Act.

XLIV. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

"The Company."

XLV. That in the Construction of this Act, and of the Acts incorporated herewith, the Expression "the Company" shall mean the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*.

Cap. xl.

An Act for the Improvement of the Town of *Wellington* in the County of *Salop*. [2d *June* 1854.]

[*Act to commence* 1st *July* 1854, § 2. *Saving Rights as to Markets and Fairs*, § 47. *Power to borrow Money on Mortgage of Rates*, § § 74 *and* 75.]

Cap. xli.

An Act for paving, lighting, watching, draining, cleansing, regulating, and otherwise improving the Town of *West Hartlepool* and Part of the Township of *Stranton* in the County of *Durham;* for providing a Cemetery; and for other Purposes. [2d *June* 1854.]

[*Power to construct Cemetery*, § 53. *Reserving Rights of Incumbents and Parish Clerks*, § 63. *Power to borrow on Mortgage*, § 69. *General Saving of Rights*, § 87.]

Cap. xlii.

An Act to enable the *Brighton and Hove* General Gas Company to raise a further Sum of Money; and for other Purposes. [2d *June* 1854.]

[*Saving Rights of Mortgagees*, § 9.]

Cap. xliii.

An Act for granting certain Powers to "The *National* Assurance and Investment Association." [2d *June* 1854.]

Cap. xliv.

An Act to amend the Act incorporating the *Great Indian Peninsula* Railway Company, and for other Purposes connected therewith. [2d *June* 1854.]

Cap. xlv.

An Act for making new Docks and other Works at *Belfast*, and for other Purposes, and of which the Short Title is "The *Belfast* Dock Act, 1854." [2d *June* 1854.]

[*Saving Rights of the Admiralty*, § 19. *Power to borrow on Bonds or Annuities*, § 23. *Saving Rights of the Crown, the Marquis of Donegal, Lord Templemore, the Corporation of Belfast, Belfast Water Commissioners, County Down Railway Company, and of the Commissioners*, § § 25, 26, 27, 28, 29, 30, 31, *and* 32.]

Cap. xlvi.

An Act for more effectually protecting certain Lands forming Part of the *Rossall* Estate in the Township of *Thornton* in the Parish of *Poulton le Fylde* in the County of *Lancaster* from Inundation by the Sea. [2d *June* 1854.]

[*Power to borrow on Mortgage of Rates not exceeding* £1,000 *at one Time* § 27. *Saving Rights of Duchy of Lancaster*, § 50.]

Cap. xlvii.

An Act to renew the Term and continue certain of the Powers of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for making and maintaining a Turnpike Road from* South Shields *to* White Mere Pool, *and from thence to join the* Durham and Newcastle *Turnpike Road at* Vigo Lane, *with a Branch from* Jarrow Slake *to* East Boldon, *all in the County of* Durham. [2d *June* 1854.]

[7 *Geo.* 4. *c.* xvii. *repealed, and this Act to be put in force*, § 1. *Tolls to be paid but once a Day, unless for passing a Seventh Time*, § 14. *Exemption from Toll for Milk or Fish*, § 18. *Act to commence on Day of passing, and continue for Twenty-one Years*, § 30.]

Cap. xlviii.

An Act to renew the Term and continue the Powers of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Roads from* Kippings Cross *to* Wilsley Green, *and from a Place near* Goudhurst Gore *to* Stilebridge, *and from* Underden Green *to* Wanshutts Green, *all in the County of* Kent. [2d *June* 1854.]

[9 *Geo.* 4. *c.* xvi. *repealed, and this Act to be put in force*, § 1. *Tolls to be paid but once a-day, except between October* 10 *and April* 1, *when a Second Toll to be paid when Horses, &c. pass a Third Time*, § 10. *Double Tolls to be taken between October* 10 *and April* 1, *for certain Carriages*, § 16. *Act to commence on Day of passing, and continue for Twenty-one Years*, § 27.]

Cap. xlix.

An Act for more effectually paving, lighting, and improving the Town of *Abergavenny* in the County of *Monmouth*, for maintaining the Markets within such Town, and for supplying the same with Water. [2d *June* 1854.]

[*Act to commence on the Third Monday after passing*, § 2. *Power to borrow Money on Mortgage*, § 44.]

Cap. l.

An Act to create a further Term in the *Buckingham and Towcester* Road, and to amend and extend the Act relating thereto; and for other Purposes. [2d *June* 1854.]

[5 *Geo.* 4. *c.* cxli. *repealed, and this Act to be put in force,* § 1. *Tolls to be paid once a Day,* § 18. *Number of Tolls on the whole Line of Road limited,* § 19. *No Tolls to be taken or laid out in Towns,* § 31. *Act to commence on First of November, and continue for Twenty-one Years,* § 33.]

Cap. li.

An Act for better supplying with Water the Parish and Environs of *Louth* in the County of *Lincoln.* [2d *June* 1854.]

[*Incorporation of Company* § 3. *Capital* £12,000, § 5. *Power to borrow on Mortgage,* § 13.]

Cap. lii.

An Act for making a Street from *Bothwell Street* to *Saint Vincent Street* in the City of *Glasgow.* [2d *June* 1854.]

[*Incorporation of Company,* § 4. *Capital* £10,000, § 5.]

Cap. liii.

An Act for enabling the *South Staffordshire* Railway Company to make Branch Railways to *Cannock* and *Norton,* to acquire additional Lands in the Parish of *Wednesbury,* and for other Purposes. [2d *June* 1854.]

[*Dividends suspended if Railway not opened in a certain Period,* § 12. *Provisions as to Obstructions, &c. of the Birmingham Canal,* §§ 14 *to* 24. *Provisions as to Junction, &c. of the Hatherton Branch Canal,* §§ 26 *to* 28.]

Cap. liv.

An Act to incorporate the Guild of Literature and Art, and to enable it to hold Land. [2d *June* 1854.]

Cap. lv.

An Act to consolidate and amend the Acts relating to the *Imperial* Gaslight and Coke Company, and to increase the Capital of the Company. [2d *June* 1854.]

[1 & 2 *Geo.* 4. *c.* cxvii., 4 *Geo.* 4. *c.* xcv., *and* 10 *Geo.* 4. *c.* xii. *repealed,* § 1. *Re-incorporation of Company,* § 3. *Capital,* £1,300,000, § 20. *Power to borrow on Mortgage,* § 29. *General Saving of Rights,* § 53.]

Cap. lvi.

An Act for improving the Harbour, reconstructing the Pier, and defining the Limits of the Port and Harbour of *Saint Mawes* in the County of *Cornwall.* [2d *June* 1854.]

[*Company incorporated,* § 3. *Capital,* £1,400, § 4. *Plans to be submitted to Admiralty before commencing Works,* § 14. *Saving the Rights of the Crown and Duke of Cornwall,* §§ 34 *and* 35.]

Cap. lvii.

An Act for authorizing the *Newcastle-upon-Tyne and Carlisle* Railway Company to raise further Monies for the Purposes of their Undertaking; and for other Purposes. [2d *June* 1854.]

[13 & 14 *Vict. c.* lxxii. *repealed, except certain Clauses in Schedule to this Act,* §§ 2 *and* 3. *Capital,* § 18. *Power to raise* £230,000 *by new Shares,* § 20. *Power to borrow on Mortgage,* § 21.]

Cap. lviii.

An Act for enabling the *Lancashire and Yorkshire* Railway Company to construct a Railway from *Kirkdale* to the *Liverpool* Docks, with connecting Lines there; and for other Purposes. [2d *June* 1854.]

[*Not to prejudice Rights of the East Lancashire Railway Company,* § 7. *Power to raise additional Money not exceeding* £280,000, *which may be raised by Shares or Mortgage,* §§ 15 *and* 16. *Dividends suspended if Railway not opened within limited Time,* § 27. *For Protection of Liverpool Docks,* § 30.]

Cap. lix.

An Act to enable the *Lancashire and Yorkshire* Railway Company to construct a Branch Railway to near *Middleton* in the County of *Lancaster;* and for other Purposes. [2d *June* 1854.]

[*Power to raise additional Money not exceeding* £25,000, *which may be raised by Shares or Mortgage,* §§ 10 *and* 11. *Dividends suspended if Railway not opened within a certain Time,* § 15.]

Cap. lx.

An Act for enabling the *Whittle Dean* Water Company to extend their Works, and to obtain a further Supply of Water from certain Rivers and Streams in the County of *Northumberland,* in order to afford a better Supply of Water to the Inhabitants of *Newcastle-upon-Tyne, Gateshead,* and other Places in the Counties of *Northumberland* and *Durham;* and for consolidating and amending the Acts relating to such Company. [2d *June* 1854.]

[8 & 9 *Vict. c.* lxxi., 4 & 5 *W.* 4. *c.* xviii., *and* 16 & 17 *Vict. c.* iv. *repealed,* § 1. *Company to continue incorporated,* § 5. *Power to raise additional Capital,* § 20. *Power to raise Money by Mortgage, or by means of preferential Dividend,* §§ 25 *and* 27.]

Cap. lxi.

An Act to enable the *London, Brighton, and South Coast* Railway Company to enlarge their Stations at *New Cross*, the *Bricklayers Arms*, and *Norwood;* to widen the Branch Railway called "The *Thames Junction* Railway," and their Main Line of Railway in the Neighbourhood of such Branch; to increase their Capital, and to establish a Provident Institution for their Servants and Workmen; and for other Purposes. [2d *June* 1854.]

[*Power to raise additional Capital by Creation of new Shares*, § 32. *Power to raise Money on Mortgage*, § 36. *Power to establish Provident Institution for Servants of Company*, § 42. *Disputes to be referred to Registrar of Friendly Societies, who may inspect Books*, §§ 43 *and* 44. *Saving Rights of Metropolitan Commissioners of Sewers*, § 51.]

Cap. lxii.

An Act to authorize the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* to raise a further Sum of Money, and to fund the Debt of the Trust; and for other Purposes. [16th *June* 1854.]

[*Power to borrow on Security of Rates*, § 3, *or on Credit of Cash Account*, § 19.]

Cap. lxiii.

An Act for repealing an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, for establishing a Market for the Sale of Cattle in the Parish of *Saint Mary Islington* in the County of *Middlesex*. [16th *June* 1854.]

Cap. lxiv.

An Act for making a Railway from the *Whitehaven and Furness* Junction Railway near *Whitehaven* to *Egremont* in the County of *Cumberland*, with a Branch therefrom to *Frizington* in the same County, to be called the *Whitehaven, Cleator, and Egremont* Railway; and for other Purposes. [16th *June* 1854.]

[*Capital* £50,000, § 4. *Power to borrow on Mortgage*, § 7. *Company not to interfere with Property of Whitehaven and Furness Junction Railway without Consent*, § 42.]

Cap. lxv.

An Act for amending "The *East London* Waterworks Act, 1853." [16th *June* 1854.]

16 & 17 Vict. c. clxvi.

'WHEREAS by an Act passed in the Session of Parliament held in the Sixteenth and Seventeenth 'Years of the Reign of Her present Majesty, intituled "The *East London* Waterworks Act, 1853," 'the *East London* Waterworks Company (in this Act called "the Company") were authorized to make 'and maintain certain Drains or Sewers, Aqueducts or Water Channels, and other Works (in this Act 'called the Works of One thousand eight hundred and fifty-two), delineated on the Plans and Sections 'thereof deposited with the respective Clerks of the Peace for the Counties of *Middlesex* and *Essex*, 'previous to the passing of "The *East London* Waterworks Act (No. 2), 1852," and for the Purposes 'of that Act; and by the first-recited Act, the Company were also authorized to make certain Reservoirs, 'Aqueducts, and other Works (in this Act called the Works of One thousand eight hundred and fifty-'three), delineated on the Plans and Sections thereof deposited with the respective Clerks of the Peace 'for the same Counties, previous to the passing of "The *East London* Waterworks Act, 1853," and for 'the Purposes thereof: And whereas the Company are proceeding with the Execution of the same 'Works: And whereas by "The *East London* Waterworks Act, 1853," it is provided that the Powers 'thereby granted to the Company for the compulsory Purchase of Lands for and for completing the 'Works of One thousand eight hundred and fifty-two shall not be exercised after the Twenty-eighth 'Day of *July* One thousand eight hundred and fifty-four; and that the Powers by the same Act granted 'to the said Company for the compulsory Purchase of Lands, and for the Completion of the Works of 'One thousand eight hundred and fifty-three, should not be exercised after Three Years from the pass-'ing of that Act: And whereas it is expedient that the Powers of the Company for the Purchase of such 'Lands and the Completion of the Works of One thousand eight hundred and fifty-two should be 'extended, but the same cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. That in citing this Act for any Purposes whatever, it shall be sufficient to use the Expression "The *East London* Waterworks Extension of Time Act, 1854."

Incorporation of recited Act with this Act.

II. That "The *East London* Waterworks Act, 1853," and this Act, shall, for the Purposes of this Act, be and be carried into effect as One Act.

Time for Purchase of Land and Completion of Works of 1852 extended.

III. That the Powers of the said Company for the compulsory Purchase of Land for the Purposes of the Works of One thousand eight hundred and fifty-two may be exercised within the Period of One Year from the passing of this Act, and for the Completion of such Works within Two Years from the passing thereof, but shall not be exercised after those Periods respectively: Provided always, that this Act and anything therein contained shall not restrain the Company from extending their Works, Mains, and Pipes, from Time to Time, when it shall be necessary so to do, for the Purpose of supplying Water to the Inhabitants within the Limits authorized by "The *East London* Waterworks Act, 1853."

IV. That

IV. That the Justices, Arbitrators, Umpires, or Juries, who under the recited Act shall award or assess Compensation with respect to any Injury to Land by the Construction of the several Works by that Act authorized, or any of them, shall in estimating the Amount of such Compensation have regard to and award or assess Compensation for the additional Injury (if any) sustained by reason of the Extension of Time by this Act granted. Compensation for additional Injury (if any) by Extension of Time for purchasing Land.

V. Provided always, That, except as by this Act expressly provided, nothing herein contained shall repeal, extend, alter, interpret, or otherwise affect the recited Act, or anything therein contained. Act not to affect recited Act.

VI. Provided also, That anything herein contained shall not exempt the Company from the Provisions of "The Metropolis Water Act, 1852." Company not exempt from 15 & 16 Vict. c. 84.

VII. That all Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company. Expenses of Act.

Cap. lxvi.

An Act for better supplying with Water the Town of *Padiham* and the Neighbourhood thereof, and the Villages of *Habergham* or *Cheapside* and *Lower Houses* or *Thornhill Holme*, all in the Parish of *Whalley* in the County of *Lancaster*. [16th *June* 1854.]

[*Incorporation of Company*, § 4. *Capital* £7,000, § 5. *Power to borrow on Mortgage*, § 8.]

Cap. lxvii.

An Act for the Improvement of the Town of *Burnley* and Parts of the Neighbourhood thereof, and for other Purposes, and of which the Short Title is "The *Burnley* Improvement Act, 1854." [16th *June* 1854.]

[*Act to commence on the Second Wednesday after passing*, § 2. 9 & 10 *Vict. c.* cxix. *repealed*, § 8. *Compensation for Injury, &c. to Lands of R. T. Parker, Esq.*, §§ 52 *to* 56. *Power to borrow on Mortgage*, § 181. *Saving Rights of Landholders on River Brun, of Lords of Manors, of Leeds and Liverpool Canal Company, of Owners of Towneley Hall and Park in River Calder, of Lancashire and Yorkshire and East Lancashire Railway Companies, and of Burnley Gaslight Company*, §§ 196, 197, 198, 199, 200, 202, *and* 203.]

Cap. lxviii.

An Act for making a Railway from the *London, Brighton, and South Coast* Railway to *Caterham* in the County of *Surrey*. [16th *June* 1854.]

[*Incorporation of Company*, § 3. *Capital* £30,000, § 4. *Power to borrow on Mortgage*, § 9. *Company not to take Property of London, Brighton, and South Coast Railway Company without Consent*, § 23. *Saving Rights of the Trustees of Surrey and Sussex Roads*, § 39.]

Cap. lxix.

An Act for granting further Powers to the *Eastern Union* Railway Company with respect to the Extension to *Woodbridge*. [16th *June* 1854.]

Cap. lxx.

An Act to enable the *Stockton, Middlesbrough, and Yarm* Water Company to supply with Water the Township of *Norton* in the County of *Durham*, and the Townships of *Coatham* and *Redcar* in the North Riding of the County of *York*, and other Places on the Line of the Mains and Pipes of the Company; and to enable the Company to raise a further Sum of Money; and to amend the Act relating to the Company; and for other Purposes. [16th *June* 1854.]

[*For Protection, &c., of Stockton and Darlington Railway*, §§ 15 *and* 16. *Saving Rights of certain Railway Companies*, § 17. *Power to raise further and additional Monies by Creation of Shares*, §§ 20 *and* 21. *Power to borrow on Mortgage*, § 29.]

Cap. lxxi.

An Act to repeal certain Acts relating to the *Petworth* Turnpike Roads, and to make other Provisions in lieu thereof. [16th *June* 1854.]

[30 *Geo.* 2. *c.* l., 5 *Geo.* 3. *c.* lvii. 39 *and* 40 *Geo.* 3. *c.* ix. *and* 1 *Geo.* 4. *c.* xliv. *repealed, and on November* 1, *after passing, this Act to take effect*, § 1. *Limiting Number of Tolls to be taken*, § 12. *Persons having paid Toll to return free*, § 13. *Provisions as to Lime and Chalk for Manure*, §§ 18 *and* 19. *Provisions as to Amount of Debt and Arrears of Interest*, § 21. *Act to continue for Twenty-one Years*, § 29.]

Cap. lxxii.

An Act to enable the *New River* Company to construct new Reservoirs and other Works in the County of *Middlesex*. [16th *June* 1854.]

'WHEREAS an Act was passed in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled *An Act to enable the Governor and Company of the* New River *to improve their Supply of Water, and for other Purposes:* And whereas it is expedient that the said Company should be enabled to construct additional Reservoirs and certain other Works in the County of *Middlesex*, 15 & 16 Vict. c. clx.

'dlesex for the better Supply of pure and wholesome Water to the Metropolis: And whereas the 'following Acts have been passed relating more or less directly to the said Company; *videlicet*, the 'several Acts of the Thirteenth Year of *Elizabeth*, Chapter 18; of the Third Year of *James* the First, 'Chapter 18; of the Fourth Year of *James* the First, Chapter 12; of the Eleventh Year of *George* the 'Second, Chapter 14; of the Twelfth Year of *George* the Second, Chapter 32; of the Seventh Year of 'George the Third, Chapter 51; and of the Nineteenth Year of *George* the Third, Chapter 58 respec-'tively; and the several Acts (Local or Local and Personal) of the Forty-fifth Year of *George* the Third, 'Chapter 69; of the Third Year of *George* the Fourth, Chapter 109; of the Thirteenth and Fourteenth 'Years of *Victoria*, Chapter 109; and of the Sixteenth and Seventeenth Years of *Victoria*, Chapter '166 respectively: And whereas the said Company are willing to carry the said Works into execution, 'but the same cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *New River* Company's Act, 1854."

8 & 9 Vict. c. 18. incorporated.

II. That "The Lands Clauses Consolidation Act, 1845," shall for the Purposes of this Act be incorporated with this Act.

10 & 11 Vict. c. 17. incorporated.

III. That the Second and Third Sections of "The Waterworks Clauses Act, 1847," and also all the Provisions and Clauses of that Act with respect to the "Construction of the Waterworks," with respect to the "Construction of Works for the Accommodation of Lands adjoining the Waterworks," with respect to the "breaking up Streets for the Purpose of laying Pipes," with respect to the Provision for "guarding against fouling the Water of the Undertakers," and with respect to the "Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices," and with respect to "Access to the Special Act," shall be incorporated with this Act, and shall extend only to the several Works by this Act authorized to be made.

Power to make Works according to deposited Plans.

IV. 'Whereas a Plan and Section showing the Line and Levels of the Works herein-after particularly 'described, and a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or 'reputed Owners, Lessees, and Occupiers, of the Lands and Streams in or through which the said 'Works are intended to be made or pass, have been deposited with the Clerk of the Peace for the 'County of *Middlesex*:' Be it enacted, That, subject to the Provisions of this Act, the Company may from Time to Time make and maintain the several Works by this Act authorized and herein-after particularly described in the Line and in and through the Lands delineated in the Plan of such Works, and described in the Book of Reference relating thereto, and may enter upon, take, and use such of the Lands described or mentioned in the said Plan of such Works, and in the said Book of Reference relating thereto, as shall be necessary for the Purposes thereof.

Works authorized by Act.

V. That the Works by this Act authorized shall comprise the following:

First. The fencing off and Inclosure of the Banks of the *New River* commencing at or near a Bridge over the said *New River*, numbered 148, in the Parish of *Saint Mary Islington* in the County of *Middlesex*, and terminating at or near the Bridge over the said *New River*, whereby *Paul's Terrace Road* crosses the same in the same Parish and County:

Second. Mains, Pipe Tracks, or Channels of Communication, Widenings, and Straightenings of the *New River*, commencing in the Parish of *Saint Mary Islington* in the County of *Middlesex* at or near the Bridge over the *New River*, whereby *Paul's Terrace Road* crosses the same, and terminating in the Parish of *Saint James Clerkenwell* in the said County of *Middlesex*, in the Reservoir or Pond at the *New River Head:*

Third. A Main, Pipe Track, or Channel of Communication commencing in the said Parish of *Saint Mary Islington* at or near a certain Road called the *Back Road*, leading from *Newington Green* to *Kingsland Green*, passing across the Inclosure called *Kingsland Green*, and terminating in the Parish of *Hackney* in the County of *Middlesex* by a Junction with the authorized Mains of the *New River* Company in the *Kingsland Road* at or near the Toll Bar Gate there:

Fourth. A Main, Pipe Track, or Channel of Communication commencing in the said Parish of *Saint Mary Islington* by a Junction with the authorized Reservoirs of the *New River* Company situate between *Maiden Lane* and the *Junction Road*, and terminating in the same Parish in the said *Junction Road* at or about Four hundred and eighty Yards North of the Toll Bar Gate on the said Road:

Fifth. A Main, Pipe Track, or Channel of Communication commencing in the said Parish of *Saint Mary Islington* in *Maiden Lane* at or near the End of *Gloucester Road*, and terminating in the said Parish in the *Ramsbury Road* about Two hundred and sixty Yards East of the Toll Bar Gate there:

Sixth. A Reservoir or Reservoirs, Filtering Beds, and other Works in certain Lands on each Side of the *New River* adjoining and abutting and on the West Side of the *Green Lanes Road*, nearly opposite to the *Stoke Newington* Reservoirs of the said *New River* Company, which said intended Reservoirs and Works will be wholly situate in the Parish of *Hornsey* in the said County of *Middlesex:*

Seventh. A Main, Pipe Track, or Channel of Communication commencing in the said Parish of *Stoke Newington* by a Junction with the authorized Works of the *New River* Company on the East Side of

of the *Green Lanes Road*, and to the South of the said *Stoke Newington* Reservoirs, terminating in the same Parish or the Parish of *Hackney* in the County of *Middlesex* in the Road to *Stamford Hill* where the *Hackney Brook* crosses the same:

Eighth. A Reservoir or Reservoirs, Filtering Beds, and Works in certain Lands situate at *Wood Green*, and lying on and between the *New River* and the *Great Northern* Railway, all in the Parish of *Tottenham* in the County of *Middlesex*:

Ninth. A Main or Pipe Track or Channel of Communication commencing in the Parish of *Tottenham* aforesaid from and out of the lastly before-described intended Reservoirs, and terminating in the Parish of *Hornsey* in the High Road near to where the same passes under the *Great Northern* Railway:

Tenth. A Reservoir or Reservoirs on the Summit Level of *Hampstead Heath* on the Plot of Ground Part of the said *Hampstead Heath*, and delineated on the said deposited Plans, which lies to the South of the Milestone there, also marked on the said deposited Plans, and is bounded by public Roads meeting at and running South and South-west from the said Milestone, and also marked on the said deposited Plans.

Company to make Embankments, &c., for Construction, &c. of Works.

VI. That it shall be lawful for the Company to make and maintain all necessary Tunnels, Pipe Tracks, Sluices, Embankments, Aqueducts, Channels of Communication, Filtering Beds, Tanks, Culverts, Engines, Drains, Flood Gates, and other Conveniences for the effectual Construction, Use, and Maintenance of the Works by this Act authorized, and to remove any of their existing Works which may interfere therewith.

Company may cross and divert Roads, &c.

VII. That, subject to the Provisions of the several Acts incorporated herewith, it shall be lawful for the Company to cross, divert, break up, or alter all such Turnpike and other Roads, Highways, Footways, Tunnels, Bridges, Streets, Tramroads, Rivers, Navigations, Streams, Brooks, Watercourses, Drains, Pipes, and Sewers within the Parishes or Places from, in, through, or into which any of the Works will pass or be made, as may be necessary for effecting the Objects and Purposes of the intended Works by this Act authorized.

Directions for laying Pipes under the Metropolis Roads.

VIII. 'And whereas the Lines of the intended Works by this Act authorized pass for a considerable 'Distance along or across the Public Roads under the Charge of the Commissioners of the Metropolis 'Turnpike Roads North of the *Thames*, which Public Roads are herein-after called the Metropolis Roads;' therefore, notwithstanding the Powers and Provisions in this Act contained, the Company shall not, either by themselves or by their Deputies, Officers, Agents, Servants, and Workmen, or by any of them, lay down or construct any Works in any Part of the Metropolis Roads, or of the Footpaths adjoining thereto, other than in such Part, Line, and Direction as shall be pointed out by the said Commissioners or by their general Surveyor for the Time being; and that wherever the Surface of the said Metropolis Roads shall be interfered with no greater Inclination than One Foot in Sixty Feet shall be made.

All Works connected with the Metropolis Roads to be under the Superintendence of the general Surveyor.

IX. That any Works connected with the Metropolis Roads shall not be in any Manner commenced under the Powers in this Act contained until the Expiration of Five Days after Notice in Writing of the Intention to commence such Works shall have been left at the Office of the said Commissioners, or shall have been delivered to the said general Surveyor; and the opening of the said Roads or any of them for the Purpose of laying down or constructing such Works, or for laying any Pipe, and the remaking of such Roads, and all other Works of every Description connected with the said Roads at any Time hereafter to be performed by the Company, or by any Person authorized by them, shall be carried on and executed under the Direction and Superintendence and to the Satisfaction of the said general Surveyor.

Company to make good Damage to the Roads.

X. That if in the laying down or Construction of the Works or any of them the Company shall do or cause any Injury or Damage to the said Metropolis Roads or any of them, or to any Brick or other Drain, Sewer, Cesspool, Water Channel, or other Convenience connected with the said Roads or any of them, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the general Surveyor, or if by reason of the laying down or Construction of any of the Works hereby authorized or required to be constructed or performed by the Company any Alteration of the said Metropolis Roads or any of them, or of the Drains, Sewers, Cesspools, or Water Channels connected therewith, shall, in the Judgment of the said general Surveyor, be rendered necessary, then and in any of such Cases it shall be lawful for such general Surveyor to cause all such Repairs and Alterations to be made as he in his Discretion shall think fit; and all Costs and Expenses of such Repairs and Alterations shall be paid, on Demand, by the Company, or in default of Payment for Twenty-one Days after such Demand may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action in any of Her Majesty's Courts of Record at *Westminster*.

Traffic not to be stopped during the Performance of the Works on the Roads.

XI. That the Company shall not at any Time during the Progress of laying down or constructing the Works hereby authorized, or of performing any other Works connected with the said Metropolis Roads, shut up or in any way impede the public Traffic along more than One Half in Width of any of the said Metropolis Roads at any one and the same Time, and if it should happen that the Half of the Road so left open should not be wide enough to allow Two Carriages to pass each other, then and in such Case not more than Fifty Yards in Length of the other Half of the Road shall be occupied by the Company's Works at the same Time, unless by special Permission of the said general Surveyor.

Precautions required to be taken during the Performance of the

XII. That the Company shall and they are hereby required, at their own Expense, to do and perform all such Acts and Things in the way of watching, lighting, and fencing, and all such other precautionary Measures during the Progress of laying down or constructing the Works hereby authorized, or of performing any other Works connected with the said Metropolis Roads under the Powers of this Act, as shall

Works on the Roads.

shall be necessary and requisite for the public Safety, Convenience, and Protection of the said Metropolis Roads and of the Travellers thereon; and the Company shall be answerable and amenable for all Accidents and Damage which may happen by reason or in consequence of any of the Works of the Company.

Regulating the Payments to be made for Damage done to the Roads.

XIII. And whereas much Injury will be caused to the said Metropolis Roads in consequence of such Works, notwithstanding that the said Roads may be remade immediately after the laying down or Construction of such Works, inasmuch as a Continuance of Labour and Material will be necessary for a considerable Space of Time to restore the said Roads to their previous State and Condition; therefore the Company shall and they are hereby required to pay, on Demand, to the said Commissioners such a Sum of Money not exceeding One Shilling for every Superficial Yard of the said Roads removed or disturbed by reason or in consequence of the said Works of the Company, and over and above all Costs of remaking or relaying the said Roads, and of Repairs and Alterations which may be incurred by the said Commissioners, as the said Commissioners shall deem proper to be paid for the continued Labour and Supply of Materials necessary to restore effectually the said Roads; and in default of Payment for Twenty-one Days after such Demand the same may be recovered by the said Commissioners from the Company, with full Costs of Suit, in any Court of competent Jurisdiction.

Regulations of Railways Clauses Act applied to Interference with Roads.

XIV. That the Clauses of "The Railways Clauses Consolidation Act, 1845," numbered 53, 54, 55, 56, and 57, relating to the Substitution of other Roads for Roads interfered with, and to the Restoration of Roads interfered with, shall be incorporated with this Act, and shall apply to all Roads crossed, diverted, broken up, or altered under the Powers of this Act (except the Metropolis Roads, which are herein-before specially provided for); and in construing those Clauses in connexion with this Act the Expression "the Company" shall mean the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*, and the Expression "the Railway" shall mean the Works by this Act authorized.

Power for Justices to order Repair of Reservoirs, and in certain Cases to direct the Water therein to be lowered.

XV. 'And whereas the Reservoirs intended to be constructed under the Powers of this Act are to be 'supplied by means of pumping only:' Be it enacted, That whenever it shall be represented to Two Justices by the Owners or Occupiers of any Dwelling House, Mill, Factory, or other Works situate below any such Reservoir as aforesaid, and so as to be in danger of being destroyed or injured by the Water of such Reservoir in case it should escape therefrom, that such Reservoir is in a dangerous State, such Justices shall forthwith make Inquiry into the Truth of such Representation, and if they shall be satisfied that such Reservoir is in a dangerous State they shall, by Writing under their Hands, order and require the Company, within a Time to be specified in such Writing, to put such Reservoir into a proper State of Repair, or construct such Works as may be necessary to remove the Danger; and in case the Company shall not, within the Time so limited, and to the Satisfaction of the Justices who shall have made such Order, or of any Two Justices, have repaired the said Reservoir or constructed the said Works, or in case, upon receiving such Representation as aforesaid, the Justices shall consider the Danger to be so eminent as not to admit of Delay, they may, if they shall think fit, by Writing under their Hands, order and direct the Officer in charge of such Reservoir to desist from pumping Water into such Reservoir until the Water in such Reservoir shall be reduced to such a Level as may be necessary to remove the Danger, and to keep the Water in such Reservoir at the reduced Level until the said Reservoir shall have been repaired, or such Works as aforesaid shall have been constructed, to the Satisfaction of the Justices who shall have made such Order, or any other Two Justices, and who shall signify their Satisfaction by Writing superseding such Order, or until such Order shall be superseded upon Appeal as herein-after mentioned, and such Order may be in the Form or to the Purport and Effect following; (that is to say,)

To *A. B.*

We, the undersigned, Two of Her Majesty's Justices of the Peace acting in and for the County of do hereby order and direct you to desist from pumping into a certain Reservoir known as the Reservoir until the Level of the Water therein be reduced by the Space of Feet or thereabouts, and to keep the same at that Level until you shall be further instructed by us, or by Two other Justices of the Peace acting in and for the said County, and in acting in obedience to the Premises this shall be your sufficient Warrant.

Given under our Hands this Day of One thousand eight hundred and

(Signed) *C. D.*
E. F.

And any Person who shall wilfully do any Act in contravention of such Order shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds: Provided always, that, except when the Urgency of the Case will not admit of the Delay, the Justices, before making an Order to repair any such Reservoir, or to construct any Works as aforesaid, or to lower the Water in any such Reservoir, shall cause Notice to be given to the Clerk of the Company, and shall hear and consider any Evidence that may be tendered on behalf of the Company against the making of such Order: Provided also, that if the Company shall consider themselves aggrieved by any such Order they may appeal against the same to any Quarter Sessions, upon giving to the Justices who shall have made such Order Three Weeks Notice in Writing of the Grounds of such Appeal, and the Court of Quarter Sessions shall hear and determine such Appeal, and may either confirm or supersede the Order of the said Justices as they may think proper, but until such Order shall be superseded it shall continue in full Force; and all the Costs, Charges, and Expenses of applying for, obtaining, and enforcing such Order shall be borne by the Company, unless the Justices making the Order shall direct such Costs, Charges, and Expenses, or a proportionate

tionate Part of them, to be borne by the Parties applying for such Order, which they are hereby authorized to do, and the Costs of any such Appeal as aforesaid shall be in the Discretion of the said Court of Quarter Sessions.

Company not to be responsible for Consequences of such Order.

XVI. Provided always, That the Company shall not be liable to pay to any Persons any Damages, Penalties, Costs, Charges, or Expenses for or in respect of, or be answerable or accountable to any Persons for any Diminution or Cessation of the Supply of Water, or any other Breach or Nonperformance of their or any of their Duties, Liabilities, or Obligations under this Act or the said recited Acts, or any of them, which may be occasioned in or by or result from the Execution of any such Order as aforesaid, anything in this Act or the said recited Acts, or either of them, to the contrary notwithstanding.

For Protection of Great Northern Railway.

XVII. Provided always, That the Works authorized by this Act to be constructed in connexion with or affecting the *Great Northern* Railway shall be executed under the Superintendence and to the reasonable Satisfaction of the principal Engineer of the *Great Northern* Railway Company, but at the Cost of the *New River* Company; and if there shall arise any Differences between the Company and the said Railway Company as to the same, or as to the Nature or Extent of the Works necessary for the Protection of the said Railway, such Difference shall from Time to Time be settled by the principal Engineers of the said Companies, or if they cannot agree, then by some Engineer to be nominated by them: Provided also, that the *Great Northern* Railway Company shall not be liable for any Damage which may arise to the *New River* Company by reason of any accidental Failure of the Embankments or Earthworks of the said Railway.

Period for compulsory Purchases limited.

XVIII. That the Powers by this Act conferred on the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

Period within which Works are to be completed.

XIX. That the Works hereby authorized may be completed on or before the Thirtieth Day of *June* One thousand eight hundred and fifty-seven, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Works as are then completed, and the necessary Repair and Maintenance of such Works.

Owners may grant Leases.

XX. That all Persons by this Act empowered to convey Lands to the Company shall have full Power, for the Purposes of this Act, to grant to the Company any Lands and Streams, or the Right of User thereof, and to grant to the Company any Easement, Power, or Authority in or over such Lands or Streams in perpetuity in consideration of an annual Rent: Provided always, that in all such Grants, when made by any Corporation, or by any Individual entitled to any Estate or Interest, other than a Fee Simple, for his own Benefit, there be reserved the best Rent or Remuneration that can reasonably be gotten for the Premises thereby granted, such Rent or Remuneration not being less than such as shall be determined according to the Provisions with respect to the Purchase of Lands by Agreement of "The Lands Clauses Consolidation Act, 1845," by Two able practical Surveyors, or their Umpire: Provided also, that it shall be lawful for the Company to purchase at any subsequent Period the Release or Discharge of such Rent or Remuneration, Covenants and Stipulations, reserved by and contained in any such Grant.

Power to borrow Money for executing Works mentioned in this Act.

XXI. That, in addition to the several Sums of Money authorized to be raised by the said first-recited Act, it shall be lawful for the Company to borrow on Bond such further Sums of Money as shall from Time to Time, by any Order of a General Court of the Company, be authorized to be borrowed, not exceeding in the whole the Sum of Two hundred thousand Pounds, and to secure the Repayment thereof, with Interest, by Bonds, as herein-after provided.

Extending certain Provisions of first-recited Act to this Act.

XXII. That the whole of the several Sections and Provisions of the said first-recited Act, numbered respectively in the Copies thereof printed by the Printers to the Queen's most Excellent Majesty 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, such Sections and Provisions respectively relating "to the re-borrowing of Money by the Company," "to the stamping of Bonds for securing Money," "to the Rights of Obligees in such Bonds," "to the Register of such Bonds," "to the Transfers of such Bonds," "to the Register of the Transfer of such Bonds," "to the Payment of Interest on Money borrowed on such Bonds," "to the Transfer of any Interest on such Bonds," "to the fixing of Periods for the Repayment of Money borrowed under such Bonds," "to the Repayment of Money borrowed where no Period is fixed," and "to the Cessation of Interest after Notice to pay off such Bonds," and also the Schedules A. and B. annexed thereto, shall extend and apply to the several Objects and Purposes of this Act.

Application of Monies raised by Bond.

XXIII. That all Monies raised on Bond under the Powers of this Act shall be applicable only to the Purposes of the Undertaking and Works of the Company.

Power to apprehend transient Offenders causing Waters of Company to be fouled.

XXIV. That it shall be lawful for any Constable, or any Officer or Agent of the Company, and all Persons called by him to his Assistance, to seize and detain any Person who shall have committed any of the Offences enumerated in the Sixty-first Section of "The Waterworks Clauses Act, 1847," and whose Name or Residence shall be unknown to such Constable, Officer, or Agent, and to convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Saving Rights of Commissioners of Sewers.

XXV. That this Act, or anything therein contained, shall not take away, lessen, alter, or affect any of the Jurisdictions, Rights, Powers, and Authorities of any Commission of Sewers appointed by any Commission under the Great Seal, or under the Seal of the Duchy of *Lancaster*, or of the Commissioners of Sewers of the City of *London*.

Provisions of General Act.

XXVI. That nothing herein contained shall be construed to exempt the Company from the Provisions of "The Metropolis Water Supply Act, 1852."

Expenses of Act.

XXVII. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

"The Company."

XXVIII. That in the Construction of this Act and of the Acts incorporated herewith the Expression "the Company" shall mean the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London*.

Cap. lxxiii.

An Act for enabling the *York, Newcastle, and Berwick* Railway Company to purchase all or any Estates, Rights, and Interests existing in the Lands or Grounds upon or adjoining to which the Railway of the said Company, called "The *Pontop and South Shields* Railway," has been formed, or otherwise to occupy such Lands or Grounds. [16th *June* 1854.]

Cap. lxxiv.

An Act for maintaining the Turnpike Road from *Greenhead*, through *Haltwhistle*, *Hexham*, and *Corbridge*, to the Military Road near *Shildon Bar*, and the Branch Road from *Corbridge* to *Heddon-on-the-Wall*, all in the County of *Northumberland*. [3d *July* 1854.]

[1 *Geo.* 4. *c.* xxvi. *repealed, and this Act to be put in force*, § 1. *Half Tolls only for Corn, Manure, &c.*, § 14. *Inhabitants of Corbridge exempted from full Toll in certain Cases*, § 15. *Number of Tolls to be taken limited*, § 17. *Persons having paid Toll to return free*, § 18. *Act to commence on First November after passing, and to continue Twenty-one Years*, § 34.]

Cap. lxxv.

An Act to create a further Term in the *Trowbridge* Roads, to add other Roads to the Trust, to amend and extend the Act relating to the said Roads, and for other Purposes. [3d *July* 1854.]

[59 *Geo.* 3. *c.* xliv. *repealed, and this Act put in force*, § 1. *Present Tolls continued till 16th November* 1854, § 15. *Tolls to be paid once a Day*, § 20. *Limiting Number of Tolls*, § 24. *Act to commence on First of November after passing, and continue for Twenty-one Years*, § 38.]

Cap. lxxvi.

An Act to enable the *Furness* Railway Company to raise a further Sum of Money; and for the Amendment of the Acts relating to the said Company. [3d *July* 1854.]

[*Power to raise a further Sum of Money not exceeding* £50,000, § 2. *Power to borrow on Mortgage not exceeding* £10,000, § 6.]

Cap. lxxvii.

An Act to make Provision with respect to Water Supply and Police for *Shipley, Baildon*, and *Windhill* in the West Riding of the County of *York*. [3d *July* 1854.]

[*Saving Rights of Leeds and Liverpool Canal Company*, § 19. *Power to Local Boards, with Sanction of General Board of Health, to borrow Money on Security of Rents, &c.*, § 38. *Saving Rights of Local Boards under Public Health Acts*, § 47.]

Cap. lxxviii.

An Act to incorporate "The *Kingston-upon-Thames* Gas Company," and to enable them to light with Gas the Parishes of *Kingston, Long Ditton*, and *Thames Ditton* in the County of *Surrey*. [3d *July* 1854.]

[*Proprietors incorporated*, § 7. *Capital* £20,000, § 15.]

Cap. lxxix.

An Act for enabling the *Blyth and Tyne* Railway Company to construct Railways to *Tynemouth* and the *Longhirst* Station of the *York, Newcastle, and Berwick* Railway in the County of *Northumberland;* and for consolidating and amending the Acts relating to such Company. [3d *July* 1854.]

[15 & 16 *Vict. c.* cxxii., *and* 16 & 17 *Vict. c.* clxxii. *repealed*, § 1. *Company to remain incorporated*, § 5. *General Saving of Rights*, § 10. *Provisions as to the raising of additional Capital*, §§ 25 *and* 26. *Power to borrow on Mortgage*, §§ 29 *and* 30. *Provisions as to interfering, &c., with York, Newcastle, and Berwick Railway*, §§ 47 *to* 50. *Saving Rights of the Crown*, § 75. *Certain Clauses of recited Acts as set forth to continue in force*, § 77.]

Cap. lxxx.

An Act to enable the *North London* Railway Company to construct a Station or Depôt near to the New Metropolitan Cattle Market; to raise additional Capital; and for other Purposes. [3d *July* 1854.]

[*Land belonging to Corporation of London not to be taken without Consent*, § 4. *Power to raise additional Capital by new Shares*, § 9. *Power to borrow on Mortgage*, § 12.]

Cap. lxxxi.

An Act to repeal an Act for inclosing the Marsh in the Township of *Newport* in the County of *Salop*, and to vest the same and other Property in Trustees for paving, draining, cleansing, and otherwise improving the Town of *Newport*; and for other Purposes. [3d *July* 1854.]

[4 *Geo.* 3. *c.* lix. *repealed*, § 8. *Incorporation of certain Persons as "The Newport Town and Marsh Trustees,"* § 9. *Power to raise certain Monies by Mortgage*, § 39. *Saving Rights of Trustees of Turnpike Roads*, § 40. *Saving Rights of Lords of Manor*, § 48. *Power of Court of Chancery not to be affected*, § 50.]

Cap. lxxxii.

An Act to amend "The *Nene Valley* Drainage and Navigation Improvement Act, 1852," and to provide additional Funds for carrying out certain of the Improvements authorized by such Act. [3d *July* 1854.]

[15 & 16 *Vict. c.* cxxviii. *to continue in force*, § 2. *Provisions as to levying additional Contributions from Parties liable to Outfall Tax and Tax on Wash Lands, also from Corporation of Wisbech*, §§ 32 *and* 33. *Saving Rights of Wisbech Corporation*, § 37. *Provisions for levying additional Contribution from Bedford Level Corporation, and from North Level, Waldersey, and Wisbech Commissioners of Sewers, &c.*, §§ 39 *and* 40. *Re-vesting Duties in Wisbech Corporation*, § 46. *Power to redeem Taxes*, § 55. *Act not to affect Powers of Board of Trade as to Mortgage of Port Dues*, § 78.]

Cap. lxxxiii.

An Act for regulating and improving the Town of *Ryde* in the *Isle of Wight*, and providing a Supply of Gas and Water thereto; and for other Purposes. [3d *July* 1854.]

[10 *Geo.* 4. *c.* xxxix. *and* 10 & 11 *Vict. c.* xxix. *repealed*, § 4. *Seashore to Low-water to be deemed a public Highway. Saving Rights to Admiralty*, § 56. *Works below High-water Mark not to be made without Consent of Admiralty*, § 73. *Saving Rights to Ground Rents charged upon Land, &c.*, § 78. *Power to borrow Money for General Purposes*, § 125. *Saving Rights of the Crown and Lords of Manors*, §§ 136 *and* 137.]

Cap. lxxxiv.

An Act to repeal an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for more effectually constituting and regulating the Court of Record within the Borough of* Manchester, *and for extending the Jurisdiction of the said Court*, and to extend the Powers and Jurisdiction of the said Court, and to simplify and otherwise improve its Practice and Proceedings; and for other Purposes. [3d *July* 1854.]

'WHEREAS Her present Majesty Queen *Victoria*, in pursuance of the Provisions contained in an 'Act passed in the Session of Parliament held in the Seventh Year of the Reign of His late Ma-'jesty King *William* the Fourth and in the First Year of the Reign of Her present Majesty Queen '*Victoria*, intituled *An Act to amend an Act for the Regulation of Municipal Corporations in* England 7 W. 4. & '*and* Wales, and by the Advice of Her Privy Council, by certain Letters Patent under the Great Seal of 1 Vict. c. 78. 'the United Kingdom of *Great Britain* and *Ireland*, bearing Date the Twenty-eighth Day of *October* 'One thousand eight hundred and thirty-eight, granted that the Inhabitants of the Borough of *Man-'chester* resident within the District comprised within the Boundaries of the Townships of *Manchester*, '*Chorlton-upon-Medlock*, *Hulme*, *Ardwick*, *Beswick*, and *Cheetham*, in the County Palatine of *Lancas-'ter*, and their Successors, should be for ever thereafter a Body Politic and Corporate in Deed, Fact, and 'Name, and that the said Body Corporate should be called "The Mayor, Aldermen, and Burgesses of '"the Borough of *Manchester* in the County of *Lancaster*," and should have perpetual Succession and a 'Common Seal, and should be governed by a Council, to be elected in the Manner therein mentioned; 'and Her Majesty further granted that the said Mayor, Aldermen, and Burgesses, and their Successors, 'from thenceforth for ever might have and hold within the Borough aforesaid a Court of Record for the 'Trial of Civil Actions before the Mayor of the said Borough for the Time being, in any convenient 'Place within the said Borough, on the Third Day in every Week, which Court should have Authority 'to try the Actions therein mentioned: And whereas, after the Incorporation of the said Borough, a 'separate Commission of the Peace was granted to the same, and a Person, being a Barrister of more 'than Five Years standing, was appointed Recorder of the Borough: And whereas by an Act, the 'Eighth and Ninth *Victoria*, Chapter One hundred and forty-five, (Local and Personal,) the Jurisdiction 'of the said Court of Record for the Trial of Civil Actions in the Borough of *Manchester* was enlarged, 'and other Provisions were therein contained in respect of the same Court; and it was by the said Act 'enacted, that the Jurisdiction of the said Court should be co-extensive with the Borough of *Manchester* 'mentioned in the said Charter of Incorporation, and that the Recorder of the Borough should be the 'Judge of the said Court: And whereas Her said Majesty, by certain other Letters Patent under the 'Great Seal of the United Kingdom of *Great Britain* and *Ireland*, bearing Date the Twenty-ninth Day 'of *March* One thousand eight hundred and fifty-three, ordained, constituted, and appointed that the said 'Borough of *Manchester* should thenceforth be a City, and should be called and styled "The City of '"*Manchester* in the County of *Lancaster*," and that the said Mayor, Aldermen, and Burgesses of the

'said Borough of *Manchester* should thenceforth be One Body Politic and Corporate by the Name and Style of "The Mayor, Aldermen, and Citizens of the City of *Manchester* in the County of *Lancaster*:" And whereas the said Court, as constituted and regulated by the said last-mentioned Act, has been found to be of great public Benefit and Utility: And whereas since the passing of the said last-mentioned Act "The Common Law Procedure Act, 1852," has been passed: And whereas the Provisions of the said Act, the Eighth and Ninth *Victoria*, Chapter One hundred and forty-five, require to be altered and amended, and it is expedient that divers of the Provisions of "The Common Law Procedure Act, 1852," should, with all necessary Modifications, be extended to the Court, and it is also expedient that the Powers and Jurisdiction of the Court should be further extended, and the Efficiency of the Court further increased by the Procedure, Practice, and Mode of Pleading therein being made more simple, and for these Purposes that the Act the Eighth and Ninth *Victoria*, Chapter One hundred and forty-five, should be repealed, and other Provisions should be enacted; but the same cannot be effected without the Authority of Parliament:' May it therefore please your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

After passing of this Act, 8 & 9 Vict. c. 145. to be repealed.

I. That from the Time when this Act shall commence and take effect the said Act, the Eighth and Ninth *Victoria*, Chapter One hundred and forty-five, shall be repealed, except so far as may be necessary for the Purpose of giving effect to Actions and other Proceedings then pending, as herein-after mentioned.

Short Title.

II. This Act may be cited for any Purpose as "The *Manchester* Court of Record Procedure Act, 1854."

Interpretation of Terms.

III. In the Construction of this Act, and of all Rules and Orders made under the Provisions of this Act, unless there be something in the Subject Matter or Context repugnant to such Construction,

The Word "Action" shall mean any Action brought in the Court:

The Word "Agent" shall mean any Person usually employed by the Landlord in the letting of Land, or in the Collection of Rents thereof, or specially authorized to act in any particular Matter by Writing under the Hand of such Landlord:

The Word "Borough" shall mean the City of *Manchester* in the County of *Lancaster*:

The Word "City" shall mean the same City of *Manchester* in the County of *Lancaster*:

The Word "Citizen" shall mean Citizen of the same City:

The Word "Council" shall mean the Council of the same City:

The Words "the Court" shall mean the Court of Record for the Trial of Civil Actions within the City of *Manchester*:

The Word "House" shall include Messuage, Dwelling House, Warehouse, Shop, Manufactory, Shed, Stable, Outhouse, Building, and every Corporeal Tenement erected on Land, and whether the same be in the Basement or on the Ground Floor, or on any Floor above the Ground Floor:

The Word "Judge" shall mean the Recorder, and shall include the Deputy Recorder:

The Word "Justice" shall mean Justice of the Peace for the County of *Lancaster*, and shall include Justices of the Peace and any Stipendiary Justice for the City of *Manchester*:

The Word "Land" shall include any House as defined by this Act:

The Word "Landlord" shall mean the Person entitled to the immediate Reversion of the Land, or if the Land be held in Joint Tenancy, Coparcenary, or Tenancy in Common, shall mean, according to the Subject Matter, all or any One of the Persons entitled to such Reversion:

The Word "Mayor" shall mean the Mayor for the Time being of the City:

The Word "Person" shall include a Corporation, whether aggregate or sole:

The Word "Proceedings" shall mean and include all Matters and Things within the Competency of the Court:

The Word "Registrar" shall mean the Registrar of the Court of Record for the Trial of Civil Actions within the City of *Manchester*, and shall include the Deputy of such Registrar:

The Word "Recorder" shall mean the Recorder of the City of *Manchester*, and shall include the Deputy of such Recorder:

The Words "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*, and shall include the Court of Common Pleas at *Lancaster*.

Title and Constitution of Court.

IV. The Court shall henceforth be called the Court of Record for the Trial of Civil Actions within the City of *Manchester*, and have Authority to commence and try all Personal Actions of every kind arising within its Jurisdiction as herein-after defined, and also all Actions of Ejectment between Landlord and Tenant wherein the annual Rent of the Premises of which Possession is sought to be recovered shall not exceed Fifty Pounds, and upon which no Fine shall have been reserved or made payable, and which Premises shall be situate within the said Jurisdiction: Provided always, that the Court shall not, except by Consent of the Parties, given and proved in manner herein-after mentioned, have Cognizance, except for the Purpose of staying Proceedings and of awarding Costs, as herein-after mentioned, of any Action in which the Debt or Damages sought to be recovered shall exceed the Sum of Fifty Pounds, or in which the Title to any corporeal or incorporeal Hereditaments, or to any Toll, Fair, Market, or Franchise, shall be in question, or in which the Validity of any Devise, Bequest, or Limitation under any Will or Settlement may be disputed, or for any malicious Prosecution, or for any Libel or Slander, or for Criminal Conversation; and in case it shall appear in the course of any Action in the Court, or shall be made to appear upon Oath to the Court, that the Debt or Damages sought to be recovered in any such

Action

Action exceeds the Sum of Fifty Pounds, or that any such Title as aforesaid is in question, or that the Validity of any Devise, Bequest, or Limitation under any Will or Settlement is in dispute in such Action, or that such Action is for any Libel, Slander, or Criminal Conversation, and that such Consent of the Parties had not been given and proved as after mentioned, then the Court shall order all Proceedings in such Action to be stayed, and it shall be in the Discretion of the Court to award and order Costs against the Party commencing the same; and every such Order for Costs shall be and have the Effect of a Rule of Court, and be enforced in like Manner as other Rules of the Court; provided also, that if both Parties shall agree, by a Memorandum in Writing, signed by them or their Attornies respectively, and filed with the Registrar at the Time of the issuing of the Summons in any Action, that the Court shall have complete Jurisdiction over and Power to try any of the Actions herein-before respectively mentioned, and the Jurisdiction as to which is herein-before made to depend on the Consent of the Parties, then and in such Case, but not otherwise, the Court shall have Jurisdiction as aforesaid, and Power to try any such Action.

Jurisdiction of Court.

V. The territorial Jurisdiction of the Court shall be co-extensive with the City of *Manchester* mentioned in the said Charter of Incorporation.

Recorder to be the Judge.

VI. The Recorder for the Time being of the City shall be the Judge of the Court.

Recorder may appoint a Deputy in certain Cases.

VII. In case of the Illness or unavoidable Absence of the Recorder, it shall be lawful for him, by Writing under his Hand and Seal, to appoint from Time to Time any fit Person, being a Barrister-at-Law of Five Years Standing, to be his Deputy, and such Deputy, while acting under such Appointment, shall have the like Powers and perform the like Duties as the Recorder would have had and performed.

Remuneration to the Recorder.

VIII. There shall be paid by the Council, out of the General Fund of the Court, or out of the City Fund, to the Recorder, in addition to the Salary of Five hundred Pounds now paid to such Recorder, an additional yearly Salary of Three hundred Pounds, by equal half-yearly Payments, as a Remuneration for the additional Duties hereby directed to be executed by such Recorder.

Orders, &c., may be made by or before the Registrar in the Absence of the Recorder.

IX. All Rules, Motions, Orders, and all other Matters and Things (except the Trials of Issue of Law or of Fact) in any Way relating to the Business of the Court, may, subject to the Rules of Court, be made, sworn, or done either in Court or out of Court, before the Recorder or his Deputy, or in the Absence of the Recorder or his Deputy, by or before the Registrar of the Court or his Deputy, or before such other Person, being a Barrister-at-Law or Attorney of Five Years standing, as the Recorder shall appoint under his Hand and Seal.

Courts to be held Six Times yearly.

X. The Court shall be holden for the Trial of Issues of Law and of Facts Six Times at least in each Year, and One of such Courts shall be holden in every alternate Month in every Year, on Days for that Purpose to be appointed by the Recorder.

Time and Place for ordinary Business of Court.

XI. The Court shall be holden for all Purposes within the Competency of the Court, except the Trial of Issues of Law or of Fact, at such convenient Place within the City as the Council shall from Time to Time direct, and at such Times as the Recorder shall appoint, or as Her Majesty shall think fit to direct, but so that the Intervals between the holding of any Two such Courts shall in no Case be more than Seven Days.

Notice of holding Courts.

XII. Notice of the Days on which the Court will be holden for all Purposes within the Competency of the Court, except the Trials of Issues of Fact or of Law, shall be put up in some conspicuous Place in the Office of the Registrar, and no other Notice thereof shall be needed; and whenever the usual Days of holding the Court for the Purposes aforesaid shall be altered, Notice of such intended Alteration, and of the Time when it will take place, shall be put up in some conspicuous Place in the Registrar's Office Three Months at least before such Alteration shall take effect; and the Registrar shall give public Notice of the Time and Place of holding any Court for the Trial of Issues of Fact or of Law Ten Days at the least before the holding thereof.

Rules for regulating Court to be made and signed by Recorder, confirmed by Judges, and in accordance with this Act.

XIII. It shall be lawful for the Recorder from Time to Time to make, alter, and revoke such Rules, for adapting, and, as so adapted, for applying to the Court, any Amendments or Alterations which at any Time hereafter shall be made in the Practice or Proceedings of the Superior Courts, whether the same Amendments or Alterations shall be made by Act of Parliament or Rule of Court, and also for appointing the Times of holding the Court, for regulating the Forms and Manner of Proceeding, and the Process, Appearance, Practice, and Pleadings in the Court, and for settling the reasonable Fees of the Attornies of the Court for Business transacted therein, as shall from Time to Time to him seem necessary and proper; provided always, that such Rules, and any Order for revoking or altering the same, shall be signed by the Recorder; and that no such Rules or Orders, except as herein-after mentioned, shall be of any Force until they shall have been allowed and confirmed by One of the Judges of any of the Superior Courts; provided also, that such Rules shall be in accordance with the Provisions of this Act.

Power to Council to appoint a Registrar, Officers of the Court, and Serjeant-at-Mace.

XIV. It shall be lawful for the Council from Time to Time to appoint a fit Person, being an Attorney of One of the Superior Courts, or who shall have duly served a Term of not less than Five Years under Articles of Clerkship to some Attorney of One of the Superior Courts, to be the Registrar of the Court, and to dismiss and remove such Registrar at their Discretion; and it shall also be lawful for the Council from Time to Time to appoint a fit and proper Person to be Serjeant-at-Mace of the City, who shall hold his Office during Pleasure, and shall execute all Process of Execution issuing out of the Court, and do all other Matters and Things with respect to the Court which a Sheriff of any County can or ought to do with respect to the Superior Courts, except so far as is inconsistent with the Provisions of this Act or the Acts herein referred to, and which said Serjeant-at-Mace shall have all the Powers and Authority for such Purposes which a Sheriff of a County now hath or shall hereafter have with respect to the Superior

Superior Courts, and, except as aforesaid, shall be subject to the same Duties and Liabilities as a Sheriff of a County; and such Serjeant-at-Mace may appoint and take Security from Bailiffs and Officers, and make his Warrants to Bailiffs and Officers, who may execute the Process of the Court; and the Serjeant-at-Mace shall be responsible to all Parties having delivered Process to him, in all respects in which a Sheriff of a County is responsible for the Act, Omission, Negligence, Misconduct, Misfeasance, or Non-feasance of his Bailiff or Officer: Provided always, that neither the Registrar, nor the Serjeant-at-Mace, nor any Officer of the Court, shall, either by himself or his Partner or Clerk, practise as an Attorney in the Court, nor act as Agent for any other Attorney in the Court, nor be in any other Manner employed for any Party in any Proceedings in the Court.

Penalties on Registrar for acting improperly.

XV. Every Person who, being the Registrar of the Court, or the Partner of such Registrar, or other Person in the Service or Employment of such Registrar or his Partner, shall in any Manner, directly or indirectly, be engaged as Attorney or Agent for any Party in any Proceeding in the Court, shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same in any of the Superior Courts by Action of Debt or on the Case.

Power to Council to appoint Clerks, Criers, &c.

XVI. It shall be lawful for the Council from Time to Time to appoint and remove such Clerks, Criers, and other Persons as they shall from Time to Time consider necessary for carrying on the Business of the Court.

Registrar may appoint a Deputy.

XVII. It shall be lawful for the Registrar (with the Approbation of the Council) to appoint from Time to Time a Deputy, and to remove such Deputy at his Pleasure, and such Deputy, while acting under such Appointment, shall have the like Powers and Privileges, and be subject to the like Duties and Penalties for Misbehaviour, as if he were the Registrar of the Court; provided always, that the Persons who at the Time this Act shall come into operation shall respectively be the Registrar, Serjeant-at-Mace, Crier, Clerks, and Deputy Registrar, shall hold their respective Offices as if they had been appointed under the Provisions of this Act.

Registrar and Serjeant-at-Mace to give Security.

XVIII. The Registrar and also the Serjeant-at-Mace shall, when required by the Council, give to the Mayor, Aldermen, and Citizens of the City Security in such Manner and Form as the Council shall deem sufficient and direct to be given for the due Performance of the Duties of their respective Offices, and for the due Payment of all Monies received by them respectively.

Payment of Salaries to Deputy Judge, Registrar, Serjeant-at-Mace, &c.

XIX. It shall be lawful for the Council, if they shall so think fit, to direct the Payment to the Deputy appointed by the Recorder to hold the Court, as herein-before provided, of such Sum out of the General Fund of the Court or out of the City Fund as the Council shall think fit, and the Council may also direct the Payment of such Salaries or other Remuneration as they shall think fit to the Registrar of the Court, and to the Serjeant-at-Mace, and to such Clerks, Criers, and other Persons as may be appointed under the Powers contained in this Act, either out of the General Fund of the Court or out of the City Fund.

Attornies of Superior Courts may practise.

XX. Every Attorney of Her Majesty's Superior Courts shall, subject to the Rules of the Court, have full Liberty to practise as an Attorney in the Court.

Council to determine Fees payable to Registrar and Officers of the Court.

XXI. The Council shall and they are hereby required to make and settle a Table of the Fees to be taken by the Registrar and the Serjeant-at-Mace and the other Officers of the Court, if any; and such Table of Fees shall be submitted to One of Her Majesty's Principal Secretaries of State, and when such Table of Fees shall have been confirmed and allowed by such Secretary of State, either as such Table shall have been submitted to him, or with such Alterations, Additions, or Abatements as he shall think proper, the Fees therein mentioned, and no other, may thenceforth be lawfully taken by the Person therein named to be entitled thereunto: the Table of Fees which shall be in existence at the Time this Act shall come into operation shall be and remain the Table of Fees under this Act until some Change shall be made therein under the Provisions of this Act.

Power to Council to alter Fees from Time to Time.

XXII. It shall be lawful for the Council, from Time to Time, as Occasion may require, to make a new Table of Fees, to be taken instead of the Fees contained in the Table of Fees which shall have been made as aforesaid, which new Table shall be confirmed and allowed in the Manner herein-before mentioned, otherwise the same shall be of no Validity.

Table of Fees to be hung up.

XXIII. The Registrar shall cause a true Copy of the Table of Fees in force for the Time being to be hung up in a conspicuous Part of the Court House, and in the Office of the Registrar.

Fees to be received by the Registrar, and carried to account of certain Fund.

XXIV. All Fees and Sums of Money by the Table of Fees for the Time being required to be paid by the Suitors in the Court, except the Bailiffs Fees, shall be paid and accounted for by the Officers or Persons receiving the same to the Registrar, who shall keep an Account of all Monies paid to and received by him, and shall carry the same to an Account to be entitled "The General Fund of the City Court of Record."

Registrar to render Account to Council or Treasurer, and pay over Monies as Council shall direct.

XXV. The Registrar shall from Time to Time, as often as he shall be required so to do by the Council or the Treasurer of the City, and in such Form as the Council or Treasurer shall require, deliver to them or him a full Account in Writing of the Fees received in the Court, and a like Account of all Fines levied by the Court, and of the Expense of levying the same, and a like Account of the Monies paid into and out of Court by Defendants and Plaintiffs under any Order of the Court, or under any Levy made under Process of the Court, and of the Balances then remaining in Court belonging to Plaintiffs or Defendants in the Court; and the Registrar shall pay over to the Treasurer of the City, quarterly, or oftener in every Year, by Order of the Council, the Monies remaining in his Hands over and above such Balance as he shall be allowed by Order of the Council to retain for the current Expenditure of the Court.

XXVI. The

Monies paid to Treasurer to be carried to account of "The General Fund of the City Court of Record."

XXVI. The Monies to be from Time to Time paid over by the Registrar to the Treasurer of the City shall be by such Treasurer carried to an Account to be entitled "The General Fund of the City Court of Record," and the Monies for the Time being constituting such Fund shall be invested in such Manner as the Council shall direct; and so much and such Part thereof as the Council shall require shall be applied in or towards paying the Expenses of establishing and carrying on the Court; and any other Portions of the said Monies may be from Time to Time carried to the General Account of the City, and be applicable and applied to the General Purposes of the City, as Part of the City Fund.

Expenses of the Court may be paid out of the City Fund.

XXVII. So much and such Part of the Expenses of establishing and carrying on the Court as the Council shall not think it expedient to pay out of the General Fund of the Court shall be paid by the Council out of the City Fund.

All Powers, &c. by Law vested in Inferior Courts of Record, in which a Barrister of Five Years standing presides as Judge, granted to the City Court of Manchester.

XXVIII. All Powers, Authorities, Jurisdiction, and Privileges which are now by virtue of any Public General Act of Parliament vested in and may be exercised by Inferior Courts of Record in which a Barrister of not less than Five Years standing presides as Judge, or which are vested in or may be exercised by the Judge or any Officer of such Inferior Court of Record, shall be, and the same Powers, Authorities, Jurisdictions, and Privileges are hereby granted to and vested in, and may henceforth, in addition to the other Powers and Authorities granted by this Act, be exercised by the Court and the Judge and Officers thereof respectively, except in so far as the same may be in anywise inconsistent with the Provisions of this Act; and all the Provisions contained in the said Act for the Regulation of Municipal Corporations in *England* and *Wales*, and in the several Acts passed for the Amendment thereof, and in the several Acts passed for the Administration of Justice in Boroughs, and for regulating the Proceedings in the Borough Courts of *England* and *Wales*, shall be applicable and applied to the Court, except in so far as the same may be in anywise inconsistent with the Provisions of this Act.

Process of Court to be under Seal.

XXIX. All Summonses and other Process issuing out of the Court shall be sealed or stamped with the Seal of the Court; and every Person who shall forge the Seal or any Process of the Court, or who shall serve or enforce any such forged Process, knowing the same to be forged, or who shall deliver or cause to be delivered to any Person any Paper falsely purporting to be a Copy of any Summons or other Process of the Court, knowing the same to be false, or who shall act or profess to act under any false Colour or Pretence of the Process of the Court, shall be guilty of Felony, and on Conviction be punished as on a Conviction for Simple Larceny.

No Privilege allowed.

XXX. No Privilege shall be allowed to any Person to exempt him from the Jurisdiction of the Court.

Plea in Abatement for Non-joinder.

XXXI. No Plea in Abatement for the Non-joinder of any Person as a Co-defendant shall be allowed in the Court, unless it shall be stated in such Plea that such Person is resident within the Jurisdiction of the Court, and unless the Place of Residence of such Person shall be stated with convenient Certainty in an Affidavit verifying such Plea.

Witnesses out of Jurisdiction may be served with Subpœna.

XXXII. Where any Subpœna ad testificandum, or any Process in the Nature thereof, shall be issued by either Party in any Suit depending in the Court, and the Party to whom the same shall be issued shall be residing out of the Jurisdiction of the Court, the Service of such Subpœna or other Process in any Part of *England* or *Wales* shall be as valid as if the same had been served within the Jurisdiction of the Court, and the Party at whose Instance such Subpœna or Process was issued shall have all the same Remedies against the Person or Persons named therein, in case of Non-attendance, as he would have had in case such Person or Persons were resident within the Jurisdiction of the Court, and had been duly served therein with such Subpœna or Process.

If Rules of Court cannot be enforced, they may be made Rules of one of the Superior Courts.

XXXIII. In case any Rule of the Court cannot be enforced by reason of the Non-residence of any Party within the Jurisdiction thereof, it shall be lawful, upon a Certificate of such Rule by the Judge or his Deputy, or by the Registrar or his Deputy, and an Affidavit that by reason of such Non-residence such Rule cannot be enforced as aforesaid, to make such Rule a Rule of any One of the Superior Courts, if such Superior Court, or any Judge thereof, either in Term or Vacation, shall think fit, whereupon such Rule shall be enforced in the same Manner as a Rule of such Superior Court may be enforced.

Causes not to be removed before Judgment, except by Judge's Order, or on Security.

XXXIV. No Cause depending in the Court, and within the Competency thereof, shall be removed by any Defendant, before Judgment therein, into any Superior Court, (except in pursuance of a Judge's Order, as herein-after mentioned,) unless the Defendant, with Two sufficient Sureties, such as the Registrar of the Court shall allow, shall first become bound by Recognizance to the Plaintiff in the Cause, as the Registrar shall direct, in a sufficient Sum for the Payment of the Debt or Damages and Costs, in case Judgment shall pass against the Defendant in the Superior Court, or in the Court, in case the Cause shall be brought back by Procedendo: Provided always, that any Judge of any of the Superior Courts may, in the Exercise of his Discretion, order a Writ of Certiorari to issue to remove any such Cause depending in the Court, into any of the Superior Courts, without such Surety as aforesaid, and that such Cause may be removed into such Superior Court accordingly.

Writs to remove Causes to be lodged within a Month after Declaration.

XXXV. No Cause depending in the Court shall be removed, before Judgment therein, into any Superior Court, unless the Writ for removing such Cause shall have been lodged with the proper Officer of the Court within One Calendar Month next after the filing of the Declaration, and giving Notice thereof, nor unless such Writ shall have been lodged with such Officer before such Action shall have been entered for Trial according to the Practice of the Court.

Penalty on Officers taking Fees besides those Fees allowed.

XXXVI. If any Officer of the Court shall exact, take, or accept any Fee or Reward whatsoever, other than and except such Fees as are or shall be appointed or allowed respectively by the Rules of the Court, for or on account of anything done or to be done by virtue of any Proceeding in or Process or Warrant issuing out of the Court, or on any account whatsoever relative to any Suit in the Court, every such Person

Person so offending shall, upon Proof thereof before the Court, or upon Verdict or Judgment being had against him in such Action, as next herein-after mentioned, be for ever incapable of serving or being employed in any Office in the Court, and shall also be liable for Damages, as herein provided; and a Copy of this Clause shall be attached to the Table of Fees hung up as required by this Act.

Limitation of Actions for Proceedings in Execution of this Act.

XXXVII. All Actions and Prosecutions to be commenced against any Person for anything done in pursuance of this Act shall be commenced within One Year after the Fact committed, and not afterwards or otherwise, and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Month at least before the Commencement of the Action; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if, after Action brought, a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Writs for Commencement of Actions.

XXXVIII. All the Provisions of "The Common Law Procedure Act, 1852," with respect to the Writs for the Commencement of Personal Actions (except so far as relates to the Teste thereof in the Name of a Judge), which are contained in the Sections numbered respectively Two, Three, Four, Five, Six, Seven, Eleven, Twelve, Thirteen, Fifteen, Sixteen, Seventeen, Twenty, and Twenty-five in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court, but the said Section Number Twelve shall be read as if the Words "according to the Provisions of the said Act of His late Majesty King *William* the Fourth" had not been used therein, and the said Section Number Twenty-five shall be read as if the Words "the Defendant resides within the Jurisdiction of the Court, and" had not been used therein; and all the said Sections shall be read as if the Word Registrar had been used therein instead of the Word Master.

Indorsement of Debt and Costs on Writ and Copy, with Notice that Proceedings will be stayed on Payment within Four Days.

XXXIX. Every Writ of Summons issued for the Recovery of any Debt, and every Copy of such Writ, shall be endorsed with the Amount of the Debt, and the Amount of what the Plaintiff's Attorney claims for Costs, and upon Payment thereof within Four Days after Service of such Writ to the Plaintiff or his Attorney, further Proceedings shall be stayed; and the Amount of the Plaintiff's Costs to be endorsed on the Writ of Summons shall be absolutely fixed by a Rule of the Court; and if any Overcharge be made by the Plaintiff's Attorney such Attorney shall pay the Costs of any Application made to the Court to reduce the Amount to the Sum fixed by the Rule of Court, and the Defendant shall be at liberty to make such Application at any Time either before or after such Payment: Provided always, that such Application shall be made before the Plaintiff shall have taken his next Step in the Cause; and such Endorsement to be made as aforesaid shall be written or printed in the following Form, or to the like Effect:

The Plaintiff claims Pounds for Debt, and Pounds for Costs, and if the Amount thereof be paid to the Plaintiff or to his Attorney within Four Days from the Service hereof, further Proceedings will be stayed.

Teste of Writs.

XL. Every Writ of Summons shall be tested in the Name of the Recorder, or, in case of a Vacancy in the Office of Recorder, in the Name of the Mayor.

Court may order that the Writ of Summons may be served in any Part of England or Wales.

XLI. The Court may, if it shall think fit, in any Case where it shall satisfactorily appear by Affidavit that the Cause of Action arises within the Jurisdiction of the Court, order that the Writ of Summons may be served in any Part of *England* or *Wales*, and the Service of any Writ in pursuance of such Order shall be as valid and effectual as if the same had been served within the Jurisdiction of the Court; provided that a Copy of such Order shall be served at the Time of the Service of such Writ of Summons.

All further Proceedings to be had as usual.

XLII. In all Cases where an Order of the Court shall be made under the last preceding Section, all Proceedings in the Cause shall be had and taken as if the Defendant had been duly served with the Summons within the same Jurisdiction.

Proceedings to be stayed in certain Cases.

XLIII. A Defendant served with a Process in any Action in the Court may, at any Time before Declaration filed, apply to the Court to stay Proceedings, on his entering into such Confession, and undertaking for the giving of Judgment, as herein-after mentioned, and the Court on such Application may, in its Discretion, stay the Proceedings in such Action, on the Defendant entering into a Rule of the Court by which he shall confess the Debt so endorsed on the Writ, and by which he shall undertake and agree that Judgment shall pass against him on such Confession for the Debt endorsed on the Writ, and Costs, to be taxed, on Nonpayment by him of the Debt and Costs at such Period or Periods not exceeding Three Months in the whole, unless the Plaintiff shall consent to a longer Time, and by Instalments or otherwise as to the Court or Officer may seem proper under the particular Circumstances of the Case, and which Period or Periods, Instalment or Instalments, shall be specified in the said Rule, together with such Terms as the Court may think proper to impose on the Defendant on granting such Application; and if such Debt and Costs so endorsed as aforesaid, or such Instalments, or any of them, are not paid at the Time or any of the Times in such Rule specified, the Plaintiff may sign final Judgment on such Confession as aforesaid for the Debt so endorsed on the said Writ, with Costs of Suit, to be taxed, and may forthwith issue Execution for the whole of such Debt remaining due at the Time of issuing the same and Costs, as last aforesaid.

Proceedings on Defendant confessing Part of Debt.

XLIV. A Defendant may, on such Application as aforesaid, have Leave to confess in manner aforesaid any Part of the Debt endorsed on the said Writ, if such Part, on the Hearing of the Appplication, shall appear to be all that is *bonâ fide* due and owing to the Plaintiff; and the Court may make such Order or Rule and give such Time as aforesaid, and may in such Case award Costs, or not, in its Discretion; or if on such Application as last aforesaid the Parties shall not agree as to the Amount, but the Plaintiff

Plaintiff shall claim a further Sum than the Defendant is willing to confess, then the Defendant may in manner aforesaid confess the Sum which he is so willing to confess as aforesaid, and the Court may make such Order or Rule and give such Time as aforesaid with respect to the Sum which he shall so confess; and the same Proceedings, including the signing of Judgment on Confession, and issuing of Execution, shall take place on such Confession, with respect to the Sum so confessed, as in the Case where the whole Sum endorsed on the Writ is confessed as aforesaid; and the Plaintiff shall be allowed to declare for any further Amount, but shall in his Particulars of Demand give Credit for, and shall not on the Trial of the Cause be allowed to proceed for, any Part of the Sum so confessed as aforesaid.

Applications without Appearance.

XLV. All such Applications and Proceedings thereon may be made and take place without any Appearance being entered.

Mode of objecting to the Jurisdiction.

XLVI. No Defendant shall be permitted to object to the Jurisdiction of the Court in or by any Proceeding whatsoever, except by Plea, and if the Want of Jurisdiction be not pleaded the Court shall have Jurisdiction.

Appearances and Proceedings in default of Appearance.

XLVII. All the Provisions with respect to the Appearance of the Defendant, and Proceedings of the Plaintiff in default of Appearance, contained in the Sections of "The Common Law Procedure Act, 1852," numbered Twenty-six, Twenty-seven, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two, and Thirty-three in the Queen's Printer's Copies of the said Act, except such as relate to the Sum for Costs of a Judgment, to be fixed by the Judges and Master of the Superior Courts, shall extend and apply to the Court; and in reading the Twenty-seventh and Twenty-eighth Sections of "The Common Law Procedure Act, 1852," as so extended, the Expressions "Judge's Order," in the same Sections respectively, shall mean an Order of the Court as well as an Order of the Judge, and in reading the Twenty-eighth Section the Words "in the event of no Plea being delivered" shall be read as if the said Words had been "in the event of no Plea being filed," and Section numbered Thirty, as applied to the Court, shall be read as if the Words "Master's Office" had been Registrar's Office, and as if the Words "Pleadings and other" had not been used therein.

Costs of Judgment to be fixed by Registrar.

XLVIII. The Sum for Costs for which Judgment may be signed and Execution had under the Twenty-seventh and Twenty-eighth Sections respectively of "The Common Law Procedure Act, 1852," shall be fixed by the Registrar, subject to the Approval of the Recorder and of One of the Masters of the Court of Queen's Bench at *Westminster*.

15 & 16 Vict. c. 76. as to Joinder of Parties extended to the Court.

XLIX. All the Provisions with respect to the Joinder of Parties to Actions which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered Thirty-four, Thirty-five, Thirty-six, Thirty-seven, Thirty-eight, Thirty-nine, and Forty, in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court.

And with respect to Joinder of Causes of Action:

Different Causes of Action may be joined; but separate Trials may be ordered.

L. Causes of Action, of whatever kind, except Ejectments, may be joined in the same Suit, provided they be by and against the same Parties and in the same Rights; but the Court shall have Power to prevent the Trial of different Causes of Action together, if such Trial would be inexpedient, and in such Case the Court may order separate Records to be made up and separate Trials to be had.

Questions by Consent without Pleading.

LI. All the Provisions with respect to the Determination of Questions raised by Consent of the Parties without Pleading which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered Forty-two, Forty-three, Forty-four, Forty-five, Forty-six, Forty-seven, and Forty-eight, in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court, and in reading the Forty-second and Forty-sixth Sections of the said Act as so extended the Expression "Order of a Judge" in the same Sections respectively shall include an Order of the Court as well as an Order of the Judge.

A Special Case may be stated for One of the Courts at Westminster.

LII. The Parties in any Action may, after Issue joined, by Consent, and by Order of the Court, state the Facts of the Case in the Form of a Special Case, for the Opinion of any One of the Superior Courts, and may agree that a Judgment shall be entered in the Court for the Plaintiff or Defendant, as such Superior Court may think fit.

Special Case to be transmitted by the Registrar to the Rule Department.

LIII. The Registrar shall transmit such Special Case, under the Seal of the Court, to the Rule Department of the Master's Office of the Superior Court in which the Case is to be argued, and thereupon all such Proceedings shall be taken, and Rules and Regulations observed, in the Superior Court, as are usual with reference to Cases stated for the Opinion of such Superior Court in Actions therein pending.

When Judgment to be entered.

LIV. The Registrar, upon the Production of an Office Copy of the Rule of the Superior Court, made upon hearing the said Special Case, shall enter Judgment in the Court in conformity with the Decision of the Superior Court.

Pleadings in general.

LV. All the Provisions with respect to the Language and Form of Pleadings in general which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered Forty-nine, Fifty, Fifty-two, Fifty-three, Fifty-four, Fifty-five, Fifty-six, and Fifty-seven in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court.

Objections by way of Special Demurrer taken away.

LVI. No Pleading shall be deemed insufficient for not containing an Averment that any Matter therein pleaded arose within the Jurisdiction of the Court, nor for any Defect which could heretofore only be objected to by Special Demurrer.

Declaration and Particulars of Demand.

LVII. All the Provisions with respect to the Time and Manner of declaring, and to Particulars of Demand, which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered Fifty-eight, Fifty-nine, Sixty, and Sixty-one in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court, but the said Section Sixty-one shall only apply where the Actions therein mentioned shall be within the Cognizance of the Court.

Pleas and subsequent Pleadings.

LVIII. All the Provisions with respect to Pleas and subsequent Pleadings which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered Sixty-two, Sixty-four, Sixty-five, Sixty-six, Sixty-seven, Sixty-eight, Seventy, Seventy-one, Seventy-three, Seventy-four, Seventy-five, Seventy-six, Seventy-seven, Seventy-eight, Seventy-nine, Eighty, Eighty-one, Eighty-three, Eighty-four, Eighty-five, Eighty-six, Eighty-seven, Eighty-eight, Eighty-nine, and Ninety, in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court, but the Word "delivered" in the said Eighty-ninth Section shall be read as if the same had been "filed."

Defendant to plead in Eight Days.

LIX. The Time for Pleading in Bar, unless extended by the Court, Judge, or Registrar, shall be Eight Days; and a Notice requiring the Defendant to plead in Eight Days, or otherwise Judgment, shall be served on the Defendant or his Attorney.

Pleas Puis darrein continuance, when and how to be pleaded.

LX. In Cases in which a Plea Puis darrein continuance has heretofore been pleadable in the Superior Courts, the same Defence may be pleaded in this Court, with an Allegation that the Matter arose after the last Pleading; but no such Plea shall be allowed unless accompanied by an Affidavit stating that the Matter thereof arose within Eight Days next before the pleading of such Plea, or unless the Court or Recorder shall otherwise order.

Money, how paid into Court.

LXI. Where Money is paid into Court, it shall be paid to the Registrar, who shall give a Receipt for it in the Margin of the Plea, which Receipt shall not be liable to any Stamp Duty, and the said Sum shall be paid out to the Plaintiff, or to his Attorney, on Demand.

Examples of Pleadings.

LXII. The Provisions with respect to the Statement of Causes of Action and Forms of Pleading contained in the Ninety-first Section and Schedule (B.) of the Queen's Printer's Copies of "The Common Law Procedure Act, 1852," shall extend and apply to the Court.

Admission of Documents.

And with respect to the Admission, Production, and Inspection of Documents:

As to Admission Documents.

LXIII. All the Provisions with respect to the Admission of Documents which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered One hundred and seventeen, One hundred and eighteen, and One hundred and nineteen, in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court.

Production and Inspection of Documents.

LXIV. In any Action or other legal Proceeding in the Court the Court or Judge may, on Application made for such Purpose by either of the Litigants, compel the opposite Party to allow the Party making the Application to inspect all Documents in the Custody or under the Control of such opposite Party, relating to such Action or other legal Proceeding, and, if necessary, to take examined Copies of the same, or to procure the same to be duly stamped, in all Cases in which, previous to the passing of this Act, a Discovery might have been obtained by filing a Bill, or by any other Proceeding in a Court of Equity, at the Instance of the Party so making Application as aforesaid to the Court or Recorder; but nothing in this Section contained shall apply to any Action for Criminal Conversation when cognizable by the Court, or to any Action for Breach of any Promise to marry.

Judgment by Default.

LXV. All the Provisions with respect to Judgment by Default, and the Mode of ascertaining the Amount to be recovered thereupon, which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered Ninety-two, Ninety-three, Ninety-four, Ninety-five, and Ninety-six in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court.

Judgment for Default.

And with respect to Judgment for Default in not proceeding to Trial:

Proceeding where Plaintiff neglects to bring Issue on to be tried.

LXVI. Where any Issue is or shall be joined in any Cause, and the Plaintiff has neglected or shall neglect to bring such Issue on to be tried at or before the Second Court for the Trial of Issues next after Issue joined, whether the Plaintiff shall in the meantime have given Notice of Trial or not, the Defendant may give Ten Days Notice to the Plaintiff to bring the Issue on to be tried at the Court for the Trial of Issues next after the Expiration of the Notice; and if the Plaintiff afterwards neglect to give Notice of Trial for such Court, or to proceed to Trial in pursuance of the said Notice given by the Defendant, the Defendant may enter the Proceedings on Record, and suggest thereon that the Plaintiff has failed to proceed to Trial, although duly required so to do (which Suggestion shall not be traversable, but only be subject to be set aside if untrue), and may sign Judgment for his Costs; provided that the Court shall have Power to extend the Time for proceeding to Trial, with or without Terms.

Defendant's Right to try upon Default of of the Plaintiff preserved.

LXVII. Nothing herein contained shall affect the Right of a Defendant to set down a Cause for Trial, after Default by the Plaintiff to proceed to Trial, according to the Course and Practice of the Court; and if Records are entered for Trial both by the Plaintiff and the Defendant, the Defendant's Record shall be treated as standing next in Order after the Plaintiff's Record in the List of Causes, and the Trial of the Cause shall take place accordingly.

Juries.

With respect to Juries:

Who to be Jurors. 6 G. 4. c. 50.

LXVIII. Every Person, being a Citizen of the City, (unless he shall be exempt or disqualified otherwise than in respect of Property from serving on Juries by virtue of an Act passed in the Session of Parliament held in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relative to Jurors and Juries*, as the same Act has been altered by the Act for the Regulation of Municipal Corporations, herein-before referred to,) shall be qualified and liable to serve upon Juries for the Trial of all Issues of Fact joined in the Court.

Copy of the Citizens Roll to be delivered to Registrar.

LXIX. The Town Clerk of the City shall once in every Year, within Seven Days after the Citizens Roll shall have been made up, deliver a written or printed Copy of such Roll, signed by him, to the Registrar, without the Payment of any Fee for the same.

LXX. Previously

Registrar to summon Jury.

LXX. Previously to the holding of any Court for the Trial of Issues of Fact the Registrar shall cause to be summoned not less than Thirty-six nor more than Sixty Persons so qualified and liable as aforesaid to serve as Jurors at the holding of such Court; and such Summons shall be made by showing to the Person to be summoned, or in case he shall be absent from the usual Place of his Abode or Business, then by leaving with the Wife or Servant of such Person or with any Inmate at his usual Place of Abode or Business a Notice containing the Substance of such Summons; and the Registrar shall make out a Panel of the Persons so summoned, and such Panel shall contain therein the Christian Names and Surnames and Places of Abode and Descriptions of the several Persons therein named.

Fine on Jurors for Non-attendance.

LXXI. If any Person, having been duly summoned to attend on any Jury, whether common or special, shall not attend in pursuance of such Summons, or, being thrice called, shall not answer to his Name, or after his Appearance shall wilfully withdraw himself from the Presence of the Court, the Judge shall impose such Fine upon every Person so making default (unless some reasonable Excuse shall be proved to the Satisfaction of the Judge) as the Judge shall think meet; and if any Person on whom such Fine shall be imposed shall refuse to pay the same to the Registrar, it shall be lawful for the Judge, then, or at the next or some subsequent Sitting of the Court, by an Order signed by the Registrar, to cause to be levied by Distress and Sale of the Goods of the Person on whom such Fine shall have been imposed every such Fine, and the reasonable Charges of every such Distress and Sale; and every Fine so received shall be paid to the Registrar, to be by him carried to the Account of the General Fund of the Court; provided nevertheless, that no Person shall be summoned to serve as a Juror at the Court oftener than once in One Year, unless every Person qualified and liable so to serve shall have been summoned once during that Year.

Members of the Council, &c. exempt from serving on Juries.

LXXII. Every Member of the Council, and every Justice, and the Treasurer and Town Clerk for the Time being of the City of *Manchester*, and the said Serjeant-at-Mace, and the Registrar, and all other Officers of the Court, shall be exempt and disqualified from serving on any Jury summoned for the Trial of Issues of Fact in the Court.

If a full Jury shall not appear, or are reduced by Challenges, Court may order Jury to be made from Persons present.

LXXIII. If a full Jury shall not appear before the Court, or if, after the Appearance of a full Jury, by Challenge of any of the Parties, the Jury is likely to remain untaken for Default of Jurors, the Court, upon Request made by the Parties, Plaintiff or Defendant, or their respective Attornies, shall command the Registrar to name and appoint, as often as need shall require, so many of such other Citizens then present as shall make up a full Jury; and the Registrar shall at such Command of the Court return such Citizens as shall be present or can be found to serve on such Jury, and shall add and annex their Names to the former Panel; and all and every the Parties aforesaid shall and may in each of the Cases aforesaid have their respective Challenges to the Jurors so newly added and annexed; and the Court shall proceed to the Trial of every such Issue with those Jurors who were before empannelled, together with the Talesman so newly added and annexed, as if all the said Jurors had been so returned upon the Writ or Precept awarded to try the Issue.

Power to Court to order a View, if thought necessary.

LXXIV. In any Case in which it shall appear to the Court proper and necessary that some of the Jurors who are to try any Issue joined in such Case should have a View of any Place which may be in question on the Trial of such Issue, in every such Case the Court may order a Rule to be drawn up containing the usual Terms, and also requiring, if such Court shall so think fit, the Party applying for the View to deposit in the Hands of the Registrar a Sum of Money to be named in the Rule, for Payment of the Expenses of the View; and all the Provisions with respect to a View contained in the Section of "The Common Law Procedure Act, 1852," numbered One hundred and fourteen in the Queen's Printer's Copies of the same Act, shall extend and apply to the Court; and the said Section so applied shall be read as if the Word "Sheriff" therein had been "Registrar," and as if the Words "and shall also return "their Names to the Associate for the Purpose of their being called as Jurymen upon the Trial" had not been used therein.

Cross Judgments.

LXXV. If there shall be Cross Judgments between the Parties, Execution shall be taken out by that Party only who shall have obtained Judgment for the larger Sum, and for so much only as shall remain after deducting the smaller Sum, and Satisfaction for the Remainder shall be entered as well as Satisfaction on the Judgment for the smaller Sum, and if both Sums shall be equal Satisfaction shall be entered upon both Judgments.

15 & 16 Vict. c. 76. as to Executions extended to Court.

LXXVI. All the Provisions with respect to Executions which are contained in the Sections of "The "Common Law Procedure Act, 1852," numbered One hundred and twenty-three and One hundred and twenty-six in the Queen's Printer's Copies of the said Act, shall extend and apply to the Court.

Provisions for issuing and renewing Writs of Execution, and for maintaining Precedence thereof.

LXXVII. All Writs of Execution shall be sealed by the Registrar, and directed to the Serjeant-at-Mace, or to any other Officer named in the Writ, and may be made returnable immediately after the Execution thereof, provided that a Writ of Execution issued after the Commencement of this Act, if unexecuted, shall not remain in force for more than the Time to be limited by a Rule of Court in that Behalf, unless renewed in the Manner herein-after provided; but such Writ may at any Time before its Expiration be renewed by the Party issuing it for the like Time from the Date of such Renewal, and so on from Time to Time during the Continuance of the renewed Writ, either by being marked with a Seal bearing the Date of the Day, Month, and Year of such Renewal, (such Seal to be provided and kept by the Registrar for such Purpose,) or by such Party giving or filing a written Notice of Renewal to or at the Office of the Serjeant-at-Mace, signed by the Party or his Attorney, and bearing the like Seal of the Court, which said Notice the said Serjeant-at-Mace is hereby required to file, and a Writ of Execution

so renewed shall take effect and be entitled to Priority according to the Time of the original Delivery thereof.

Production of renewed Writ, Evidence of Renewal.

LXXVIII. The Production of a Writ of Execution, or of the Notice renewing the same, purporting to be marked with such Seal, showing the same to have been renewed according to this Act, shall be sufficient Evidence of its having been so renewed.

Detention of Persons in Custody.

LXXIX. Any Person already in Custody in the Gaol of the City or in any Prison for the Reception of Debtors in the County of *Lancaster* may be charged and detained in Execution by an Order of the Court for that Purpose, made on Affidavit that a Judgment in the Court has been signed, and is not satisfied, and the Service of such Order upon the Keeper of such Prison for the Time being shall have the Effect of a Detainer for such unsatisfied Judgment.

Revival of Judgments.

And with respect to the Revival of Judgments:

Proceedings to revive.

LXXX. All the Provisions with respect to Proceedings for the Revival of Judgments, and other Proceedings by and against Persons not Parties to the Record, which are contained in the Sections of "The "Common Law Procedure Act, 1852," numbered One hundred and twenty-eight, One hundred and twenty-nine, One hundred and thirty, One hundred and thirty-one, One hundred and thirty-two, One hundred and thirty-three, and One hundred and thirty- four in the Queen's Printer's Copies of the said Act (except so much of the said One hundred and thirty-first Section as relates to the Venue in a Declaration upon a Writ of Revivor) shall extend and apply to the Court; but the said Section One hundred and thirty-two, as so applied, shall be read as if the Words "or for the Recovery of Land taken under an Elegit" had not been used therein.

Death, Marriage, and Bankruptcy.

LXXXI. All the Provisions with respect to the Effect of Death, Marriage, and Bankruptcy upon the Proceedings in an Action which are contained in the Sections of "The Common Law Procedure Act, "1852," numbered One hundred and thirty-five, One hundred and thirty-six, One hundred and thirty-seven, One hundred and thirty-eight, One hundred and thirty-nine, One hundred and forty, One hundred and forty-one, and One hundred and forty-two in the Queen's Printer's Copies of the said Act, except the Words "Two "Terms" in the said One hundred and thirty-ninth Section, shall extend and apply to the Court; and the said Section numbered One hundred and thirty-nine shall be read as if the Words "Three Months" had been used therein instead of the Words "Two Terms;" and the said Section One hundred and thirty-eight, as so applied, shall be read as if, instead of the Words "shall be served together," the Words "shall be filed "together" had been used; and the said Section One hundred and forty-two, as so applied, shall be read as if, instead of the Words "Judge's Order," the Words "Order of the Court or Recorder" had been used, and as if, instead of the Words "Judge may order," the Words "Court or Recorder may order," had been used therein.

Arrest of Judgment and Judgment non obstante veredicto.

LXXXII. All the Provisions with respect to the Proceedings upon Motions to arrest the Judgment and for Judgment *non obstante veredicto*, which are contained in the Sections of "The Common Law "Procedure Act, 1852," numbered One hundred and forty-three, One hundred and forty-four, and One hundred and forty-five, (except such Part of the Section numbered One hundred and forty-three in the said Act as relates to a Motion in arrest of Judgment, pursuant to the First of *William* the Fourth, Chapter Seven,) shall extend and apply to the Court.

Judgment and Execution, &c.

And with respect to Judgment and Execution, and to granting new Trials, and entering Nonsuits and Verdicts:

When Costs may be taxed and Execution issued.

LXXXIII. The Costs may be taxed by the Registrar, and final Judgment signed and Execution issued on any Day subsequent to the Day on which the Issue may have been tried or the Inquiry executed; provided, that the Recorder or the Court may in either of such Cases order Proceedings to be stayed for such Time and on such Terms as he or it may deem fit.

Judge may hold Courts for Trial of Issues of Law only.

LXXXIV. The Judge may appoint and hold a Court for the Trial of Issues of Law only at any Place either within or out of the Jurisdiction, of which Court, and the Time and Place of holding the same, Ten Days previous Notice shall be given by the Registrar to the Parties or their Attornies, through the Post or otherwise.

Power to the Recorder, when out of the City, to hear Motions.

LXXXV. The Recorder may, at any Time within Twenty-one Days after the Trial of any Cause, and whether the Court be sitting or not, and either when within or when out of the Jurisdiction of the Court, hear and grant Applications for Rules to show Cause in arrest of Judgment, or for Judgment *non obstante veredicto*, or for a Repleader, or for granting new Trials, or for entering Nonsuits and Verdicts in Causes pending in the Court, to the same Extent, and subject to the same Rules, Regulations, and Manner of proceeding, as in the Superior Courts; and all Rules and Orders made by him upon the Hearing of such Motions out of Court shall be as valid and binding upon the Parties as if the same had been made during the sitting of the Court.

Rules to enter Verdict, &c. to be moved before any of the Courts of Westminster, by Leave.

LXXXVI. If upon the Trial of any Issue the Recorder shall grant Leave to the Plaintiff or Defendant to move in any One of the Superior Courts to set aside a Verdict or Nonsuit, and to enter a Verdict for the Plaintiff or Defendant, or to enter a Nonsuit, or to arrest the Judgment, or for Judgment *non obstante veredicto*, as the Case may be, or for a new Trial, the Party to whom such Leave may have been given may apply by Motion to such Superior Courts, within such Period of Time after the Trial as Motions of the like kind shall from Time to Time be permitted to be made in such Superior Court, for a Rule to show Cause why such Verdict or Nonsuit should not be set aside, and a Verdict entered for the Plaintiff or Defendant, or a Nonsuit entered, or the Judgment arrested, or Judgment *non obstante veredicto* entered, or why a new Trial should not be had, as the Case may be, in such Action, which Superior Court is hereby authorized and empowered to grant or refuse such Rule, which Rule, when granted, shall operate

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as a Stay of Proceedings until the Determination thereof, and afterwards to proceed to hear and determine the Merits thereof, and to make such Orders thereupon, and as to the Costs, as the same Court shall think proper; and in case such Court shall order a new Trial to be had in any such Action, the Party obtaining such Order shall deliver the same, or an Office Copy thereof, to the Registrar of the Court, and thereupon all the Proceedings on the former Verdict or Nonsuit shall cease, and the Action shall proceed to Trial, according to the Practice of the Court, in like manner as if no Trial had been had therein; or in case the Court before whom such Rule shall be heard shall order the same to be discharged, the Party obtaining any such Order may, upon delivering the same or an Office Copy thereof to the Registrar, be at liberty to proceed in any such Action as if no such Rule Nisi had been obtained; and if a Verdict be ordered to be entered for the Plaintiff or Defendant, or a Nonsuit be ordered, or Judgment be ordered to be arrested, or Judgment *non obstante veredicto* be ordered to be entered, as the Case may be, Judgment shall be entered accordingly: the Proceedings to set aside the Verdict and order a new Trial to be had, or to enter a Verdict for either Party, according to Leave reserved at the Trial, shall be the same as in ordinary Cases.

Power of granting new Trials.

LXXXVII. Nothing herein contained shall prevent the Court or the Recorder from granting any new Trial, or setting aside any Nonsuit, or entering a Nonsuit, or altering a Verdict, as heretofore.

New Trials may be moved for in the Superior Courts, on certain Conditions.

LXXXVIII. It shall be lawful for any Party to any Suit in the Court, who shall be dissatisfied with any Verdict or Judgment given, or any Nonsuit entered against him, in any Action which shall have been tried in the Court, to apply, within One Month next after such Verdict or Judgment given or Nonsuit entered, to any of the Superior Courts, or to any Judge of any of the said Courts, for a Rule to show Cause why a new Trial of such Action should not be granted, or Nonsuit set aside and a new Trial granted, or a Verdict entered, or Judgment for the Plaintiff or Defendant, or a Nonsuit entered, as the Case may be, in the same Manner as is customary in Actions depending in the Superior Courts, and tried at Nisi Prius before any Judge of Assize, by virtue of any Record in any of the Superior Courts; and thereupon it shall be lawful for any of the Superior Courts, or any Judge of One of the Superior Courts, to grant such Rule, and to hear and determine the Merits of the same, in like Manner as in Actions depending in the Superior Courts, and tried as aforesaid; and in case any of the Superior Courts, or any Judge of One of the Superior Courts, shall make the Rule absolute, which they are severally empowered to do, upon such Terms as they shall respectively think reasonable, then, on Delivery of an Office Copy of such Rule by the Party who shall have obtained the same to the Registrar of the Court, all Proceedings upon the former Verdict, Judgment, or Nonsuit so obtained in the Court shall cease, and the said Action shall proceed anew to a Trial in the Court, or a Verdict or Judgment for the Plaintiff or Defendant, or a Nonsuit, shall be entered, according to the Tenor of such absolute Rule: Provided always, that it shall not be lawful for any Party to move for any such Rule, nor shall any such Rule be of any Force, unless and until the Party intending to apply for such Rule shall become bound by Recognizance, with Two sufficient Sureties, to be approved by the Registrar, in such reasonable Sums as he shall deem sufficient for the Security of the Party against whom such Rule is to be applied for, that the Party intending to apply for such Rule will, in case such Rule is not granted, or in case it be granted, and not made absolute, pay the Debt, Damages, and Costs, or the Damages and Costs, or Costs, as the Case may be, adjudged or to be adjudged, and all Costs incurred by the other Party in showing Cause against the Rule; provided, that no Proceedings upon such Verdict, Judgment, or Nonsuit shall be stayed, where such Application is not made by Leave of the Judge, until such Security shall have been given, but the giving of such Security shall operate as a Stay of Proceedings until the Expiration of the said Month, and until the Decision of the Rule, in case such Rule to show Cause be granted within such Month; but when the Application shall be made by Leave of the Judge such Leave shall operate as a Stay of Proceedings for One Month.

Removal of Judgments in the Superior Courts.

LXXXIX. In all Cases where final Judgment shall be obtained in any Suit brought in the Court, and also in all Cases where any Rule or Order shall be made by the Judge for the Payment of any Sum of Money, or any Costs, Charges, or Expenses, it shall be lawful for any Judge of any of the Superior Courts, either in Term or Vacation, upon the Application of any Person entitled to the Benefit of such Judgment, Rule, or Order, and upon the Production of such Judgment or Order, under the Seal of the Court and Signature of the proper Officer, to direct such Judgment or Order to be removed into the Superior Court; and thereupon such Judgment, Rule, or Order shall be of the same Effect as a Judgment recovered in or a Rule or Order made by such Superior Court, and all Proceedings shall and may be immediately had and taken thereupon, or by reason or in consequence thereof, as if such Judgment so recovered or Rule or Order so made had been originally recovered in or made by the Superior Court, and all the reasonable Costs and Charges of such Application and Removal shall be recovered in like Manner as if the same were Part of such Judgment, Rule, or Order; provided always, that no Judgment, Rule, or Order so removed shall affect any Lands, Tenements, or Hereditaments, as to Purchasers, Mortgagees, or Creditors, any further than the same would have done if the same had remained a Judgment, Rule, or Order of the Court, unless and until a Writ of Execution thereon shall be actually put into the Hands of the Sheriff or other Officer appointed to execute the same.

Proceedings in Error.

And with respect to Proceedings in Error:

Provisions of 15 & 16 Vict. c. 76. as to Pro-

XC. All the Provisions with respect to Proceedings in Error which are contained in the Sections of "The Common Law Procedure Act, 1852," numbered One hundred and forty-six, One hundred and forty-seven, One hundred and forty-eight, One hundred and forty-nine, One hundred and fifty, One hundred and fifty-one, One hundred and fifty-two, One hundred and fifty-three, One hundred and fifty-four, One

ceedings in Error extended to Court.

One hundred and fifty-five, One hundred and fifty-six, One hundred and fifty-seven, One hundred and fifty-eight, One hundred and fifty-nine, One hundred and sixty, One hundred and sixty-one, One hundred and sixty-two, One hundred and sixty-three, One hundred and sixty-four, One hundred and sixty-five, One hundred and sixty-six, and One hundred and sixty-seven in the Queen's Printer's Copies of the said Act shall extend and apply to the Court: Provided always, that Error may be brought in any of Her Majesty's Superior Courts, and that it shall not be necessary to bring the Judgment Roll into the Superior Court in which Error shall be brought, as required and provided by the said Section numbered One hundred and fifty-five in the Queen's Printer's said Copies, but it shall be sufficient, in the Place thereof, to transmit to the Superior Court a Transcript of the Record of any Judgment or Proceeding in the Court on which Error is alleged, and that the Judgment of the Superior Court thereon shall be certified by the proper Officer of the Superior Court, or by Rule of Court, as the Superior Court may direct, and thereupon such Judgment shall be entered on the original Record in the Court, and such further Proceedings as may be necessary thereon shall be awarded by the Court, subject to the Right of either Party to allege Errors in the said Judgment in the Superior Court, and proceed thereon as provided by "The Common Law Procedure Act, 1852," in the Case of Errors alleged in Actions depending in such Superior Court.

Proviso.

No Execution shall be stayed by Writ of Error, except on certain Conditions.

XCI. No Execution shall be stayed or delayed upon or by any Writ of Error or Supersedeas thereon to be sued for the reversing of any Judgment given in the Court, unless the Person or Persons in whose Name such Writ shall be brought shall become bound by Recognizance, with Two sufficient Sureties, to be approved of by the Registrar, in such reasonable Sums and in such Manner as the Registrar shall deem sufficient, for the Security of the other Party, to prosecute the said Writ with Effect, and if the said Judgment be affirmed, or the said Writ be not proceeded in, to satisfy and pay the Amount of such Judgment, and all Costs and Damages sustained by the delaying of Execution, and all Costs of Error; provided always, that a Judge of any of the Superior Courts may order Execution to be stayed upon any such Judgment by a Writ of Error returnable in any Superior Court, without such Security as aforesaid.

Actions of Ejectment.

And with respect to the Action of Ejectment:

Certain Provisions of 15 & 16 Vict. c. 76. as to Ejectment extended to Court;

XCII. All the Provisions contained in the Sections of "The Common Law Procedure Act, 1852," numbered One hundred and sixty-eight, One hundred and sixty-nine, One hundred and seventy, One hundred and seventy-one, One hundred and seventy-two, One hundred and seventy-four, One hundred and seventy-five, One hundred and seventy-six, One hundred and seventy-seven, One hundred and seventy-eight (except such Part thereof as relates to the Sheriff being directed to summon a Jury), One hundred and seventy-nine, One hundred and eighty, One hundred and eighty-one, One hundred and eighty-three, One hundred and eighty-four, One hundred and eighty-five, One hundred and eighty-six, One hundred and eighty-seven, One hundred and ninety, One hundred and ninety-one, One hundred and ninety-two, One hundred and ninety-three, One hundred and ninety-four, One hundred and ninety-five, One hundred and ninety-six, One hundred and ninety-seven, One hundred and ninety-eight, One hundred and ninety-nine, Two hundred, Two hundred and one, Two hundred and three, Two hundred and four, Two hundred and five, Two hundred and six, Two hundred and seven, Two hundred and eight, Two hundred and nine, Two hundred and ten, Two hundred and eleven, Two hundred and twelve, Two hundred and thirteen, Two hundred and fourteen, Two hundred and fifteen, Two hundred and sixteen, Two hundred and eighteen, and Two hundred and twenty-one in the Queen's Printer's Copies of the said Act, so far as such Provisions extend or are or may be applicable to an Action of Ejectment between Landlord and Tenant, shall extend and apply to the Court; but Sections One hundred and seventy-five and One hundred and seventy-nine respectively of "The Common Law Procedure Act," as applied to the Court, shall be read as if instead of the Word "Judge" the Expression "Recorder or "Court" had been used therein; and Section One hundred and seventy-eight, as so applied, shall be read as if instead of the Word "Sheriff" the Word "Registrar" had been used therein; and such Parts of the Provisions and Enactments contained in the before-mentioned Sections as relate to the Time within which Judgment may be signed and Execution issue shall not be so extended or applied, and in lieu thereof Judgment may be signed and Execution issue on any Day subsequent to the Day on which the Issue may come on to be tried, unless the Recorder or the Court shall order Proceedings to be stayed.

but certain Sections of 15 & 16 Vict. c. 76. to be read as herein stated.

Judgment for not proceeding to Trial after Notice.

XCIII. If, after Appearance entered, the Claimant, without going to Trial, allow the Time allowed for going to Trial by the Practice of the Court in ordinary Cases after Issue joined to elapse, the Defendant in Ejectment may give Ten Days Notice to the Claimant to proceed to Trial at the Court holden for the Trial of Issues next after the Expiration of the Notice; and if the Claimant afterwards neglect to give Notice of Trial for such Court, or to proceed to Trial, in pursuance of the said Notice given by the Defendant, and the Time for going to Trial shall not be extended by the Court, the Defendant may sign Judgment in the Form contained in the Schedule (A.) to "The Common Law Procedure Act, 1852," annexed, marked Number Nineteen, and recover the Costs of Defence.

Amendment of Proceedings by Recorder.

XCIV. 'And whereas the Power of Amendment now vested in the Court and the Recorder is insuffi-'cient to enable them to prevent the Failure of Justice by reason of Mistakes and Objections of Form:' Therefore be it enacted as follows: It shall be lawful for the Court and for the Recorder at all Times to amend all Defects and Errors in any Proceeding, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend or not; and all such Amendments may be made with or without Costs, or upon such Terms as to the Court or Recorder, as the

the Case may be, may seem fit; and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made.

General Rules may be made.

XCV. The Powers contained in and conferred by the Sections of "The Common Law Procedure Act, 1852," numbered Two hundred and twenty-three, Two hundred and twenty-four, and Two hundred and twenty-five in the Queen's Printer's Copies of the said Act, shall and may be exercised, so far as they may apply to the Court, by the Recorder, with the Approbation of One of the Judges of the Superior Courts.

Rules of Superior Courts may be adopted.

XCVI. In any Case not expressly provided for herein, or by the Rules regulating the Practice of the Court, the general Principles of Practice in the Superior Courts shall and may be adopted and applied to Actions and Proceedings in the Court.

Affidavits.

And with respect to Affidavits:

Affidavits may be sworn out of Jurisdiction.

XCVII. In every Case in which, according to the Practice of the Court, any Affidavit may be filed, read, or used, the same Affidavit shall and may be sworn before the Court, or the Recorder, or the Registrar thereof, and if made by any Person residing or being at the Time Three Miles or more beyond the Limits of the said City, shall and may be sworn before any Judge of the Superior Courts, or before any Commissioner for taking Affidavits in any of such Courts.

Costs.

And with respect to Costs:

Plaintiff recovering not exceeding Forty Shillings to have no Costs.

XCVIII. If in any Action, not being an Action for malicious Prosecution, or for Libel, or for Slander, or for Criminal Conversation, or for Seduction, the Plaintiff shall recover a Sum not exceeding Forty Shillings, the Plaintiff shall have Judgment to recover such Sum only, and no Costs, except in the Cases herein-after provided, and except in the Case of a Judgment by Default; and it shall not be necessary to enter any Suggestion on the Record to deprive such Plaintiff of Costs, nor shall any such Plaintiff be entitled to Costs by reason of any Privilege as Attorney or Officer of the Court, or otherwise.

Judge at Trial, or other presiding Officer, may certify, to entitle Plaintiff to Costs.

XCIX. If the Plaintiff shall in any Action, not being an Action for malicious Prosecution, or for Libel, or for Slander, or for Criminal Conversation, or for Seduction, recover a Sum not exceeding the Sum in that Behalf herein-before mentioned, by Verdict, and the Recorder shall certify on the Back of the Record that it appeared to him that there was a sufficient Reason for bringing the said Action in the Court, the Plaintiff shall in such Case have Judgment to recover his full Costs of Suit.

If the Court make an Order, Plaintiff to have Costs.

C. If the Plaintiff in any Action, not being an Action for malicious Prosecution, or for Libel, or for Slander, or for Criminal Conversation, or for Seduction, shall recover a Sum not exceeding the Sum in that Behalf before mentioned, where there is no Verdict, and shall make it appear to the Satisfaction of the Court, on Summons, that the Action was brought for a Cause for which no Plaint could have been entered in the County Court of *Lancashire* holden at *Manchester*, or that there was a sufficient Reason for bringing the Action in the Court, the Court may by Rule or Order direct that the Plaintiff shall recover his full Costs, and thereupon the Plaintiff shall have Judgment to recover his Costs accordingly.

nterpleader.

And with respect to Interpleader:

Interpleader by Defendant in Action.

CI. Upon Application made by or on behalf of any Defendant in any Action in the Court, such Application being made after Declaration, and before Plea, by Affidavit or otherwise, showing that such Defendant does not claim any Interest in the Subject Matter of the Suit, but that the Right thereto is claimed or supposed to belong to some Third Party who has sued or is expected to sue for the same, and that such Defendant does not in any Manner collude with such Third Party, but is ready to bring into Court or to pay or dispose of the Subject Matter of the Action, in such Manner as the Court may order or direct, it shall be lawful for the Registrar to issue a Summons calling upon such Third Party to appear in Court, and to state the Nature and Particulars of his Claim, and maintain or relinquish his Claim, which Summons may be served upon such Third Party in any Part of *England* or *Wales*; and upon such Summons the Court may hear the Allegations, as well of such Third Party as of the Plaintiff, and in the meantime to stay the Proceedings in such Action, and finally to order such Third Party to make himself Defendant in the same or some other Action, or to proceed to Trial on One or more Issue or Issues, and also to direct which of the Parties shall be Plaintiff or Defendant on such Trial, or, with the Consent of the Plaintiff and such Third Party, their Counsel or Attornies, to dispose of the Merits of their Claims, and determine the same in a summary Manner, and to make such Rules and Orders therein as to Costs and all other Matters as may appear to be just and reasonable.

Judgment and Decision final.

CII. The Judgment in any such Action or Issue as may be directed by the Court, and the Decision of the Court in a summary Manner, shall be final and conclusive against the Parties and all Person claiming by, from, or under them.

Claim of Party not appearing barred.

CIII. If such Third Party shall not appear upon such Summons, to maintain or relinquish his Claim, being duly served therewith, or shall neglect or refuse to comply with any Rule or Order to be made after Appearance, it shall be lawful for the Court to declare such Third Party, and all Persons claiming by, from, or under him, to be for ever barred from prosecuting his Claim against the original Defendant, his Executors or Administrators, saving nevertheless the Right or Claim of such Third Party against the Plaintiff, and thereupon to make such Order between such Defendant and the Plaintiff as to Costs and other Matters as may appear just and reasonable.

Serjeants-at-Mace.

And for Relief of the Serjeant-at-Mace:

For Relief of Serjeant-at-Mace in Exe-

CIV. When any Claim shall be made to or in respect of any Goods or Chattels taken or intended to be taken in Execution under the Process of the Court, or to or in respect of the Proceeds or Value thereof, by any Landlord for Rent, or by any Person, not being the Party against whom such Process has issued,

it

cution of Process against Goods.

it shall be lawful to and for the Registrar, upon Application of the Serjeant-at-Mace or any of his Officers, made before or after the Return of such Process, and as well before as after any Action brought against such Serjeant-at-Mace or any of his Officers, to issue a Summons calling before the Court, as well the Party issuing such Process as the Party making such Claim, and thereupon any Action which shall have been brought in any of Her Majesty's Superior Courts, or in the Court of Common Pleas at *Lancaster*, or in any local or inferior Court of Record, in respect of such Claim, shall be stayed; and the Court in which such Action shall have been brought, or any Judge thereof, on Proof of the Issue of such Summons, and that the Goods and Chattels were so taken in Execution, may order the Party bringing such Action to pay the Costs of all Proceedings had upon such Action after the Issue of such Summons; and the Court shall thereupon exercise, for the Adjustment of such Claims, and the Relief and Protection of the Serjeant-at-Mace or any of his Officers, all or any of the Powers and Authorities herein-before contained, and make such Rules and Decisions as shall appear to be just, according to the Circumstances of the Case; and the Costs of all such Proceedings shall be in the Discretion of the Court; and the Serjeant-at-Mace or his Officers shall retain Possession of such Goods and Chattels so taken in possession as aforesaid, until the Court shall have so decided as aforesaid, or until it shall otherwise order, unless the Party claiming such Goods or Chattels shall deposit with the Serjeant-at-Mace the Amount in Money for which the same were taken or intended to be taken in Execution, and all Costs and Expenses of taking and keeping the same, and such Sum as the Court shall fix to answer the Costs of and incident to interpleading.

Rules, &c. may be entered of Record.

CV. All Orders, Rules, Matters, and Decisions to be made and done in pursuance of the before-mentioned Interpleader Provisions, except only the Affidavits to be filed, may, together with the Declaration in the Cause (if any), be entered of Record, with a Note in the Margin expressing the true Date of such Entry, to the end that the same may be Evidence in future Times, if required, and to secure and enforce the Payment of Costs directed by any such Rule or Order, and every such Rule or Order so entered shall have the Force and Effect of a Judgment, except only as to becoming a Charge on any Lands, Tenements, or Hereditaments; and in case any Costs shall not be paid within Five Days after Notice of the Taxation and Amount thereof given to the Party ordered to pay the same, his Agent or Attorney, Execution may issue for the same by Fieri facias or Capias ad satisfaciendum, according to the Nature of the Case, together with the Costs of such Entry and of the Execution, and such Writ and Writs may bear Teste on the Day of issuing the same; and the Serjeant-at-Mace executing such Writ shall be entitled to the same Fees, and no more, as upon any similar Writ grounded upon a Judgment of the Court.

Attendance of Witnesses.

CVI. Any of the Parties to the Application or Hearing shall be at liberty to issue a Subpœna, and shall have the same Powers of compelling the Attendance of Witnesses to give Evidence on the Hearing of the said Summons as is contained in the Thirty-second Section of this Act, and shall have all the same Remedies against such Persons in case of Nonattendance as is therein also contained.

Powers of Superior Court or Judge to be exercised by Court.

CVII. All the Powers exerciseable by a Judge or any Number of Judges under any of the Sections of "The Common Law Procedure Act, 1852," by this Act extended and applied to the Court, and which are not otherwise provided for by this Act, shall, as regards Matters to be done under the Authority of this Act, be exerciseable and exercised by the Court or Recorder.

Powers of Master of Superior Court to be exercised by Registrar.

CVIII. All the Powers exerciseable by a Master or any Number of Masters under any of the Sections of "The Common Law Procedure Act, 1852," by this Act extended and applied to the Court, and which are not otherwise provided for by this Act, shall, as regards Matters to be done under the Authority of this Act, be exerciseable and exercised by the Registrar of the Court.

Powers of Master and Judge extended to Recorder and Registrar.

CIX. All the Powers exerciseable by a Master and Judge, or a Master and any Number of Judges, or any Number of Masters and a Judge, or any Number of Masters and any Number of Judges, under any of the Sections of "The Common Law Procedure Act, 1852," by this Act extended and applied to the Court, and which are not otherwise provided for by this Act, shall, as regards Matters to be done under the Authority of this Act, be exerciseable and exercised by the Recorder and Registrar.

Forms referred to in the "Common Law Procedure Act" applied to this Act.

CX. All Forms referred to in the Sections of "The Common Law Procedure Act, 1852," extended and applied to this Act, may from Time to Time be modified and altered by the Recorder, by a Rule or Rules of Court, so as to adapt them to the Court; and no Rule made for this Purpose only shall require any Assent of a Judge of One of the Superior Courts or of any other Person, and the said Forms so modified and altered shall have the Effect as to all Proceedings in or by the Court which the said Forms in "The Common Law Procedure Act, 1852," have as to Proceedings in the Superior Courts.

Power to take Recognizances.

CXI. The Court or the Judge shall have Power to take any Recognizance which under the Provisions of this Act, or of "The Common Law Procedure Act, 1852," by this Act extended to the Court, any Person may be required to make or enter into, or which under the same Provisions may lawfully be made or entered into; and any such Recognizance taken by the Court or Judge shall be good and valid.

Gaol for the Custody of Parties in Execution.

CXII. The Gaol of the City shall be the Gaol for the Custody of Persons in Execution under the Process of the Court, and to which the Serjeant-at-Mace of the said City may and shall take such Person so in Execution when he might or ought by Law to take them to Prison, and the Keeper of the said Gaol shall receive every such Person so brought to him; and the Serjeant-at-Mace, on delivering such Person to the said Keeper, shall be discharged from all Responsibility in reference to the Custody of such Person; and every such Keeper shall thereupon be responsible for the safe Custody of such Person, and liable for any Escape or Escapes, in like Manner as Sheriffs and Gaolers having the Custody of Persons in Execution are by Law responsible, but not otherwise; and no Party shall be liable, as for an Escape or otherwise, by reason of the Body of such Person so taken into Execution being carried out of the Jurisdiction to the said Prison for such Purpose as aforesaid, or being brought backwards and forwards into

into and out of the Jurisdiction for any legal Purpose, in any Case where he would not have been so liable if the said Prison and the Road thereunto had been within the Jurisdiction of the Court.

Extent of Provisions as to Debtors in Execution.

CXIII. All the Provisions herein-before contained in reference to the Custody of the Bodies of Persons in Execution under Process of the Court, shall apply to Persons in Custody under any Order, Rule, Process, Attachment, or other Proceeding in the Court, in the same Manner in all respects as the same apply to Persons in Custody in Execution as aforesaid.

Persons committed under 8 & 9 Vict. c. 127. may be sent to City Gaol.

CXIV. All Persons committed to Custody by the Court or the Recorder under the Provisions of an Act, the Eighth and Ninth *Victoria*, Chapter One hundred and twenty-seven, (Public General,) may be committed, if the Court or the Recorder shall think fit, to the Gaol of the City, anything in the last-mentioned Act to the contrary notwithstanding.

Execution of Warrants of Commitment.

CXV. All Warrants of Commitment under the Provisions of the said last-mentioned Act may be executed anywhere in *England* or *Wales*, provided the same, if executed out of the Jurisdiction of the Court, shall be previously signed or endorsed in manner by the same Act provided.

Actions, &c. commenced when Act comes into operation not to abate.

CXVI. All Actions, Proceedings, Matters, and Things in or appertaining to the Court which shall be commenced or depending before or at the Time when this Act shall come into operation shall be continued in manner provided by the said Act, the Eighth and Ninth *Victoria*, Chapter One hundred and forty-five, and as if the same were not repealed; and the Court, Recorder, Registrar, Serjeant-at-Mace, and all other Persons, shall, as to the same Actions, Proceedings, Matters, and Things, have and be under the same Powers, Provisions, and Liabilities as if this Act had not been passed.

Commencement of Act.

CXVII. This Act shall come into operation at the Expiration of Two Months after the passing thereof.

Costs of Act.

CXVIII. The Costs of and relating to the passing of this Act shall be paid out of the City Fund of the said City.

Cap. lxxxv.

An Act for enabling the *Cornwall* Railway Company to make certain Modifications in their Share Capital; and for other Purposes. [3d *July* 1854.]

Cap. lxxxvi.

An Act for making a Turnpike Road from *Chester* by *Farndon* to *Worthenbury*, with a Branch therefrom to the Village of *Farndon*. [3d *July* 1854.]

[*Limiting Number of Tolls to be payable on the same Day*, § 20. *Persons having paid Toll to return free*, § 21. *Act to commence on Second Monday after passing, and to continue for Twenty-one Years*, § 34.]

Cap. lxxxvii.

An Act to consolidate and extend the Powers of the *Accrington* Gas and Waterworks Company, and to enable them the better to supply with Gas and Water the Townships and Places of *Old Accrington*, *New Accrington*, *Church*, *Lower Booths*, and *Huncoat*, in the Parish of *Whalley*, and the Extra-parochial Place of *Henheads*, all in the County of *Lancaster*, and to sell or lease their Undertaking to the Local Board of Health for the District of *Accrington*; and for other Purposes. [3d *July* 1854.]

[4 & 5 *Vict. c.* xxvii. *repealed*, § 1. *Incorporation of Company*, § 2. *Capital*, £70,000., § 11. *Power to borrow on Mortgage*, § 16. *Sum of* £11,814. *to be paid off out of First Monies*, § 18. *Waters flowing through Lands belonging to C. Towneley, Esq., and Le Gendre Nicholas Starkie, Esq., not to be appropriated without Consent*, § 33. *For the Protection of Lands of Miss Greenwood and others*, § 44. *Saving Rights of Local Board*, § 83.]

Cap. lxxxviii.

An Act to establish a General Cemetery for the Borough of *Doncaster*, and for other Purposes. [3d *July* 1854.]

[*Part of Cemetery to be appropriated for Established Church, and Part for Dissenters*, §§ 37 *and* 38. *Power to take Fees*, § 42. *Extra Fees for Interment of Bodies from without the Township*, § 50. *Fees reserved to present Parish Clerks*, § 51. *Power to sell the Marsh*, § 52. *Rights of Common in Lands other than the Marsh not to be affected*, § 62.]

Cap. lxxxix.

An Act to extend the Powers of the Commissioners of Sewers for the Levels of *Havering*, *Dagenham*, and other Places, and to enable them to construct Sewers in the Parishes of *West Ham*, *East Ham*, and *North Woolwich*. [3d *July* 1854.]

[*Works on Shores of the Thames not to be executed without Consent of Commissioners of Woods*, § 7. *Tank, &c., to be constructed to the Satisfaction of the Admiralty*, § 8. *Works according to Plan approved by Corporation of London*, § 10. *Saving Rights of Lord Mayor, &c., of London*, § 12. *Compensation to Mr. John Tucker*, § 13. *Protection of Eastern Counties Railway*, §§ 14, 15, *and* 16. *Saving Rights of the Crown*, § 33.]

Cap. xc.

An Act for the better supplying with Water the Parliamentary Burgh or Town of *Hamilton* and Suburbs thereof. [3d *July* 1854.]

Cap. xci.

An Act to incorporate the *Birmingham and Midland* Institute, to define its Constitution, and to enable the Council of the Borough of *Birmingham* to grant a Site for the Institute Buildings. [3d *July* 1854.]

Cap. xcii.

An Act for improving the Harbour of *Blyth* in the County of *Northumberland*, and for constructing Docks there; and for other Purposes. [3d *July* 1854.]

[*Incorporation of Company*, § 4. *Capital*, £150,000, § 5. *Power to borrow on Mortgage*, § 7. *Saving Rights of Crown, Sir M. W. Ridley, Owners of Cowpen Estate, and Trinity House of Newcastle-upon-Tyne*, §§ 53 *to* 56.]

Cap. xciii.

An Act to enable the *Crystal Palace* Company to divert certain Roads, and to take and let Land on Lease; and for other Purposes. [3d *July* 1854.]

[*Company not to take Lands belonging to Trustees of John Forster without Consent*, § 7.]

Cap. xciv.

An Act to incorporate "The *Surrey Consumers* Gaslight and Coke Association," and to enable them to raise further Sums of Money; and for other Purposes. [3d *July* 1854.]

[*Saving Contracts entered into with Trustees of Bermondsey, Rotherhithe, and Deptford Roads and Bermondsey Improvement Commissioners*, § 12. *Saving Rights of Grand Surrey Canal Company and Thames Tunnel Company*, §§ 46 *and* 48.]

Cap. xcv.

An Act to repeal the Acts relating to the Turnpike Road from *Gloucester* through *Painswick* to *Stroud*, and make other Provisions in lieu thereof. [3d *July* 1854.]

[18 *Geo.* 3. *c.* xcviii., 40 *Geo.* 3. *c.* xcvii., *and* 59 *Geo.* 3. *c.* xlii. *repealed, and this Act put in force*, § 1. *Persons having paid Toll to return Toll free*, § 14. *Half Tolls only to be taken in certain Cases*, § 19. *Act to commence on the Third Tuesday after passing, and to continue for Twenty-one Years*, § 33.]

Cap. xcvi.

An Act to enable the *Cork and Bandon* Railway Company to make a Branch Railway to *Skibbereen*, and to raise further Capital for the *Cork and Bandon* Railway; and for other Purposes. [3d *July* 1854.]

Cap. xcvii.

An Act to amend an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the* Wadsley and Langset *Turnpike Road, and extending the same in Two Lines to join the* Huddersfield and Woodhead *Turnpike Road in the Townships of* Upperthong *and* Honley *in the West Riding of the County of York*, and to continue the Term thereby granted, so far as the said Act and the Term thereby granted relate to the *New Mill* District of Road therein mentioned. [3d *July* 1854.]

[4 *Geo.* 4. *c.* lxxviii. *repealed, and this Act to be put in execution*, § 1. *Only Three full Tolls to be taken*, § 13. *Power to borrow Money on Security of Tolls*, § 24.]

Cap. xcviii.

An Act to alter the Site of the new Bridge authorized to be erected over the River *Foyle* at *Londonderry*, and to make Approaches thereto. [3d *July* 1854.]

[*Provisions of* 15 *&* 16 *Vict. c.* cvi. *to extend to this Act*, § 1. *Power to borrow not exceeding* £30,000., § 25. *Saving Rights of the Irish Society and of the Crown*, §§ 28 *and* 29.]

Cap. xcix.

An Act for providing Waterworks, Gasworks, and public Baths and Wash-houses for the Town and Borough of *Beccles* in the County of *Suffolk*. [3d *July* 1854.]

[*Incorporation of Company*, § 5. *Capital*, £20,000, § 15. *Power to borrow on Mortgage*, § 17. *For Protection of Channel of the River Waveney*, § 28. *Not to affect Rights, &c., of Conservators of River Waveney*, § 59.]

Cap. c.

An Act to incorporate the *Hull* General Cemetery Company, and to enlarge and improve their Cemetery; and for other Purposes. [3d *July* 1854.]

[*Provision as to Fees, &c.*, §§ 15 *to* 26.]

Cap. ci.

An Act for the further Improvement of *Kingston-upon-Hull*, and for other Purposes. [3d *July* 1854.]

[*Act to commence on the Third Wednesday after passing*, § 2. 28 *Geo.* 2. *c.* xxvii., 2 *Geo.* 3. *c.* lxx., 4 *Geo.* 3. *c.* lxxiv., 23 *Geo.* 3. *c.* lv., 41 *Geo.* 3. *c.* xxx., 50 *Geo.* 3. *c.* cxi., 3 & 4 *Vict. c.* lxxvi. *(Improvement Acts)*, *and Provisional Order of General Board of Health dated 23d June* 1851, *repealed*, § 8. *Power to borrow not exceeding £*50,000., § 138. *Saving Rights of the Corporation, the Trinity House, and the Dock Company*, § 180. *Saving Rights of the Crown*, § 182.]

Cap. cii.

An Act for paving, lighting, watching, draining, supplying with Water, watering, cleansing, regulating, and otherwise improving the Town of *Llandudno* in the County of *Carnarvon*, for making a Cemetery, and for establishing and regulating a Market and Market Places therein; and for other Purposes. [3d *July* 1854.]

[*Incorporation of Commissioners*, § 5. *Power to borrow on Mortgage*, § 63. *Works, &c., of the Saint George's Harbour Company not to be interfered with*, § 80. *General Saving*, § 85. *Saving Rights of the Crown*, § 86.]

Cap. ciii.

An Act for more effectually repairing several Roads adjoining or near to the Town of *Bideford*, and for making several Lines of Road connected with the same, all in the County of *Devon*. [3d *July* 1854.]

[9 *Geo.* 4. *c.* cxv. *repealed, and this Act to be put in force*, § 1. *Limiting Number of Tolls to be taken*, § 24. *Tolls to be paid for each Load of Timber*, § 28. *Limiting Amount of Money to be borrowed*, § 29. *Act to commence on First of January after passing, and to continue for Twenty-one Years*, § 35.]

Cap. civ.

An Act for regulating the Police of the Royal Burgh of *Lanark*, and for paving, draining, cleansing, lighting, watching, and improving the same, for regulating the Markets thereof; and for other Purposes. [3d *July* 1854.]

Cap. cv.

An Act for more effectually repairing the Roads in the Counties of *Worcester* and *Stafford* known as the *Dudley, Halesowen*, and *Bromsgrove* District of Roads. [3d *July* 1854.]

[56 *Geo.* 3. *c.* lxvii. *repealed, and this Act to be put in force*, § 1. *Lime, Limestone, and Chalk not exempt from Tolls*, § 12. *Only One full Toll to be taken on the same Day on certain Roads*, § 14. *Tolls to be paid twice a Day in certain Cases*, § 15. *Act to commence on First of November after passing, and to continue for Twenty-one Years*, § 28.]

Cap. cvi.

An Act to embank and reclaim from the Sea certain Waste Lands subject to be overflowed by the Tide, called *Tacumshin Lake*, in the County of *Wexford*. [3d *July* 1854.]

[*Commissioners of Woods, &c., may make an absolute Grant of Her Majesty's Rights, &c.*, § 15. *Saving Rights of H. H. Boxwell, Esquire, to Grogan and Ballymurry, of Lords of Manors, and of the Crown*, §§ 40 *to* 43.]

Cap. cvii.

An Act to authorize the making certain Roads and stopping up certain Lanes and Footways between *Kensington Gore* and *Brompton* in the County of *Middlesex*, and for otherwise facilitating the Formation of a Site for Institutions connected with Science and the Arts. [3d *July* 1854.]

[*New Roads, when completed, to be conveyed to Commissioners of Metropolis Roads*, § 14. *Saving Rights of Commissioners of Metropolis Roads*, § 16.]

Cap. cviii.

An Act for enabling the *Great Western* Railway Company to provide additional Station Accommodation at *Birmingham, Wolverhampton*, and *Bushbury*; and for other Purposes. [3d *July* 1854.]

[*Power to raise additional Capital by new Shares*, § 6.]

Cap. cix.

An Act to repeal an Act for enlarging the Term and Powers of an Act of His late Majesty *George* the Third, for repairing the Road from *Saint Martin Stamford Baron* to *Kettering*, and from *Oundle* to *Middleton Lane* in the County of *Northampton*, and to make other Provisions in lieu thereof. [3d *July* 1854.]

[34 *Geo.* 3. *c.* cxxvi. *and* 56 *Geo.* 3. *c.* li. *repealed, and this Act to take effect*, § 1. *Present Tolls to continue until First of January* 1855, § 10. *No Person to pay Tolls at more than Three Gates on the First District of Roads; at more than Two Gates on the Second District of Roads, in case any more Gates shall hereafter be erected*, § 13. *Persons having paid Toll to return free*, § 14. *Act to commence on First November after passing, and to continue for Twenty-one Years*, § 29.]

Cap. cx.

An Act for supplying with Water the Parishes of *Bangor, Llandegai,* and *Llanllechid,* and with Gas the Parish of *Bangor.* [3d *July* 1854.]

[*This Act to commence on the Fourth Wednesday after passing,* § 2. 16 & 17 *Vict. c.* v. *repealed,* § 12. *Capital,* £21,500, § 26. *Saving Property and Works of Chester and Holyhead Railway Company,* § 73. *For Protection of Her Majesty's Tenants,* § 76. *Saving the Rights of the Crown,* § 77.]

Cap. cxi.

An Act for the Improvement of the Town of *Bethesda* and Neighbourhood in the County of *Carnarvon.* [3d *July* 1854.]

[*Power to borrow on Mortgage of Rates,* § 54. *Saving Rights of the Crown,* § 78.]

Cap. cxii.

An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to make new Canals and other Works; and for other Purposes. [3d *July* 1854.]

[*Power to borrow on Mortgage,* £80,000., § 30.]

Cap. cxiii.

An Act for establishing Parks in or near to the Borough of *Birmingham.* [3d *July* 1854.]

Cap. cxiv.

An Act for constructing a Market House and other Buildings for Public Accommodation at *Chesterfield* in the County of *Derby,* and for the better Regulation and Maintenance of the Market there. [3d *July* 1854.]

[*Incorporation of Company,* § 6. *Capital,* £10,000, § 7. *Power to borrow on Mortgage,* § 9. *Saving Rights of Corporation and of Lords of Manors,* § 35.]

Cap. cxv.

An Act for making a Railway from the *Stockton and Darlington* Railway near *Darlington* to or near to *Barnard Castle,* both in the County of *Durham,* and for making Arrangements with the *Stockton and Darlington* Railway Company; and for other Purposes. [3d *July* 1854.]

[*Subscribers incorporated,* § 3. *Capital,* £100,000, § 4. *Power to borrow on Mortgage,* § 9.]

Cap. cxvi.

An Act for making a Railway from the *Dowlais* Railway to the *Vale of Neath* Railway at *Merthyr Tydfil,* and for other Purposes, and of which the Short Title is "The *Dowlais* Railway Act, 1854." [3d *July* 1854.]

Cap. cxvii.

An Act for vesting in the *East Lancashire* Railway Company jointly with the *Lancashire and Yorkshire* Railway Company certain Parts of the *Manchester and Southport* Railway and of the *Lancashire and Yorkshire* Railway; and for other Purposes. [3d *July* 1854.]

[*Saving Rights of the Messrs. Stevenson,* § 59.]

Cap. cxviii.

An Act to amend "The *Edinburgh* Police Act, 1848," and to make further Provision for Sewerage, Drainage, and Improvement of the City of *Edinburgh,* for deepening and cleansing the Water of *Leith;* and for other Purposes. [3d *July* 1854.]

Cap. cxix.

An Act for making a Railway in Deviation and Extension of the *Halesworth, Beccles, and Haddiscoe* Railway from *Westhall Low Common* to *Woodbridge,* and certain Branches therefrom, and for changing the Name of the Company to the *East Suffolk* Railway Company. [3d *July* 1854.]

[14 & 15 *Vict. c.* xxvi. *repealed,* § 1. *Incorporation of Company,* § 4. *Capital,* £450,000., § 11. *Power to borrow on Mortgage,* § 15. *Saving Rights of Lowestoft Railway and Harbour Company and Norfolk Railway Company,* § 34.]

Cap. cxx.

An Act to amend the Provisions of certain Acts relating to the *Shrewsbury and Chester* Railway Company, and for other Purposes. [3d *July* 1854.]

[*Saving Rights of Birkenhead Trustees,* § 7.]

Cap. cxxi.

An Act to enable the *South Sea* Company to realize and divide their Capital Stock and Assets. [3d *July* 1854.]

Cap. cxxii.

An Act for enabling the *South Devon* Railway Company to improve their *Sutton Harbour* Branch, and for other Purposes, and of which the Short Title is "The *South Devon* Railway (*Sutton Harbour* Branch) Act, 1854." [3d *July* 1854.]

[*Saving Rights of W. Johnson, of the Crown, of the Duchy of Cornwall, of Plymouth and Dartmoor Railway Company and their Mortgagees, of Company for embanking Part of the Laira near Plymouth,* §§ 25 *to* 28.]

Cap. cxxiii.

An Act to continue the Term and to amend and extend the Provisions of the Act relating to the *Winchester and Petersfield* Turnpike Road; and for other Purposes. [3d *July* 1854.]

[6 *Geo.* 4. *c.* xiv. *repealed, and this Act to be put in force,* § 1. *Tolls to be paid once a Day,* § 17. *Act to commence on First November after passing, and continue for Twenty-one Years,* § 32.]

Cap. cxxiv.

An Act to make further Provision for supplying with Water the Borough of *Bradford* and certain Places in the Neighbourhood thereof. [3d *July* 1854.]

[5 & 6 *Vict. c.* vi. *and* 12 & 13 *Vict. c.* xx. *repealed, and Company incorporated by* 5 & 6 *Vict. c.* vi. *dissolved,* § 2. *Re-incorporation of Company,* § 5. *Capital,* £82,500. *by Creation of Shares or Stock,* § 16. *Power to raise additional Money, by Creation of Shares, not exceeding* £267,500., § 19. *For Protection of the Bradford Canal,* § 121. *Compensation to T. H. Horsfall, Esquire,* § 133. *Power to G. L. Fox to erect certain Works,* § 134. *Not to interfere with certain Springs belonging to G. L. Fox,* § 135. *Power to award Compensation to G. L. Fox,* § 136. *Provisions as to Leeds and Liverpool Canal,* §§ 137 *to* 140. *Saving Rights of Midland Railway Company,* § 142. *Provisions as to Bradford Gaslight Company,* §§ 143 *to* 145.]

Cap. cxxv.

An Act for the Regulation of the Municipal Corporation of the Borough of *Yeovil* in the County of *Somerset,* and for the Extension of the Boundaries of the said Borough, and for the Improvement of the said Borough. [3d *July* 1854.]

[*Corporation to be the Burial Board for the Parish of Yeovil under* 15 & 16 *Vict. c.* 85., *and* 16 & 17 *Vict. c.* 134. § 44. *Saving Rights of Railway Companies,* § 68.]

Cap. cxxvi.

An Act for the Conservancy and Improvement of *Swansea* Harbour, and for other Purposes, and of which the Short Title is "The *Swansea* Harbour Act, 1854." [3d *July* 1854.]

[*Act to commence on First of September* 1854, § 2. 31 *Geo.* 3. *c.* lxxxiii., 36 *Geo.* 3. *c.* xciii., 44 *Geo.* 3. *c.* lvi., 6 & 7 *Will.* 4. *c.* cxxv., 7 & 8 *Vict. c.* xliv., *and* 10 & 11 *Vict. c.* cclx., *repealed,* § 6. *Saving Rights of the Admiralty, the Corporation, and the Dock Company,* §§ 167, 168, *and* 169. *Saving Rights of the Duke of Beaufort,* § 173.]

Cap. cxxvii.

An Act for making a Railway from the *Great Northern* Railway at or near *Welwyn* in the County of *Hertford* to *Hertford* in the same County, to be called the "*Hertford and Welwyn* Junction Railway;" and for other Purposes. [3d *July* 1854.]

[*Incorporation of Company,* § 3. *Capital,* £65,000, § 4. *Power to borrow on Mortgage,* § 9. *Saving Rights of Trustees of River Lee, and of Corporation of Hertford,* §§ 28 *and* 31.]

Cap. cxxviii.

An Act for authorizing the *Stockton and Darlington* Railway Company to make new Works, and for other Purposes, and of which the Short Title is "The *Stockton and Darlington* Railway Act, 1854." [3d *July* 1854.]

[*Act to commence on the Sixth Friday after the passing,* § 2. *Capital (under former Acts)* £650,000, § 32. *Power to raise (under this Act)* £200,000. *by new Shares,* § 33. *Power to borrow and re-borrow for Payment of Debt,* § 54. *Saving Rights of Mortgagees, &c. and certain Railway Companies,* § 85, 86, *and* 87.]

Cap. cxxix.

An Act for better supplying with Water the Borough of *Bradford* in the County of *York.* [3d *July* 1854.]

[*Power to borrow Money on Security of Rates,* § 8. *Saving Rights of Lancashire and Yorkshire Railway Company,* §§ 43 *and* 44.]

Cap. cxxx.

An Act to authorize certain Improvements in or in connexion with the *Lowestoft* Harbour, and for other Purposes. [3d *July* 1854.]

[*Saving Rights of the Crown,* § 12.]

Cap. cxxxi.

An Act for constructing a Bridge for Foot Passengers across the River *Clyde* opposite to the North End of *MacNeil Street* in the City of *Glasgow*. [3d *July* 1854.]

[*Saving Rights of the Crown*, § 36.]

Cap. cxxxii.

An Act for making a Railway from the *Great Southern and Western* Railway near *Mallow* to *Fermoy*, to be called "The *Mallow and Fermoy* Railway;" and for other Purposes. [3d *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £100,000, § 4. *Power to borrow on Mortgage*, § 7.]

Cap. cxxxiii.

An Act to alter the Line of the *London, Tilbury, and Southend* Extension Railway, to authorize the Lease thereof, and the Purchase of the Railway and certain Parts of the Works belonging to the *Thames Haven* Dock and Railway Company; and for other Purposes. [3d *July* 1854.]

[*Saving Rights of the Crown, and the Corporation of London*, §§ 23, 25, *and* 26.]

Cap. cxxxiv.

An Act for Removal of Toll Bars beyond the Parliamentary Boundaries of the City of *Edinburgh*, and for other Purposes. [3d *July* 1854.]

Cap. cxxxv.

An Act to enable the *Londonderry and Enniskillen* Railway Company to make a Branch Railway to *Fintona*, and to extend their Line at *Londonderry*; and for other Purposes. [3d *July* 1854.]

[*Power to raise Money* (£75,000.) *by new Shares*, § 4. *Power to borrow Money on Mortgage*, § 8. *Saving Rights of the Irish Society*, § 31.]

Cap. cxxxvi.

An Act for making a Railway from the *Irish South-eastern* Railway at *Bagenalstown* to *Wexford*, to be called "The *Bagenalstown and Wexford* Railway." [3d *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £270,000, § 4. *Power to borrow on Mortgage*, § 7.]

Cap. cxxxvii.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Brighton, Cuckfield,* and *Lovell Heath,* and *Cuckfield* and *West Grinsted* Turnpike Roads. [3d *July* 1854.]

[6 *Geo.* 4. *c.* xxxix. *repealed*, § 2. *Carriages laden with Chalk exempt from Tolls*, § 13. *Tolls to be paid on every Change of Carriage*, § 14. *Preston Gate to be discontinued*, § 18. *No more than One Toll to be paid for passing and returning on the same Day between Brighthelmstone and Cuckfield, and Butler's Green and Tyler's Green*, § 20. *One Toll between Cuckfield and Lovell Heath*, § 21. *One Toll between Cuckfield and the Cowfold and the Henfield Turnpike*, § 22. *One Toll between the Cowfold and Henfield Turnpike, and the Turnpike leading from Horsham to Steyning*, § 23. *Act to commence on First of November after passing, and to continue in force for Twenty-one Years*, § 31.]

Cap. cxxxviii.

An Act to authorize the Extension by the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company of their Line of Railway into the Town of *Nottingham*, the Formation of a Station there; and for other Purposes. [3d *July* 1854.]

Cap. cxxxix.

An Act to give further Powers to the *Law* Life Assurance Society with respect to the Investment of the Funds of the Society. [3d *July* 1854.]

Cap. cxl.

An Act to authorize the Trustees of the *Rochdale and Burnley* Turnpike Roads to take Toll in respect of the Carriages of certain Stones. [10th *July* 1854.]

[*Power to take Tolls for Stones*, § 1. *Act to continue in force as long as* 7 *Will.* 4. *c.* vi. *shall continue*, § 5.]

Cap. cxli.

An Act for enabling the *North* and *South Western* Junction Railway Company to raise additional Capital, and for other Purposes. [10th *July* 1854.]

[*Act to commence on the Fourth Wednesday after the passing*, § 2. *Capital*, £80,000, § 19. *Power to borrow on Mortgage*, § 24.]

Cap. cxlii.

An Act to amend the *Tralee and Killarney* Railway Act, 1853. [10th *July* 1854.]

Cap. cxliii.

An Act for making a Railway from *Horncastle* in *Lincolnshire* to the *Kirkstead* Station of the *Great Northern* Railway. [10th *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £48,000., § 4. *Power to borrow on Mortgage*, § 7. *Provisions as to Communication with, and Rights of Great Northern Railway*, §§ 25 *to* 33. *As to Lands purchased of Sir H. Dymoke*, § 34.]

Cap. cxliv.

An Act for making a Railway from the *Shrewsbury and Hereford* Railway at *Leominster* to *Kington* in *Herefordshire*. [10th *July* 1854.]

[*Subscribers incorporated*, § 4. *Capital*, £80,000., § 5. *Power to borrow on Mortgage*, § 8. *Provisions as to Communication with, and Rights of the Shrewsbury and Hereford Railway*, §§ 27 *to* 30. *Not to interfere with Lands, &c. of the Kington Railway Company, without Consent*, § 31.]

Cap. cxlv.

An Act for more effectually repairing the Road from the *Toll House Beck* in the Township of *Ireby* in the County of *Lancaster* to *Kirkby Lonsdale* and *Kirkby Kendal* in the County of *Westmoreland*, and through *Kirkby Lonsdale* to *Milnthorpe* in the said County. [10th *July* 1854.]

[59 *Geo.* 3. *c.* xviii. *repealed*, § 1. *Persons having paid Toll to return free*, § 13. *Act to commence on First of September after passing, and continue in force for Twenty-one Years*, § 26.]

Cap. cxlvi.

An Act for making a Railway from the *Ayr and Dalmellington* Railway near the *Cothouses* on the Farm of *Pleasantfield* to the Town of *Maybole*, to be called "The *Ayr and Maybole Junction* Railway." [10th *July* 1854.]

[*Subscribers incorporated*, § 2. *Capital*, £33,000., § 3. *Power to borrow on Mortgage*, § 6.]

Cap. cxlvii.

An Act for supplying the Township of *Stourbridge* and the Neighbourhood thereof with Water. [10th *July* 1854.]

[*Incorporation of Company*, § 4. *Capital*, £20,000., § 5. *Power to borrow on Mortgage*, § 8.]

Cap. cxlviii.

An Act for making a Railway from the *Scottish Midland* Junction Railway near *Stanley* to *Birnam* near *Dunkeld* in the County of *Perth*. [10th *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £80,000. *Power to borrow on Mortgage*, § 9. *As to Connexion, &c. with, and Saving Rights of Scottish Midland Junction Railway*, §§ 21, 22, *and* 48.]

Cap. cxlix.

An Act to authorize the *Shrewsbury and Hereford* Railway Company to provide Station Accommodation in *Shrewsbury* and *Hereford*, and to enter into Arrangements and Agreements with the *Hereford, Ross, and Gloucester* Railway Company. [10th *July* 1854.]

Cap. cl.

An Act for making a Railway from the Town of *Llandovery* in the County of *Carmarthen* to join the *Llanelly* Railway at *Llandilofawr* in the same County, and for other Purposes. [10th *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £60,000, § 4. *Power to borrow on Mortgage*, § 7. *Lands of David Lewis of Stradey (except for Main Line) not to be taken without Consent*, §§ 15 *and* 16.]

Cap. cli.

An Act to incorporate a Company for making a Railway from near the *Picton* Station on the *Leeds Northern* Railway to near the *Grosmont* Station on the *Whitby and Pickering* Branch of the *York and North Midland* Railway, and for other Purposes. [10th *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £180,000., § 4. *Power to borrow on Mortgage*, § 9. *Provisions as to Communications, &c., with Leeds, Northern, and York and North Midland Railways or Works*, §§ 41 *to* 43. *Provisions as to Traffic Arrangements*, §§ 44 *to* 48. *Interest of Companies under Contracts*, § 50.]

Cap. clii.

An Act to repeal the Act relating to the *Thirsk and Yarm* Turnpike Road, and to make other Provisions in lieu thereof, and to grant a further Term in the said Road; and for other Purposes. [10th *July* 1854.]

[5 *Geo.* 4. *c.* vi. *repealed, and this Act to be put in force*, § 1. *Certain exempted Articles subject to Tolls if conveyed during the Winter Months*, § 25. *Draining Tiles exempt from Tolls*, § 27. *Act to commence on First of November after passing*, § 36.]

Cap. cliii.

An Act to enable the *Eastern Counties* Railway Company to enlarge and improve their Goods Station in the Parish of *Saint Matthew Bethnal Green* in the County of *Middlesex*. [10th *July* 1854.]

Cap. cliv.

An Act to enable the granting Building Leases of Parts of the *Camden Town* Cemetery belonging to the Parish of *Saint Martin in the Fields* not heretofore used for the Purpose of Interment, and for other Purposes. [10th *July* 1854.]

[*Power to borrow on Mortgage for Purposes of this Act*, § 30. *Money raised on Mortgage to be paid into Court of Chancery, and to be invested in Exchequer Bills till wanted for Purposes of this Act*, §§ 31 *and* 32. *General Saving of Rights*, § 39.]

Cap. clv.

An Act to enable the *Caledonian* Railway Company to make certain Branch Railways and other Works in the County of *Lanark;* and for other Purposes. [10th *July* 1854.]

[*Power to raise additional Money*, £80,000, *by new Shares*, § 11. *Power to borrow on Mortgage*, § 12.]

Cap. clvi.

An Act for altering the Lines authorized by the *Caledonian* Railway (*Lesmahagow* Branches) Act, 1851, and for otherwise amending that Act. [10th *July* 1854.]

[*Power to borrow on Mortgage* £20,000, § 20. *Saving Rights under* 14 *&* 15 *Vict. c.* xcix. § 26.]

Cap. clvii.

An Act to confer further Powers on the *Dukinfield* Gas Company. [10th *July* 1854.]

[*Capital*, £30,000, § 16. *Power to borrow on Mortgage* £8,000, § 24.]

Cap. clviii.

An Act for enabling the *South Wales* Railway Company to acquire additional Land at *Swansea*, and for enlarging the Powers of Lease or Sale to and Contribution by the *Great Western* Railway Company, and for authorizing Arrangements between the *South Wales* Railway Company and the *Vale of Neath* Railway Company; and for other Purposes. [10th *July* 1854.]

Cap. clix.

An Act for the Improvement of the Borough of *Bolton*, and for other Purposes, and of which the Short Title is "*Bolton* Improvement Act, 1854." [10th *July* 1854.]

[*Act to commence on Second Wednesday after passing*, § 2. *Saving Rights of Lords of Manors of Great and Little Bolton, of Landowners to make Drains for Improvement of their Lands, of Gas Company, and of Corporation*, §§ 192 *to* 195.]

Cap. clx.

An Act for making a Railway from the *Leeds, Bradford, and Halifax Junction* Railway near *Leeds* to *Wakefield*, all in the West Riding of the County of *York*, to be called "The *Bradford, Wakefield, and Leeds* Railway;" and for other Purposes. [10th *July* 1854.]

[*Subscribers incorporated*, § 4. *Capital*, £180,000, § 5. *Power to borrow on Mortgage not exceeding* £60,000, § 9. *Power to Commissioners of Woods to exchange Glebe Lands, &c.*, §§ 42 *and* 43. *Provision as to Deviation near the Mansion of B. Gaskell, Esq.*, § 44.]

Cap. clxi.

An Act for the Improvement and Regulation of the Town of *Lowestoft*, and the Parishes of *Lowestoft* and *Kirkley* otherwise *Kirtley*, in the County of *Suffolk;* and for other Purposes. [10th *July* 1854.]

[*Saving Jurisdiction of Court of Chancery as to Charities*, § 55. *Power to borrow not exceeding* £6,000, *on Mortgage*, § 76. *Saving Rights of the Crown, the Lowestoft Water Company, and the Norfolk Railway Company*, §§ 92 *and* 93.]

Cap. clxii.

An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to construct a Railway in extension of and to alter the Levels of Part of their Railway from *Gildersome Street* to *East Ardsley* in the West Riding of the County of *York;* and for other Purposes. [10th *July* 1854.]

[*Power to raise additional Capital, not exceeding* £50,000, *by new Shares*, § 16. *Power to borrow on Mortgage not exceeding* £16,000, § 21.]

Cap. clxiii.

An Act for the better paving, draining, lighting, cleansing, and otherwise improving the Parish of *West Bromwich* in the County of *Stafford*, and for constructing Cemeteries there, and for making, maintaining, and regulating Markets and Market Places therein; and for other Purposes. [10th *July* 1854.]

[*Power to borrow on Security of Rates*, § 20. *Provisions as to Works affecting the Birmingham, Wolverhampton, and Dudley Railway*, §§ 23, 24, *and* 25. *As to Works affecting Birmingham Canal*, §§ 26, *and* 27. *Power to levy Cemetery Rates and Improvement Rates*, §§ 45 *and* 54. *Reserving Rights of certain Incumbents to Fees, &c.*, § 48.

Cap. clxiv.

An Act to confer additional Powers on the *York, Newcastle, and Berwick* Railway Company for constructing Docks at *Jarrow Slake*, and a Branch Railway thereto; and to enable the Dean and Chapter of *Durham* to appropriate a Portion of the Money payable to them for the Purchase of Lands for the same to the Endowment of a Church; and for other Purposes. [10th *July* 1854.]

[*Saving Rights of Tyne Improvement Commissioners, Corporation of Newcastle, and Trinity House of Newcastle*, §§ 52, 53, *and* 54.]

Cap. clxv.

An Act to repeal the Act for more effectually repairing and maintaining the Turnpike Road from *Chapel-en-le-Frith* to or near to *Enterclough Bridge* in the County of *Derby*, and other Roads therein mentioned, in the County of *Derby* and in the County Palatine of *Chester*; and to make other Provisions in lieu thereof. [10th *July* 1854.]

[7 & 8 *Geo.* 4. *c.* xxv. *repealed, and this Act to be in force*, § 1. *Provisions as to Tolls between Chapel-en-le-Frith and Enterclough Bridge, at Hayfield Bar and Fisher's Bar, and in Glossop Dale*, §§ 13, 14, *and* 15. *Act to commence on First of November and to continue for Twenty-one Years*, § 23.]

Cap. clxvi.

An Act to re-incorporate the Patent Solid Sewage Manure Company, and to extend its Powers. [10th *July* 1854.]

[15 & 16 *Vict. c.* ii. *repealed, and Company dissolved*, § 1. *Re-incorporation of Company*, § 4. *Capital* £100,000, § 20. *Power to increase Capital to* £300,000, § 25. *Saving Rights of Metropolitan Sewage Manure Company*, § 36.]

Cap. clxvii.

An Act for supplying with Gas the Townships of *Farnworth* and *Kearsley* in the County Palatine of *Lancaster*. [10th *July* 1854.]

[*Incorporation of Company*, § 5. *Capital* £20,000, § 9. *Power to borrow on Mortgage*, £4,000, § 11.

Cap. clxviii.

An Act to enable the *Bangor and Caernarvon* Railway Company to raise additional Capital, and to authorize the Sale or Lease of the said Company's Railway to the *Chester and Holyhead* Railway Company. [10th *July* 1854.]

[*Power to raise additional Capital*, £40,000, *by new Shares*, § 1.]

Cap. clxix.

An Act for the Provision, Regulation, and Maintenance of County Industrial Schools in *Middlesex*. [24th *July* 1854.]

[*Interpretation of Terms*, § 1. *Justices to cause Notice to be given of their Intention to appoint a Committee*, § 2. *Justices to appoint a Committee to superintend the providing of an Industrial School*, § 3. *Justices may provide separate Female Industrial Schools*, § 4. *Visitors to be elected annually*, § 5. *Meetings of Visitors. Committee to elect a Chairman. Number of Members to constitute a Meeting. Questions, how to be decided*, § 6. *Powers to convene Meetings of Visitors in certain Cases*, § 7. *Visitors to appoint a Clerk*, § 8. *Committee of Visitors to continue until First Meeting of new Committee*, § 9. *Provision for supplying Vacancies in Committees*, § 10. *Where Accommodation of existing Industrial School is inadequate*, § 11. *Committee to make Contracts, but subject to Approbation of Quarter Sessions*, § 12. *Power to Visitors to purchase, in consideration of a Rent reserved*, § 13. *School may be erected beyond the Limits of the County*, § 14. *Assessment to Rates and Taxes not to be increased after Purchases*, § 15. *Certain Provisions of* 8 & 9 *Vict. c.* 18. *incorporated*, § 16. *Provisions for the Appointment of new Trustees of Land purchased or acquired*, § 17. *Committee of Visitors to order all ordinary Repairs*, § 18. *Power to Visitors, with Consent of Secretary of State, to sell Lands and Buildings. Application of Purchase Money*, § 19. *Visitors may, with Consent of Secretary of State, obtain a Release from Contracts*, § 20. *Plans, &c. to be submitted to and approved by Secretary of State*, § 21. *No Visitor to have any Interest in any Contract or Agreement*, § 22. *Provision for paying Monies out of County Rates*, § 23. *Power for Justices to raise Money by Mortgage of County Rates*, § 24. *Provision for the Payment of the Interest on Mortgages, and of a Portion of the Principal*

in each Year, § 25. *Money borrowed on Mortgage to be paid off within a certain Time*, § 26. *Persons lending Money on Mortgage of Rates not bound to require Proof that Notices have been given*, § 27. *Power to raise Money to pay off Sums already borrowed*, § 28. *Committee of Visitors to prepare general Rules, and submit them to Secretary of State, and to make Regulations pursuant to such Rules*, § 29. *Visitors to appoint a Chaplain. Visitors to appoint a Medical Officer, and such Officers and Servants as they think fit*, § 30. *Justices may grant Superannuations to the Superintendent, &c.*, § 31. *Visitors to audit Accounts*, § 32. *Three Visitors at least to visit once in every Month*, § 33. *Annual Reports to be made by Committee to Justices at the Sessions held after March 1 in every Year*, § 34. *Judges and Justices authorized to send Children to Industrial School*, § 35. *Power of Committee to detain Juvenile Offenders sent to them*, § 36. *Children may be provided for after the Term of Sentence has expired*, § 37. *Justices may make Order for Maintenance on Parents or Guardians*, § 38. *In case of Death, Notices to be sent to the Registrar of Deaths*, § 39. *Schools may be inspected by Order of Secretary of State*, § 40. *Power to Justices to visit Schools*, § 41. *Penalty on Officers, &c. allowing Escapes*, § 42. *Visitors may sue and be sued in the Name of their Clerk*, § 43. *Clerk to Visitors may prosecute for Offences*, § 44. *Penalties and Forfeitures imposed hereby may be recovered summarily before Two Justices, as provided by* 11 & 12 *Vict. c.* 43., *and, when recovered, to be paid to Treasurer of County, to be applied by him in aid of the County Rates*, § 45. *Expenses of Act to be paid out of County Rates*, § 46.

Cap. clxx.

An Act for the Embankment, Reclamation, and Drainage of Lands in the Bay of *Bannow* in the County of *Wexford*. [24th *July* 1854.]

[*Commissioners of Woods authorized, with Consent of the Treasury, to grant to the Undertaker the Rights of the Crown for a certain Consideration*, § 17. *Saving Rights of Lords of Manors, &c.*, §§ 34 *and* 35.]

Cap. clxxi.

An Act to amend the Acts relating to the *Ambergate, Nottingham, and Boston and Eastern Junction* Railway Company, and to authorize the Reduction and Regulation of and certain Arrangements as to the Capital of the said Company; and for other Purposes. [24th *July* 1854.]

Cap. clxxii.

An Act for more effectually draining certain Fen Lands and Wet Grounds called "The *Great West Fen*," in the Parish of *Hilgay* in the County of *Norfolk*. [24th *July* 1854.]

[1 & 2 *Will.* 4. *c.* xxvi. *repealed*, § 2. *Commissioners empowered to raise* £2,500. *on Credit of Taxes*, § 35. *Saving Right of Company of Bedford Level*, § 39. *General Saving*, § 40.]

Cap. clxxiii.

An Act for more effectually repairing the Road from *Stourbridge* in the County of *Worcester* to *Bridgnorth* in the County of *Salop*. [24th *July* 1854.]

[56 *Geo.* 3. *c.* xvi. *repealed, and this Act to be put in force*, § 1. *Provisions as to Payment of Tolls, &c.*, §§ 15 *to* 20.]

Cap. clxxiv.

An Act to enable the *Shrewsbury and Hereford* Railway Company to lease their Undertaking. [24th *July* 1854.]

Cap. clxxv.

An Act to enable the *Dublin and Wicklow* and the *Dublin and Kingstown* Railway Companies to alter certain existing Contracts therein mentioned; and for other Purposes. [24th *July* 1854.]

Cap. clxxvi.

An Act for making a Railway from the Town of *Inverness* to the Town of *Nairn*. [24th *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £80,000, § 4. *Power to borrow on Mortgage not exceeding One Third Part of Capital*, § 9.]

Cap. clxxvii.

An Act to consolidate the several Acts relating to the Port and Harbour of *Londonderry*; for the Improvement of the Navigation of the Lough and River of Lough *Foyle*; and to authorize the Construction of a uniform Line of Quays, Docks, and other Works. [24th *July* 1854.]

[30 *Geo.* 3. *c.* xxxi., 2 & 3 *Will.* 4. *c.* cvii. *and* 5 & 6 *Will.* 4. *c.* lxxiv. *repealed*, § 3. *Commissioners incorporated*, § 16. *For Protection of Ship-building Yards of W. Coppin*, § 31. *Saving Rights of the Crown*, § 34. *Saving Rights of the Irish Society*, § 100.]

Cap. clxxviii.

An Act for the more effectual Drainage and Improvement of certain Lands in the Wapentake of *Ouse* and *Derwent* in the East Riding of the County of *York*, and for other Purposes. [24th *July* 1854.]

[*Commencement of Act Fourth Monday after passing*, § 1. *Valuers not to include more than* 300 *Acres of Land belonging to the Rev. J. D. Jefferson in the Classes of Land to be taxed*, § 58. *Power to borrow on Credit of District Taxes and Special District Tax*, §§ 79 *and* 80. *Saving Rights of the Crown and Drainage Commissioners acting under other Local Acts*, §§ 105 *and* 106. *General Saving*, § 108.]

Cap. clxxix.

An Act to reduce the Capital and define the Undertaking of the *Shropshire* Union Railways and Canal Company. [24th *July* 1854.]

Cap. clxxx.

An Act for making a Railway from the Town of *Wells* to join the *Norfolk* Railway at *Fakenham*, to be called "The *Wells and Fakenham* Railway." [24th *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £70,000, § 4. *Power to borrow on Mortgage not exceeding* £23,000, § 7. *Not to interfere with Land, &c. of Norfolk Railway Company*, § 39. *Provisions as to certain Railways entering into Traffic Arrangements*, §§ 40 *to* 44.]

Cap. clxxxi.

An Act to enable the Local Board of Health for the Township of *Darlington* to supply Gas and Water within their District, and to purchase the Works of the *Darlington* Gas and Water Company; to establish and regulate Markets and Slaughter-houses, and a Public Park; to construct Sewage Works, and raise Money; and for other Purposes. [24th *July* 1854.]

[*Act to commence on Fourth Monday after passing*, § 2. *Saving Rights of Local Board*, § 95.]

Cap. clxxxii.

An Act for vesting the *Ardrossan* Railway in the *Glasgow and South-western* Railway Company, and for other Purposes. [24th *July* 1854.]

[*Saving Rights of Owner of Ardrossan Harbour*, § 49.]

Cap. clxxxiii.

An Act for transferring to the Mayor, Aldermen, and Burgesses of the Borough of *Blackburn* all the Powers and Property now vested in "The *Blackburn* Improvement Commissioners," and certain Powers and Property by the Private Act of the Fourth and Fifth Years of the Reign of Her present Majesty, Chapter Forty-six, vested in the Overseers of the Poor of the Township of *Blackburn*, authorizing the Corporation to purchase the Property of the *Blackburn* Waterworks Company, and conferring on them further Powers for the Improvement and Regulation of the Borough; and for other Purposes. [24th *July* 1854.]

[*Act to commence on Second Thursday after passing*, § 1. 10 & 11 *Vict. c.* cclv. *repealed*, § 6. *Saving Rights of Blackburn Gaslight and Water Companies*, § 167. *Saving Rights of Lords of the Manor of Blackburn*, § 168.]

Cap. clxxxiv.

An Act for vesting in the *Caledonian* Railway Company certain Portions of the Undertaking of the *General Terminus and Glasgow Harbour* Railway Company. [24th *July* 1854.]

[*Power to raise further Money, not exceeding* £55,000, *by new Shares*, § 9. *Power to borrow on Mortgage not exceeding* £10,000, § 10.]

Cap. clxxxv.

An Act to enable the *Newport* Dock Company to construct a new Dock and other Works; and for other Purposes. [24th *July* 1854.]

[*Power to raise additional Money by new Shares*, § 4. *Saving Rights of Sir C. M. R. Morgan*, § 36. *Saving Rights of South Wales Railway Company*, § 47. *Saving Rights of the Customs*, § 49. *Saving Rights of the Crown*, § 69.]

Cap. clxxxvi.

An Act to enable the *Portsmouth* Railway Company to make certain Alterations in the Line and Levels of their Railway, and to extend their said Line from *Godalming* to *Shalford*; and for other Purposes. [24th *July* 1854.]

Cap. clxxxvii.

An Act to authorize the *Great North of Scotland* Railway Company to divert their Railway, to make a short Branch to the *Victoria* Docks at *Aberdeen*, to enter into Arrangements with the *Aberdeen Harbour* Commissioners and the *Aberdeen* Railway Company with respect to a Tramway to connect the Two Railways; and for other Purposes. [24th *July* 1854.]

Cap. clxxxviii.

An Act for the more effectual Drainage and Improvement of certain Lands in the Parish of *Methwold* in the County of *Norfolk*, and for other Purposes. [24th *July* 1854.]

[*Act to commence on Third Monday after passing*, § 1. *Saving Rights of the Crown and Duchy of Lancaster, the Governors of Bedford Level, and the Eau Brink, &c. Commissioners*, §§ 83, 84, 85, *and* 86.]

Cap. clxxxix.

An Act for making a Railway from the *South Devon* Railway near *Plymouth* to *Tavistock*, with a Branch, to be called "The *South Devon and Tavistock* Railway," and for other Purposes. [24th *July* 1854.]

[*Subscribers incorporated*, § 2. *Capital* £160,000, § 5. *Power to borrow on Mortgage not exceeding* £53,300, § 9. *Not to deviate in passing through the Land of R. Davie, Esq., without Consent*, § 23. *Saving Rights of South Devon Railway* § 31.

Cap. cxc.

An Act for incorporating and regulating a Company to be called "The Royal Conical Flour Mill Company," and to enable the said Company to purchase, work, and use certain Letters Patent; and for other Purposes. [24th *July* 1854.]

[*Capital*, £295,000, § 11. *Power to borrow on Mortgage* £98,000, § 14.]

Cap. cxci.

An Act to enable the *Newport and Pillgwenlly* Waterworks Company to increase and extend their Supply of Water, and to construct new Works; and for other Purposes. [24th *July* 1854.]

[9 & 10 *Vict. c.* ccxxi., *repealed*, § 1. *Company re-incorporated*, § 6. *Capital*, £40,000, § 19. *Power to raise Money by new Shares*, § 21. *Power to borrow on Mortgage not exceeding* £13,000, § 39.]

Cap. cxcii.

An Act for authorizing Arrangements with respect to the *South Reserve* at *Birkenhead*, and for other Purposes, and of which the Short Title is "The *Birkenhead* Dock Trustees Act, 1854." [24th *July* 1854.]

Cap. cxciii.

An Act for making a Railway from *Rhymney* to a Point of Junction with the *Newport, Abergavenny, and Hereford* Railway near *Bedllewyn*, with a Branch up the *Bargoed Rumney Valley*, to be called "The *Rhymney* Railway;" and for other Purposes. [24th *July* 1854.]

[*Subscribers incorporated*, § 4. *Capital*, £100,000, § 5. *Power to borrow on Mortgage, not exceeding* £30,000, § 9. *As to Communication with the Newport, Abergavenny, and Hereford Railway, and Saving of Rights*, §§ 29 *and* 30. *For Protection of Gelligaer Charity Lands, and Rhymney Iron Works*, §§ 31 *and* 48.]

Cap. cxciv.

An Act to enable the *North Staffordshire* Railway Company to make a Railway from *Stoke-upon-Trent* to *Congleton*, with Branches therefrom. [24th *July* 1854.]

[*Saving Rights of Manchester, Sheffield, and Lincolnshire Railway in respect of the Macclesfield Canal*, §§ 10 *to* 15.]

Cap. cxcv.

An Act to repeal, alter, amend, and extend some of the Powers and Provisions of "The *Tees* Conservancy and *Stockton* Dock Act, 1852," and for other Purposes relating to the Conservancy of the *Tees*. [24th *July* 1854.]

Cap. cxcvi.

An Act for making a Turnpike Road from *Garth Penbryn* to *Adwyddu* in the County of *Merioneth*, with a Bridge over the Estuary of *Traethbach* in the said County. [24th *July* 1854.]

[*Power to borrow Money not exceeding* £7,000, § 34. *Saving Rights of the Crown*, § 40. *Act to commence on Fourth Wednesday after passing, and to continue for Thirty-one Years*, § 42.]

Cap. cxcvii.

An Act to incorporate a Company for the Purpose of lighting with Gas the Parishes of *Tormoham* and *Saint Mary Church* in the County of *Devon*. [24th *July* 1854.]

[*Company incorporated*, § 7. *Capital*, £12,000, § 9. *Power to borrow on Mortgage not exceeding* £4,000, § 12.]

Cap. cxcviii.

An Act for transferring to a Company the Powers vested in the Commissioners under "The *North Shields* Quay Act, 1851." [31st *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £21,000, § 4. *Power to borrow on Mortgage, not exceeding* £5,000., § 7.]

Cap. cxcix.

An Act for making a Railway from the Town and Royal Burgh of *Selkirk* to the *Hawick* Branch of the *North British* Railway, about a Mile Southwards from the *Galashiels* Station of the said Branch; and for other Purposes. [31st *July* 1854.]

[*Subscribers incorporated*, § 3. *Capital*, £24,000, § 4. *Power to borrow on Mortgage not exceeding* £8,000, § 8. *Works of Hawick Branch not to be interfered with, without Consent*, § 24. *As to Traffic Arrangements with North British Railway*, §§ 46 *to* 50.]

Cap. cc.

An Act for making a Railway from the *London and North-western* Railway near *Stockport* to *Disley* and *Whaley Bridge*, all in the County of *Chester*; and for other Purposes. [31st *July* 1854.]

[*Incorporation of Company*, § 3. *Capital*, £150,000, § 4. *Power to borrow on Mortgage not exceeding* £50,000, § 8. *Provisions as to Manchester, Sheffield, and Lincolnshire Railway*, §§ 28 *to* 37. *Provision as to Branches on the Poynton and Worth Estates*, § 38. *Provisions as to the London and North-western Railway*, §§ 39, 40, *and* 41. *Saving Rights of the Crown*, § 63.]

Cap. cci.

An Act for authorizing the Transfer to the *London and North-western* Railway Company of the *Haydon Square* Branch of the *London and Blackwall* Railway, and for other Purposes; and of which the Short Title is "The *London and North-western* Railway Act, 1854." [31st *July* 1854.]

[*Provisions as to Transfer of the Haydon Square Railway to North-western Company*, §§ 2, 3, *and* 4. *Provisions as to Compensation, &c., to Paving Commissioners for Land at Haydon Square*, §§ 11 *to* 14. *As to Qualification, Appointment, &c., of Paving Commissioners*, §§ 15 *to* 25. *As to Joint Station and Common Line at Wolverhampton, &c.*, §§ 29 *to* 35.]

Cap. ccii.

An Act for enabling the *Great Western* Railway Company to make a Branch Railway to connect the *Berks and Hants* Railway with the Main Line of the *Great Western* Railway near *Reading*; for extending the Time for Completion of Parts of the *Wilts, Somerset, and Weymouth* Railway, and for reviving the Powers for Purchase of Land for, and for completing other Portions of that Railway; and for other Purposes. [31st *July* 1854.]

[*Power to raise additional Capital*, £85,000, *for new Line and Devizes Branch*, § 14. *For general Purposes*, £1,000,000, § 15.]

Cap. cciii.

An Act for limiting the Liability of the Shareholders in the *Electric Telegraph* Company, and for granting additional Powers to such Company. [31st *July* 1854.]

[*Power to raise additional Capital, by new Shares, of* £48,000, § 11. *Saving Rights of Canal, River, and Navigation Companies*, § 19.]

Cap. cciv.

An Act for determining the existing Lease of the *West London* Railway to the *London and North-western* Railway Company, and for enabling the last-mentioned Company and the *West London* Railway Company to enter into fresh Arrangements for the Sale or Lease of the Undertaking of the *West London* Railway Company to the *London and North-western* Railway Company, and for the Settlement of all Disputes between the said Companies; and for other Purposes. [31st *July* 1854.]

Cap. ccv.

An Act for making a Railway from the Parish of *Saint John the Evangelist* in the City and Liberty of *Westminster* to *Clapham* in the County of *Surrey*, with a Branch from such Railway to join the authorized Line of the *West End of London and Crystal Palace* Railway at *Long Hedge Farm* in the Parish of *Saint Mary Battersea* in the County of *Surrey*. [31st *July* 1854.]

[*Subscribers incorporated*, § 4. *Capital*, £480,000, § 5. *Power to borrow not exceeding* £160,000. *on Mortgage*, § 10. *Saving Rights of Commissioners of Sewers*, § 122.]

Cap. ccvi.

An Act to extend the Powers of the *Cork and Waterford* Railway Company, and to enable them to abandon Part of their Railway to *Waterford*, and the Branch to *Tranmore*; and for other Purposes. [31st *July* 1854.]

[*Saving Rights of Corporation of Cork*, § 12. *Company not to borrow more than* £125,000, § 31.]

Cap. ccvii.

An Act to alter the Lines and Levels of the *Stratford-upon-Avon* and *Stourbridge* Branches of the *Oxford, Worcester, and Wolverhampton* Railway; to construct certain Branch Railways and Works connected therewith; to amend the Acts relating to the *Oxford, Worcester, and Wolverhampton* Railway Company; and for other Purposes. [31st *July* 1854.]

[*Power to establish Provident Institution for Servants of the Company*, § 24. *Disputes to be settled by Registrar of Friendly Societies, who may inspect Rules*, §§ 25 *and* 26.]

Cap. ccviii.

An Act to authorize Agreements between the *Direct London and Portsmouth* Railway Company and the *Portsmouth* Railway Company, and for winding up the Affairs of the *Direct London and Portsmouth* Railway Company. [31st *July* 1854.]

Cap. ccix.

An Act for enabling the *Oxford, Worcester, and Wolverhampton* Railway Company to construct a Branch Line of Railway to the Town of *Chipping Norton* in the County of *Oxford*, and for regulating the Working and Use of the same by such Company. [31st *July* 1854.]

[*Power to raise* £24,000. *by new Shares*, § 14. *Power to borrow, not exceeding* £8,000, *on Mortgage*, § 21.]

Cap. ccx.

An Act to enable the *West End of London and Crystal Palace* Railway Company to make a Railway from *Norwood* to *Bromley* and *Farnborough*, and for other Purposes. [31st *July* 1854.]

[*Power to raise* £80,000. *by new Shares*, § 21. *Power to borrow on Mortgage not exceeding* £26,666. 13*s.* 4*d.*, § 24.]

Cap. ccxi.

An Act to dissolve the *York and North Midland* and *Leeds Northern* Railway Companies, and to vest their Undertakings in the *York, Newcastle, and Berwick* Railway Company, to be thenceforth called "The *North-eastern* Railway Company," and to alter the Constitution of that Company, and to authorize Working Arrangements with the *Malton and Driffield Junction* Railway Company, and the Amalgamation of that Company with such United Company; and for other Purposes. [31st *July* 1854.]

Cap. ccxii.

An Act for making a Railway from the *Newcastle-upon-Tyne and Carlisle* Railway, at or near *Hexham* in the County of *Northumberland*, to or near the *Belling* in the Parish of *Falstone* in the same County, to be called "The *Border Counties* Railway (*North Tyne* Section);" and for other Purposes. [31st *July* 1854.]

[*Subscribers incorporated*, § 4. *Capital*, £250,000., § 5. *Power to borrow on Mortgage not exceeding One Third Part of Capital*, § 9. *Saving Rights of Newcastle-upon-Tyne and Carlisle Railway*, §§ 24 *and* 25.]

Cap. ccxiii.

An Act for relieving the *Ratcliff* Gaslight and Coke Company, and their Servants and Agents, from certain Penalties and Penal Actions. [31st *July* 1854.]

Cap. ccxiv.

An Act to authorize Working Arrangements between the *Ambergate, Nottingham, and Boston, and Eastern Junction* Railway Company and the *Great Northern* Railway Company, or Lease or Sale to the last-named Company. [31st *July* 1854.]

Cap. ccxv.

An Act for making a Railway from the *London and South-western* Railway at *Salisbury* to *Yeovil*, and to form a Junction with the Railways at *Yeovil* of the *Great Western* and *Bristol and Exeter* Railway Companies respectively; and for other Purposes. [7th *August* 1854.]

[*Incorporation of Company*, § 3. *Capital*, £400,000. *Power to borrow not exceeding One Third of Capital, on Mortgage*, § 8. *For Protection, &c., of the Wilts, Somerset, and Weymouth Railway*, §§ 34 *to* 39. *Provisions as to the London and South-western Railway*, §§ 40 *to* 45. *Saving Rights of Duchy of Cornwall and the Crown*, §§ 46 *and* 47.]

Cap. ccxvi.

An Act to repeal and amend the Act for incorporating the *British* Guarantee Association, and to make further Provisions as to the Management and Regulation thereof. [7th *August* 1854.]

[9 *&* 10 *Vict. c.* cccl*xxv*, *repealed, and Company dissolved*, § 1. *Re-incorporation of Company*, § 6. *Capital*, £250,000, § 25.]

Cap. ccxvii.

An Act to transfer the *Paisley* Waterworks to the Magistrates and Council of *Paisley*, and to enable them to construct additional Works for supplying *Paisley, Johnstone*, and Places adjacent, with Water. [7th *August* 1854.]

[5 *&* 6 *Will.* 4. *c.* lxxx. *in part repealed*, § 6. *For Protection of Messrs. Harvey, Houston, and Richardson*, § 51. *Power to borrow, not exceeding* £70,000, *on Mortgage*, § 70.]

Cap. ccxviii.

An Act for making a Railway from the *South Wales* Railway at or near the Borough of *Carmarthen* to the Town of *Newcastle Emlyn*, with a view of being hereafter extended to the Town and Harbour of *Cardigan*; and for other Purposes. [7th *August* 1854.]

[*Incorporation of Company*, § 3. *Capital*, £247,700, § 4. *Power to borrow not exceeding* £80,000. *on Mortgage*, § 9. *Provisions as to Traffic Arrangements*, §§ 48 *to* 53.]

Cap. ccxix.

An Act to repeal an "Act for better regulating the Poor within the City of *Oxford*," and to grant further and more effectual Powers in lieu thereof; and also to provide for rating to the Relief of the Poor certain Hereditaments within the University of *Oxford*. [7th *August* 1854.]

[11 *Geo.* 3. *c.* xvi. *repealed, and this Act to take effect on passing*, § 1. *Not to affect the Privileges of the University or the City*, § 51. *Nor to abridge the Power of the Poor Law Board*, § 53.]

Cap. ccxx.

An Act for authorizing and confirming Arrangements and Agreements between the *Eastern Counties* Railway Company and all or any of the *Norfolk*, the *Eastern Union*, the *East Anglian*, and the *Newmarket* Railway Companies, and for other Purposes; and of which the Short Title is "The *Eastern Counties*, and the *Norfolk*, the *Eastern Union*, the *East Anglian*, and the *Newmarket* Railways Act, 1854." [7th *August* 1854.]

[*Saving Rights of the Eastern Counties, the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railway Companies*, § 27.]

Cap. ccxxi.

An Act to alter and extend the *North Metropolitan* Railway, and to consolidate and amend the Provisions relating thereto. [7th *August* 1854.]

[*After passing of this Act*, 16 & 17 *Vict. c.* clxxxvi. *repealed*, § 1. *Capital* £300,000, *authorized by repealed Act, and* £700,000. *by this Act, making* £1,000,000, § 11. *Power to borrow on Mortgage not exceeding* £333,000, § 17. *If Great Western Railway Company appoints Directors, they shall not vote as Shareholders for Directors*, § 25. *Extension to Paddington*, § 31. *Provisions as to Junction with Great Western Railway, and its Traffic*, §§ 32 *to* 36. *Provisions as to Works, Traffic, &c. of Grand Junction Canal Company*, §§ 37 *to* 44. *Extension to Post-office*, § 45. *Provisions as to Communication, &c., with Great Northern Railway*, §§ 46, 47, 48. *As to Construction of Railway under and on Land belonging to Corporation of London*, §§ 50 *to* 58. *As to Communication, &c., with North-western Railway*, §§ 59, 60, *and* 61. *As to Gauge of Railways*, § § 63 *and* 64. *As to Interference with Streets and Roads*, §§ 65 *to* 80. *And as to taking Coldbath Fields Prison, and erecting a new One in lieu thereof, &c.*, § § 81 *to* 88. *Not to take Lands belonging to Christ's Hospital or Saint Bartholomew's Hospital, without Consent*, §§ 92 *and* 93. *Power to enter into Contracts with Corporation of London as to Purchase of Lands, &c.*, § 94. *Provisions as to purchase of Burial Grounds in Saint Sepulchre and Saint Botolph Aldersgate, &c.*, §§ 95 *to* 98. *Works affecting Sewers to be executed under the Superintendence of the Commissioners*, §§ 104 *and* 105. *Provisions as to Water and Gas Companies*, §§ 106, 107, *and* 108. *Provisions as to breaking up, repairing Roads, &c., in the Parish of Paddington*, §§ 109 *to* 129. *Provisions as to breaking up, repairing Roads, &c., in the Parish of Saint Marylebone*, §§ 130 *to* 145. *Provisions as to breaking up, repairing Roads, &c., in the Parish of Saint Pancras*, §§ 146 *to* 162. *Subsoil not to be deposited within the Districts of the Southampton or South-western Paving Trusts*, § 163. *Saving Rights of Southampton Paving Trust Commissioners, &c.* § 164 *Stations not to be erected within certain Distances of Churches*, § 165. *Ground belonging to Lord Southampton not to be taken without his Consent*, § 166. *Provisions as to Lands, &c., belonging to the Rev. W. Burne*, §§ 167 *to* 170. *Lands belonging to Sir E. B. Baker not to be taken without Consent*, § 171. *Company not to interfere with Subterranean Passage in Park Square in Saint Marylebone, and Works under Passage or Tunnel to be executed as approved by Commissioners of Woods, and Commissioners acting under "The Crown Paving Act*, 1851," § 172. *Saving Rights of Crown Estate Paving Commissioners and the Crown*, §§ 173 *and* 174. *Company to provide Supply of Water to Inhabitants of Harewood Square, Milton Street, and Boston Place, if Supply of Spring Water interrupted*, § 175.]

Cap. ccxxii.

An Act to authorize the Consolidation into One Undertaking of the *Great Western*, the *Shrewsbury and Birmingham*, and the *Shrewsbury and Chester* Railways, and the Union into One Company of the Three several Companies to whom the said Railways respectively belong. [7th *August* 1854.]

[*All Shares, whether ordinary, preference, or fixed, of the Birmingham and Chester Companies, united with and form Part of Capital of Great Western Railway Company*, § 12. *Nothing to affect Rights of R. M. Biddulph and G. H. Whalley*, § 54. *Saving Rights of Trustees of Birkenhead Docks*, § 55.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

Cap. 1.

AN Act to authorize Sir *William Milborne Milborne-Swinnerton* Baronet, and his Issue, to resume and bear the Surname of *Pilkington* jointly with the Surnames of *Milborne* and *Swinnerton*, and to be called by the Surnames of *Milborne Swinnerton Pilkington*, and for such Purposes to repeal in part an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth. [16th *June* 1854.]

Cap. 2.

An Act to amend "*Fleming*'s Estate Act, 1852." [7th *July* 1854.]

[*General Saving of Rights*, § 4.

Cap. 3.

An Act for effecting an Extinguishment of the Life Estate and Interest of Mistress *Violetta Masters* and the Trustee of her Marriage Settlement of and in a Freehold Close or Parcel of Land situate in the Parish of *Saint Margaret, Leicester*. [7th *July* 1854.]

[*General Saving of Rights*, § 6.]

Cap. 4.

An Act to enable the Trustees of the Estates of *Henry Smith* Esquire, deceased, or any Seven or more of them, to grant Building Leases of an Estate in the Parishes of *Kensington, Chelsea*, and *Saint Martin in the Fields* in the County of *Middlesex*, and for the Confirmation of certain Leases, and to enable Seven or more of the said Trustees to make Leases and Estates, pursuant to the Deed of Uses of the said *Henry Smith*; and for other Purposes. [7th *July* 1854.]

[*Power to grant Building Leases of the Estates in the Parishes of Kensington, Chelsea, and Saint Martin-in-the-Fields*, § 1. *General Saving of Rights*, § 13.]

Cap. 5.

An Act for enlarging the Powers contained in "*Thornhill*'s Estate Act, 1852," and for granting further Powers in respect of the *Thornhill* Estate. [7th *July* 1854.]

[*General Saving of Rights*, § 26.]

Cap. 6.

An Act for authorizing the granting of Building Leases of Lands held under the Will of *William Green* deceased, situate at *Runworth* in the County of *Lancaster*. [10th *July* 1854.]

[*General Saving of Rights*, § 16.]

Cap. 7.

An Act for granting Powers of Leasing, Sale, and Exchange, and other Powers, for the Management of Freehold, Copyhold, and Leasehold Estates devised by or which now stand limited to the Uses of the Will of the Right Honourable *George Obrien* Earl of *Egremont* deceased. [10th *July* 1854.]

[*General Saving of Rights*, § 66. *Exceptions from General Saving*, § 67.]

Cap. 8.

An Act for authorizing the Sale of Estates devised by the Will of *John Fowler* deceased, and for other Purposes; and of which the Short Title is "*Fowler*'s Estate Act, 1854." [24th *July* 1854.]

[*General Saving of Rights*, § 18.]

Cap. 9.

An Act for the Distribution of the Compensation paid under the *London Necropolis and National Mausoleum Act*, 1852, for the Extinction of the Commonable or other Rights over and in *Woking Common*; and whereof the Short Title is "*Woking* Commoners Act, 1854." [24th *July* 1854.]

[*The Inclosure Commissioners, and their Assistant Commissioners, Secretary, Clerks, &c. may assist in executing this Act, as if the same were within the Provisions of the several Public General Acts in force*, §§ 3 *and* 4. *Power to Commissioners to require Security, by Bond or otherwise, for Expenses*, § 5. *Appointment of Committee for executing Act*, § 6. *Vacancies in Committee to be filled up by Commissioners*, § 7. *General Saving*, § 72. *Exception from General Saving*, § 73.]

Cap. 10.

An Act to enable certain Persons to grant Leases for Building and Mining Purposes of the Estates in the Parishes of *Penderryn* and *Ystradfellte* in the County of *Brecon*, devised by the Will of the Reverend *Reynold Davies* Clerk, deceased. [24th *July* 1854.]

[*General Saving*, § 11.]

Cap. 11.

An Act for enabling Sales to be made of Estates at *Manningham* in the Parish of *Bradford*, and at *Idle* in the Parish of *Calverley*, both in the West Riding of the County of *York*, devised by the Will of *William Snell*; and for other Purposes. [24th *July* 1854.]

[*General Saving of Rights*, § 13.]

Cap. 12.

An Act to incorporate the Craft of Shoemakers of the Burgh of *Aberdeen*; to confirm the Titles and Conveyances, and to regulate the Administration of the Estates and Affairs, of the said Craft; and for other Purposes relating to the Society. [24th *July* 1854.]

Cap. 13.

An Act for enabling Leases, Sales, and Exchanges to be made of Lands subject to the Will of *George Ward* deceased, and for other Purposes, and of which the Short Title is "*Ward*'s Estate Act, 1854." [24th *July* 1854.]

[*General Saving of Rights*, § 53. *Exception from General Saving*, § 54.]

Cap. 14.

An Act for the better Division and Management of certain Estates in the County of *Lancaster*, the Property of *Abraham* and (the late) *Alfred Darby* Esquires. [24th *July* 1854.]

[*General Savin of Rights*, § 21.]

Cap. 15.

An Act for authorizing the granting of Leases of Mines in Estates in the County of *Glamorgan*, devised by the Will of the Reverend *Reynold Davies* deceased, and for other Purposes, and of which the Short Title is "*Jenkins*'s Estate Act, 1854." [24th *July* 1854.]

[*General Saving of Rights*, § 37. *Exception from General Saving*, § 38.]

Cap. 16.

An Act to enable the Trustees of the Will of *Anthony Wilkinson* Esquire, deceased, to grant Leases. [31st *July* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 26.]

Cap. 17.

An Act to empower the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford* to sell certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* in the City of *Oxford*, and to lay out the Monies to arise from such Sales in the Purchase of other Hereditaments. [31st *July* 1854.]

[*General Saving of Rights*, § 6.]

Cap. 18.

An Act to authorize the Sale of certain Messuages, Lands, and Hereditaments in the East Riding of the County of *York*, Part of the Estates devised and settled by the Will of *Bertram Osbaldeston Mitford* Esquire, deceased, and for laying out the Money produced by such Sale in the Purchase of other Estates. [31st *July* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 16.]

Cap. 19.

An Act to enable the Trustees of the Right Honourable *James* Earl of *Fife* deceased to complete the Sale of the outlying Estate of *Blervie* in the County of *Moray*, and to reinvest the Sale Monies in the Purchase of more convenient Estates, to be settled upon the same Trusts; and for other Purposes. [31st *July* 1854.]

[*Saving as to Trust Deed and Deeds of Entail executed by James Earl of Fife*, § 5. *General Saving of Rights*, § 6.]

Cap. 20.

An Act for vesting in Trustees for Sale the settled and devised Estates of *Richard Terrick Stainfort* Esquire, deceased; and for other Purposes. [31st *July* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 14.]

Cap. 21.

An Act to extend the Time during which the Trustees of the late Sir *Gilbert Stirling* of *Mansfield* Baronet were authorized to purchase Lands to be entailed in the Terms declared by certain Trust Deeds executed by him; to enable the Trustees to purchase within any Part of *Scotland;* to regulate the Powers of borrowing conferred by the said Deeds; and for other Purposes relating thereto. [31st *July* 1854.]

[*General Saving of Rights, with certain Exceptions,* § 8.]

Cap. 22.

An Act to enable the Trustees of a Settlement executed prior to the Marriage of *Thomas Thornhill,* late of *Fixby* in the County of *York,* Esquire, deceased, with *Honoria Forrester* Spinster, to grant Building and other Leases of the Estates subject to the Trusts of the said Settlement, and to sell and exchange the same; and for other Purposes. [31st *July* 1854.]

[*General Saving of Rights, with certain Exceptions,* § 51.]

Cap. 23.

An Act for incorporating the Trustees of the School and Charity Estates and Property belonging to the Parish of *Saint Catherine* in the County and County of the City of *Dublin,* for the better Management of such Estates and Property, and for the due and careful Application of the Income of the same. [31st *July* 1854.]

[*Saving the Rights of the Crown,* § 22.]

Cap. 24.

An Act to ascertain the Periods when the Division, under the Church Building Acts, of the Parish of *Stockport* in the County Palatine of *Chester* into the Two distinct and separate Parishes of *Saint Mary* in *Stockport* and *Saint Thomas* in *Stockport* shall take complete Effect, and the Exercise of the Rights of Presentation to the Rectories or Churches of the same Parishes respectively shall commence; and for other Purposes. [31st *July* 1854.]

[*Division of Parish to take effect on First Avoidance of Rectory after passing,* § 1. *Provision as to Right of Presentation to Rectories of Saint Mary and Saint Thomas in Stockport,* § 2. *Provision in case of there being a Perpetual Curate of Saint Thomas at First Avoidance of Rectory,* § 3. *General Saving of Rights,* § 6. *Exceptions from General Saving,* § 7.]

Cap. 25.

An Act to extend the Power to lease the Settled Estates of the Earl of *Harrington,* situate in the Parishes of *St. Margaret Westminster* and *Saint Mary Abbotts Kensington* in the County of *Middlesex,* and for other Purposes; and to be entitled "The Earl of *Harrington*'s Estate Act, 1854." [7th *August* 1854.]

[*General Saving of Rights, with certain Exceptions,* § 17.]

Cap. 26.

An Act for vesting certain Estates in the County of *Lincoln,* entailed by an Act of Parliament of the Twenty-seventh Year of the Reign of His Majesty King *Henry* the Eighth, in Trustees, upon trust to sell the same, and to lay out the Monies thence arising in the Purchase of other Estates, to be settled to the same Uses as the Estates so sold. [7th *August* 1854.]

[*General Saving of Rights, with certain Exceptions,* § 9.]

Cap. 27.

An Act for vesting in Trustees, for Sale, under the Authority of the Court of Chancery, an Estate in the County of *Surrey,* acquired by Partition under the Decree of that Court in lieu of those undivided Shares of Freehold Property devised by the Will of *Thomas Bailey Heath Sewell* Esquire, deceased, Trusts of which are declared by that Will for the Benefit of the Testator's Son and his Issue therein described; and for investing the Monies to arise from such Sale for the Benefit of the Parties beneficially interested in the same Estate. [7th *August* 1854.]

[*General Saving of Rights,* § 10. *Exception from General Saving,* § 11.]

Cap. 28.

An Act to provide for the Winding-up of the Trust Affairs of the late *Hugh* Earl of *Eglinton,* and to amend the Acts relative to *Ardrossan* Harbour in the County of *Ayr;* and for other Purposes. [7th *August* 1854.]

Cap. 29.

An Act to authorize the granting of Mining and Farming Leases of Estates subject to the Uses of the Will of *Miles Staveley* Esquire. [7th *August* 1854.]

[*General Saving of Rights, with certain Exceptions,* § 15.]

Cap. 30.

An Act to authorize the granting of Building Leases for long Terms of Years of Parts of the Estates devised by the Will of *Joseph Peel* Esquire, deceased. [7th *August* 1854.]

[*General Saving of Rights*, § 32. *Exceptions from General Saving*, § 33.]

Cap. 31.

An Act to authorize the granting of Building and other Leases of the Settled Estates of *Thomas Charles Hornyold* Esquire, in the Counties of *Worcester* and *Hereford;* and for other Purposes. [7th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 39.]

Cap. 32.

An Act for authorizing the granting of Building, Improving, and Mining Leases by the Reverend *James Allan Park* Clerk, as Tenant for Life in possession, and other Persons in succession after his Death, of Settled Estates at *Marton* in the County of *York*, comprised in an Indenture of Settlement dated the Sixteenth Day of *July* One thousand eight hundred and fifty-two; and for other Purposes. [7th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 20.]

Cap. 33.

An Act for authorizing the granting of Building Leases and Leases for working Brick Earth, of Settled Estates in the County of *Essex*, of the Right Honourable *William Bernard* Lord *Petre* Baron of *Writtle* in the County of *Essex*, and of which Act the Short Title is "The *Petre* Estate Act, 1854." [7th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 51.]

Cap. 34.

An Act for the Partition of the *Mowbrick* otherwise *Mowbreck* Estate in the County of *Lancaster*. [10th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 9.]

Cap. 35.

An Act to authorize the Sale or Exchange of the Glebe Land of the Vicarage of the Parish of *Bradford* in the West Riding of the County of *York*, and of other Land in the said Parish of *Bradford*, held in trust for and to be henceforth vested in the Vicar of *Bradford;* and to authorize Leases of the said Lands respectively; and for other Purposes. [10th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 13.]

Cap. 36.

An Act for enabling the granting of Leases for Mining and other Purposes, and the making of Sales and Exchanges, of certain Part of the Estates devised by the Will and Codicils of Sir *William Foulis* Baronet, deceased. [10th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 16. *Provisions as to Consents of Richard Roundell Currer and Norcliffe Norcliffe*, §§ 17 *and* 18.]

Cap. 37.

An Act for authorizing the granting of Building, Improving, and Mining Leases of Estates in the Parish of *Rochdale* in the County of *Lancaster*, comprised, as to certain undivided Shares, in the Marriage Settlement of *Marcus Worsley* and *Harriet* his Wife, and devised, as to the other undivided Shares, by the Will of *Sarah Hamer* deceased. [10th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 28.]

Cap. 38.

An Act to authorize Conveyances in Fee or Demises for long Terms of Years, under reserved Rents, of certain Parts of the Settled Estates of *Charles Richard Banastre Legh* Esquire. [10th *August* 1854.]

[*General Saving of Rights, with certain Exceptions*, § 18.]

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TO THE

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THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Decimo Octavo & Decimo Nono.

'AT the Parliament begun and holden at *Westminster*, the Fourth Day of *November*, *Anno Domini* 1852, in the Sixteenth Year of the Reign of our Sovereign Lady VICTORIA, by the Grace of God, Queen of the United Kingdom of *Great Britain* and *Ireland*, Defender of the Faith: and from thence continued, by several Prorogations, to the Twelfth Day of *December* 1854; being the Third Session of the Sixteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to enable Her Majesty to accept the Services of the Militia out of the United Kingdom, for the vigorous Prosecution of the War. [23d *December* 1854.]

'WHEREAS it is important that effectual Measures should be adopted for the vigorous Prosecution of the War, and it is therefore expedient that Her Majesty should be empowered to accept any Offers of a Proportion of the Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia of the United Kingdom for such extended Service as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty to accept the voluntary Offers of the Militia to serve out of the United Kingdom.

I. It shall be lawful for Her Majesty to accept the Services, and to employ in any Parts or Places out of the United Kingdom, under the Regulations and Restrictions specified in this Act, such Part of the Militia raised or to be raised in any Part of the United Kingdom, not exceeding in any Case Three Fourths of the actual Establishment of any Regiment, Battalion, or Corps of any such Militia, as may make a voluntary Offer, duly certified by their respective Commanding Officers, so to extend their Services, and as Her Majesty may think proper to permit to extend their Services in consequence of such voluntary Offers as aforesaid; and it shall be lawful for Her Majesty, by any Order signed by One of Her Principal Secretaries of State, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or by his or their Chief Secretary, directed to the Commanding Officer of any Regiment, Battalion, or Corps of such Militia, to propose to such Regiment, Battalion, or Corps, or any Part or Parts thereof, to extend their Services to any Parts or Places out of the United Kingdom to be specified in such Order, under such Rules and Regulations as Her Majesty may think fit to appoint.

Power to allow Bounties to Persons making voluntary Offers.

II. It shall be lawful for Her Majesty to direct that such Bounty as shall from Time to Time be fixed by the Secretary at War shall be allowed to every Non-commissioned Officer, Drummer, and Private Man who shall make such voluntary Offer as aforesaid; and every Non-commissioned Officer, Drummer, and Private Man making such voluntary Offer as aforesaid shall take the following Oath; *videlicet*,

Oath.

'I *A.B.* do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, and that I will faithfully serve in the Militia for the Term of Five Years, in [*this Blank to be filled up according to the Name of the Place or Places to which the Offer of the extended Service applies*], unless I shall be sooner discharged.'

Enrolment

And every Non-commissioned Officer, Drummer, and Private Man, making such voluntary Offer as aforesaid, and taking such Oath, shall be enrolled to serve in the Militia, according to the Terms of such Oath; and such several Enrolments shall take place, and such Oaths shall be administered, by the Officer commanding any Regiment, Battalion, or Corps of Militia, or by any Deputy Lieutenant or Justice of the Peace, at such Times, and under such Regulations as Her Majesty, by any Order to be signed by the Secretary of State, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Secretary, shall in that Behalf direct; and every Non-commissioned Officer, Drummer, and Private Man so enrolled for extended Service in the Militia under the Provisions of this Act shall be

entitled to his Discharge at the Expiration of the Period specified in such Oath, without regard to the Period for which he may have been enrolled to serve in the Militia under any other Act of Parliament.

Commanding Officers shall explain that Offer is voluntary.

III. No Person serving in the Militia shall be compelled to make such Offer, nor be engaged to serve out of the United Kingdom, except by his own Consent; and no Commanding Officer shall certify, according to this Act, any voluntary Offer, before he has explained to each Person offering to serve that the Offer is to be purely voluntary.

The Services of Three Field Officers may be accepted with 900 Men, Two Field Officers with 600 Men, and One with 300, &c., and Proportion of other Officers according to Establishment of Regiment.

IV. It shall be lawful for Her Majesty to accept the Services of Three Field Officers of any Regiment of Militia, in which Nine hundred Private Men shall offer to extend their Services under this Act; and of Two Field Officers of any Regiment, Battalion, or Corps of Militia, in which Six hundred Private Men shall so offer to extend their Services; and of One Field Officer of any Regiment, Battalion, or Corps of Militia, in which Three hundred Private Men, or any smaller Number not being less than Three Fourths of the Number of Private Men actually serving in such Regiment, Battalion, or Corps, shall so offer to extend their Services; and in the Cases in which such Proportion of Field Officers of any Regiments, Battalions, or Corps of Militia, from which such Numbers of Men respectively shall so volunteer as aforesaid, shall not offer to extend their Services with such Men, it shall be lawful for Her Majesty to give the Rank of Field Officers to any Captains in such Regiments, Battalions, or Corps of Militia respectively, who may offer to extend their Services with such Men; and it shall also be lawful for Her Majesty to accept the Services of such Proportion of other Officers, Non-commissioned Officers, and Drummers, with any such Numbers of Private Men, as shall be allowed to such Numbers of Men respectively in the Establishment of the Regiment, Battalion, or Corps to which they respectively belong.

Power to Her Majesty to form the Militia for extended Service into such Provisional Regiments or Battalions, and to appoint Field Officers to such Provisional Regiments.

V. It shall be lawful for Her Majesty from Time to Time to form the Officers, Non-commissioned Officers, Drummers, and Private Men who shall so extend their Services from the Regiments, Battalions, or Corps of Militia, into such Provisional Regiments or Battalions as may be deemed most expedient for Her Majesty's Service; and it shall be lawful for Her Majesty to appoint any such Number of Officers of Her Regular Forces or Militia as Her Majesty may think fit to serve during any Period of extended Service of the Militia out of the United Kingdom as Field Officers in such Provisional Regiments or Battalions of Militia, in addition to the Officers of the Militia allowed to volunteer for extended Service, in proportion to the Number of Men who shall extend their Service; and all Persons so appointed to serve as Field Officers in any such Provisional Regiments or Battalions shall rank as Field Officers therein, in such Manner as Her Majesty shall direct.

Provisions for Cases where Field Officers volunteer and Militia Officers are appointed to higher Ranks.

VI. Provided always, That in every Case in which a Field Officer of Militia shall have volunteered for extended Service, the Officer having the chief Command in the Provisional Battalion shall be a Field Officer of Militia: Provided also, that all Officers of Militia appointed by Her Majesty to serve in any Provisional Battalion with higher Rank than that which they previously held in the Militia shall be deemed and taken to be Militia Officers of such higher Rank for the Purposes of this Act, and as such shall be capable of commanding such Provisional Battalion.

Rank of Militia Officers.

VII. Provided also, That no Officer of the Militia shall, while out of the United Kingdom upon any such extended Service, rank with the Officers of Her Majesty's Regular Forces higher than as a Lieutenant-Colonel of the Militia.

In case sufficient Officers do not volunteer, Her Majesty may appoint Officers.

VIII. In any Case in which the Number of Officers of each Rank so volunteering to extend their Services, and accepted by Her Majesty, shall not be in due Proportion to the Number of Men so volunteering, it shall be lawful for Her Majesty to appoint any fit Persons to be Officers in such Provisional Battalions of Militia, without regard to the Qualifications required by Law for such Officers in the Militia; but no Person so appointed by Her Majesty shall hold a Commission in any such Provisional Battalion of higher Rank than that of a Subaltern, unless he shall at the Time of such Appointment have been an Officer in Her Majesty's Regular Forces or Militia.

Her Majesty may supply Vacancies.

IX. It shall be lawful for Her Majesty from Time to Time to supply any Vacancies which may occur in Provisional Battalions of Militia in consequence of the Death, Resignation, or Dismissal of Officers appointed by Her under this Act; but nothing herein contained shall be construed to affect the Appointment of Officers as by Law established in any Case of Vacancy which may occur in consequence of the Death, Resignation, or Dismissal of any Militia Officer who may have volunteered for extended Service.

Militia subject to Mutiny Act as Regulars, and Officers of Militia and Regular Forces to sit indiscriminately on Courts Martial.

X. All Officers, Non-commissioned Officers, Drummers, and Private Men of the Militia extending their Services under this Act shall, upon leaving the United Kingdom upon such extended Service, and during such Service until their Return to the United Kingdom, be subject to all the Laws in force for the Punishment of Mutiny and Desertion, in like Manner in every respect as Her Majesty's Regular Forces; and all Officers of Her Majesty's Regular Forces shall be entitled to sit in any Court-martial upon the Trial of any Officer, Non-commissioned Officer, Drummer, or Private Man of the Militia, while so serving out of the United Kingdom under this Act; and all Officers of the Militia shall during such extended Service be entitled to sit in any Court-martial upon the Trial of any Officer, Non-commissioned Officer, or Soldier of Her Majesty's Regular Forces.

To continue Militia, and remain

XI. Provided always, That all the Militia enrolled and formed for extended Service under this Act shall, notwithstanding such Extension of Service, remain subject to all the Provisions and Regulations in

in force in relation to the Militia to which they shall respectively belong, except in such Cases as are in this Act particularly specified. subject to Militia Regulations.

XII. It shall be lawful for Her Majesty, from Time to Time, to make such Regulations as Her Majesty may deem expedient for retaining, at the Expiration of any extended Service out of the United Kingdom, any Field Officers, Captains, or other Officers of Militia who have actually served upon any such extended Service in any higher Ranks than those in which they volunteered their Services, either as Supernumeraries or otherwise, upon the Establishment of the Militia to which they belonged, with the Rank in which they have so actually served, or upon such other Terms in respect to Rank and Service in the Militia as Her Majesty may think fit. Regulations may be made for retaining Officers on the Establishment of the Militia when extended Service expired.

XIII. It shall be lawful for Her Majesty from Time to Time to make such Regulations as Her Majesty may deem most expedient for the retaining upon the Establishment of the Militia to which they belong, as Supernumeraries or otherwise, any Officers, Non-commissioned Officers, and Drummers of any Regiment, Battalion, or Corps of Militia who may not so volunteer to extend their Services, or may not be so employed upon such extended Service. Her Majesty may make Regulations for retaining Officers, &c. as Supernumeraries.

XIV. 'And whereas it is expedient that the Law respecting the Property Qualification of Captains in 'the Militia should be amended:' Be it enacted, That any Person who shall have served as a Subaltern in the Militia for Five consecutive Years may, without any Property Qualification, be appointed a Captain in the Militia, any Act of Parliament to the contrary notwithstanding; provided that such Five Years of Service of such Person as a Subaltern as aforesaid shall be the Five Years immediately preceding his Appointment to the Rank of Captain. Subalterns after 5 Years may be Captains without Qualifications.

XV. 'Whereas by the Fourth Section of the Act of the Seventeenth Year of the Reign of Queen 'Victoria, Chapter Thirteen, it is amongst other Things provided, that in the Case of drawing out and 'embodying the Militia in *England*, or any Part thereof, under the Authority of that Act, the Notices 'to the Militia Men to attend at the Time and Place mentioned in the Order of Her Majesty for drawing 'out and embodying the Regiment, Battalion, or Corps to which they belong, shall be sent by the Colonel 'or Commanding Officer of such Regiment, Battalion, or Corps, by the Post, to the Residences of the 'several Men as stated on their Attestations, or as subsequently certified by them, and such Notices 'shall be sufficient in all respects: And whereas it has been found inconvenient to name in the Order of 'Her Majesty the precise Day and Place for the assembling of that Part of the Militia to which it 'refers:' Be it declared and enacted, That the Notices so sent and to be sent by the Post to the several Men, as by the said lastly above-recited Act is directed, are and shall be good and sufficient in all respects, if they specify the Day and Place which have actually been fixed by the Lord Lieutenant of the County or other Person acting in his Stead for the Meeting of the Regiment, Battalion, or Corps to which they refer, whether such Day and Place be mentioned in Her Majesty's Order for drawing out and embodying the same or not. Notices sent by Post to be good.

XVI. The Provisions of this Act shall be construed to extend to the Regiment of Miners of *Cornwall* and *Devon* in like Manner and as fully and effectually to all Intents and Purposes as to any Regiment of Militia. Act to extend to the Miners of Cornwall and Devon.

CAP. II.

An Act to permit Foreigners to be enlisted and to serve as Officers and Soldiers in Her Majesty's Forces. [23d *December* 1854.]

'WHEREAS it is expedient that Her Majesty, during the Continuance of the War, should be enabled 'to enlist and employ Foreigners in Her Army:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for Her Majesty to cause to be enlisted as Soldiers into Her Service Persons not being natural-born Subjects or entitled to the Privileges of natural-born Subjects of Her Majesty, who may voluntarily enter themselves for such Service, and to grant Commissions or Letters of Service to any such Persons to serve as Officers, the Persons so enlisted and commissioned to be formed into separate Regiments, Battalions, and Corps; and such Enlistment, Commission, and the Service thereunder, shall be as lawful as if such Persons were natural-born Subjects of Her Majesty. Foreigners may be enlisted, and Commissions granted to Foreigners, to be formed into separate Corps.

II. Provided always, That the Men serving under this Act shall not be employed in the United Kingdom except for the Purpose of being trained, arrayed, and formed into Regiments, Battalions, or Corps for Foreign Service, and except such Bodies of Reserve as may be kept in the United Kingdom, and which shall be kept and used solely for the Purpose of training and arraying Recruits and for supplying Vacancies in such Regiments, Battalions, or Corps; and the Men serving under this Act shall not be billeted or quartered on any Person or Persons; and that there shall not be within the United Kingdom more in the whole than Ten thousand Men serving under this Act at any One Time. Men not to be employed in United Kingdom, except for training, &c. Such Men not to be billeted, &c. Number of Men.

III. Every Person enlisted as a Soldier under the Authority of this Act shall be attested in such Manner as Her Majesty shall direct, and not otherwise; and all Officers, Non-commissioned Officers, Drummers, and Private Soldiers enlisting or commissioned under this Act shall take such Oath for their Fidelity during their Continuance in Her Majesty's Service as Her Majesty shall direct, and no other. Attestation on Enlistment and Oath.

Mutiny Act and Articles of War to apply to Foreigners serving under this Act.

IV. Subject to the Provisions herein contained, all Officers, Non-commissioned Officers, Drummers, or Private Soldiers serving under the Provisions of this Act, shall be subject to all the Provisions contained in any Act for the Time being in force "for punishing Mutiny and Desertion, and for the better Payment "of the Army and their Quarters," and the Articles of War made in pursuance thereof, in the same Manner to all Intents and Purposes as any of Her Majesty's Regular Forces are subject to the same.

Officers when reduced not entitled to Half Pay, but Her Majesty may make Provision for such as are wounded, &c.

V. No Officer serving under this Act, when reduced, shall be entitled to receive Half Pay; provided nevertheless, that when any such Officer shall be rendered incapable of Military Service by Wounds or Infirmities contracted while discharging his Military Duty during the Period of his continuing to serve as such Officer under the Provisions of this Act, then and in such Case it shall be lawful for Her Majesty to make such Provision, out of any Funds to be voted by Parliament for that Purpose, for such Officer as She shall think proper and necessary, so that such Provision shall in no Case exceed the Half Pay of the Rank in the *British* Service similar to that which such Officer shall have held at the Time of his becoming so incapable as aforesaid.

Continuance of this Act.

VI. This Act shall continue in force during the present War, and until One Year after the Ratification of a definitive Treaty of Peace.

CAP. III.

An Act to carry into effect a Treaty between Her Majesty and the United States of *America*.

[19th *February* 1855.]

'WHEREAS a Treaty was, on the Fifth Day of *June* One thousand eight hundred and fifty-four, 'concluded between Her Majesty the Queen of the United Kingdom of *Great Britain* and '*Ireland* and the United States of *America*, whereby it was agreed as follows:

'ARTICLE I.—It is agreed by the High Contracting Parties that, in addition to the Liberty 'secured to the *United States* Fishermen by the above-mentioned Convention of *October* 20, 1818, 'of taking, curing, and drying Fish on certain Coasts of the *British North American* Colonies therein 'defined, the Inhabitants of the *United States* shall have, in common with the Subjects of Her *Bri*'*tannic* Majesty, the Liberty to take Fish of every Kind, except Shell Fish, on the Sea Coasts and 'Shores and in the Bays, Harbours, and Creeks of *Canada*, *New Brunswick*, *Nova Scotia*, *Prince* '*Edward's Island*, and of the several Islands thereunto adjacent, without being restricted to any 'distance from the Shore, with Permission to land upon the Coasts and Shores of those Colonies and 'the Islands thereof, and also upon the *Magdalon Islands*, for the Purpose of drying their Nets and 'curing their Fish; provided that in so doing they do not interfere with the Rights of private Pro'perty or with *British* Fishermen in the peaceable Use of any Part of the said Coast in their Occupancy 'for the same Purpose.

'It is understood that the above-mentioned Liberty applies solely to the Sea Fishery, and that the 'Salmon and Shad Fisheries, and all Fisheries in Rivers and the Mouths of Rivers, are hereby 'reserved exclusively for *British* Fishermen.

'And it is further agreed that, in order to prevent or settle any Disputes as to the Places to which 'the Reservation of exclusive Right to *British* Fishermen contained in this Article and that of 'Fishermen of the *United States* contained in the next succeeding Article apply, each of the High 'Contracting Parties, on the Application of either to the other, shall, within Six Months thereafter, 'appoint a Commissioner. The said Commissioners, before proceeding to any Business, shall make 'and subscribe a solemn Declaration that they will impartially and carefully examine and decide, to 'the best of their Judgment and according to Justice and Equity, without Fear, Favour, or Affection 'to their own Country, upon all such Places as are intended to be reserved and excluded from the 'common Liberty of fishing under this and the next succeeding Article; and such Declaration shall 'be entered on the Record of their Proceedings. The Commissioners shall name some Third 'Person to act as an Arbitrator or Umpire in any Case or Cases on which they may themselves 'differ in Opinion. If they should not be able to agree upon the Name of such Third Person, they 'shall each name a Person, and it shall be determined by Lot which of the Two Persons so named 'shall be the Arbitrator or Umpire in Cases of Difference or Disagreement between the Commis'sioners. The Person so to be chosen to be Arbitrator or Umpire shall, before proceeding to act 'as such in any Case, make and subscribe a solemn Declaration in a Form similar to that which 'shall already have been made and subscribed by the Commissioners, which shall be entered on the 'Record of their Proceedings. In the event of the Death, Absence, or Incapacity of either of the 'Commissioners or of the Arbitrator or Umpire, or of their or his omitting, declining, or ceasing to 'act as such Commissioner, Arbitrator, or Umpire, another and different Person shall be appointed 'or named as aforesaid to act as such Commissioner, Arbitrator, or Umpire, in the Place and Stead 'of the Person so originally appointed or named as aforesaid, and shall make and subscribe such 'Declaration as aforesaid.

'Such Commissioners shall proceed to examine the Coasts of the *North American* Provinces and 'of the *United States* embraced within the Provisions of the First and Second Articles of this

'Treaty,

'Treaty, and shall designate the Places reserved by the said Articles from the common Right of 'fishing therein.

'The Decision of the Commissioners and of the Arbitrator or Umpire shall be given in Writing 'in each Case, and shall be signed by them respectively.

'The High Contracting Parties hereby solemnly engage to consider the Decision of the Commis- 'sioners conjointly or of the Arbitrator or Umpire, as the Case may be, as absolutely final and 'conclusive in each Case decided upon by them or him respectively.

'ARTICLE II.—It is agreed by the High Contracting Parties that *British* Subjects shall have, in 'common with the Citizens of the *United States*, the Liberty to take Fish of every Kind, except 'Shell Fish, on the Eastern Sea Coasts and Shores of the *United States* North of the 36th Parallel 'of North Latitude, and on the Shores of the several Islands thereunto adjacent, and in the Bays, 'Harbours, and Creeks of the said Sea Coasts and Shores of the *United States* and of the said 'Islands without being restricted to any Distance from the Shore, with Permission to land upon the 'said Coasts of the *United States* and of the Islands aforesaid for the Purpose of drying their Nets 'and curing their Fish; provided, that in so doing they do not interfere with the Rights of private 'Property, or with the Fishermen of the *United States* in the peaceable Use of any Part of the said 'Coasts in their Occupancy for the same Purpose.

'It is understood that the above-mentioned Liberty applies solely to the Sea Fishery, and that 'Salmon and Shad Fisheries, and all Fisheries in Rivers and Mouths of Rivers, are hereby reserved 'exclusively for Fishermen of the *United States*.

'ARTICLE III.—It is agreed that the Articles enumerated in the Schedule hereunto annexed, 'being the Growth and Produce of the aforesaid *British* Colonies, or of the *United States*, shall be 'admitted into each Country respectively free of Duty:

'Schedule.

'Grain, Flour, and Bread-stuffs of all Kinds.
'Animals of all Kinds.
'Fresh, smoked, and salted Meats.
'Cotton Wool, Seeds, and Vegetables.
'Undried Fruits, dried Fruits.
'Fish of all Kinds.
'Products of Fish and of all other Creatures living in the Water.
'Poultry.
'Eggs.
'Hides, Furs, Skins, or Tails undressed.
'Stone or Marble in its crude or unwrought State.
'Slate.
'Butter, Cheese, Tallow.
'Lard, Horns, Manures.
'Ores of Metals of all Kinds.
'Coal.
'Pitch, Tar, Turpentine, Ashes.
'Timber and Lumber of all Kinds, round, hewed, and sawed, unmanufactured in whole or 'in part.
'Firewood.
'Plants, Shrubs, and Trees.
'Pelts, Wool.
'Fish Oil.
'Rice, Broom Corn, and Bark.
'Gypsum, ground or unground.
'Hewn or wrought or unwrought Burr or Grindstones.
'Dye Stuffs.
'Flax, Hemp, and Tow unmanufactured.
'Unmanufactured Tobacco.
'Rags.

'ARTICLE IV.—It is agreed that the Citizens and Inhabitants of the *United States* shall have the 'Right to navigate the River *St. Lawrence*, and the Canals in *Canada*, used as the Means of com- 'municating between the *Great Lakes* and the *Atlantic Ocean*, with their Vessels, Boats, and Crafts, 'as fully and freely as the Subjects of Her *Britannic* Majesty, subject only to the same Tolls and 'other Assessments as now are or may hereafter be exacted of Her Majesty's said Subjects; it being 'understood, however, that the *British* Government retains the Right of suspending this Privilege, 'on giving due Notice thereof to the Government of the *United States*.

'It is further agreed, that if at any Time the *British* Government should exercise the said 'reserved Right, the Government of the *United States* shall have the Right of suspending, if it

'think

'think fit, the Operation of Article III. of the present Treaty, in so far as the Province of *Canada* 'is affected thereby, for so long as the Suspension of the free Navigation of the River *St. Lawrence* 'or the Canals may continue.

'It is further agreed, that *British* Subjects shall have the Right freely to navigate *Lake Michigan* 'with their Vessels, Boats, and Crafts, so long as the Privilege of navigating the River *St. Law-* 'rence, secured to *American* Citizens by the above Clause of the present Article, shall continue; 'and the Government of the *United States* further engages to urge upon the State Governments to 'secure to the Subjects of Her *Britannic* Majesty the Use of the several State Canals on Terms of 'Equality with the Inhabitants of the *United States*.

'And it is further agreed, that no Export Duty or other Duty shall be levied on Lumber or Timber 'of any Kind cut on that Portion of the *American* Territory in the State of *Maine* watered by the 'River *St. John* and its Tributaries, and floated down that River to the Sea, when the same is 'shipped to the *United States* from the Province of *New Brunswick*.

'ARTICLE V.—The present Treaty shall take effect as soon as the Laws required to carry it into 'operation shall have been passed by the Imperial Parliament of *Great Britain* and by the Provin- 'cial Parliaments of those of the *British North American* Colonies which are affected by this Treaty 'on the one hand, and by the Congress of the *United States* on the other. Such Assent having been 'given, the Treaty shall remain in force for Ten Years from the Date at which it may come into 'operation, and further until the Expiration of Twelve Months after either of the High Contracting 'Parties shall give Notice to the other of its Wish to terminate the same; each of the High Con- 'tracting Parties being at liberty to give such Notice to the other at the End of the said Term of 'Ten Years, or at any Time afterwards.

'It is clearly understood, however, that this Stipulation is not intended to affect the Reservation 'made by Article IV. of the present Treaty with regard to the Right of temporarily suspending 'the Operation of Articles III. and IV. thereof.

'ARTICLE VI.—And it is hereby further agreed, that the Provisions and Stipulations of the fore- 'going Articles shall extend to the Island of *Newfoundland*, so far as they are applicable to that 'Colony. But if the Imperial Parliament, the Provincial Parliament of *Newfoundland*, or the Con- 'gress of the *United States*, shall not embrace, in their Laws enacted for carrying this Treaty into 'effect, the Colony of *Newfoundland*, then this Article shall be of no Effect; but the Omission to 'make Provision by Law to give it Effect, by either of the Legislative Bodies aforesaid, shall not 'in any way impair the remaining Articles of this Treaty.

'And whereas the said Treaty was ratified between Her said Majesty and the *United States*, and such 'Ratification was exchanged on the Ninth Day of *September* One thousand eight hundred and fifty-four: 'And whereas in pursuance of the said Treaty the Senate and House of Representatives of the United 'States of *America* in Congress assembled have passed an Act entitled "An Act to carry into effect a 'Treaty between the *United States* and *Great Britain*," signed on the Fifth Day of *June* One thousand 'eight hundred and fifty-four, which Act was approved on the Fifth Day of *August* One thousand eight 'hundred and fifty-four, by which Act it is among other Things provided, that whenever the President of 'the *United States* shall receive satisfactory Evidence that the Imperial Parliament of *Great Britain*, and 'the Provincial Parliaments of *Canada*, *New Brunswick*, *Nova Scotia*, and *Prince Edward's Island* have 'passed Laws on their Part to give full Effect to the Provisions of the said Treaty, the said President is 'thereby authorized to issue his Proclamation declaring that he has such Evidence, and thereupon the 'Provisions of the said Treaty shall go into effect, and be observed on the Part of the *United States*: 'And whereas the Legislatures of the Colonies aforesaid have respectively passed Laws to carry the said 'Treaty into operation; namely, an Act passed by the Legislature of *Canada*, intituled "An Act for 'giving Effect on the Part of this Province to a certain Treaty between Her Majesty and the United 'States of *America*;" an Act passed by the Legislature of *Nova Scotia*, intituled "An Act for giving 'Effect on the Part of the Province of *Nova Scotia* to a certain Treaty between Her Majesty and the 'United States of *America*;" an Act passed by the Legislature of *New Brunswick*, intituled "An Act 'for giving Effect on the Part of the Province of *New Brunswick* to a certain Treaty between Her 'Majesty and the United States of *America*;" and an Act passed by the Legislature of *Prince Edward* '*Island*, intituled "An Act to authorize Free Trade with the United States of *America* under a Treaty 'between *Great Britain* and the United States of *America*:" And whereas it is expedient that effectual 'Provision should be made by Parliament for carrying into operation the said Treaty:' Be it there- fore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts at variance with the said Treaty suspended.

I. All Acts of Parliament and Laws which operate to prevent the Provisions of the said Treaty from taking full Effect shall, so far as they so operate, be suspended and of no Effect during the Continuance of the said Treaty.

When Act to come into operation.

II. This Act shall come into operation in each of the said Colonies of *Canada*, *New Brunswick*, *Nova Scotia*, and *Prince Edward Island* as soon as the same shall have been received and proclaimed by the Officer administering the Government of such Colony.

III. Whenever

III. Whenever the necessary Laws shall have been passed by the Legislature of *Newfoundland*, and approved by Her Majesty, for giving Effect to the Provisions and Stipulations of the said Treaty as it respects that Colony, it shall be lawful for the Officer administering the Government of *Newfoundland* by his Proclamation to declare that, after a Time fixed in such Proclamation for that Purpose, the Provisions and Stipulations mentioned or referred to in the Sixth Article of the said Treaty shall extend to the said Island of *Newfoundland* so far as they are applicable to that Colony, and thereupon from the Time so fixed the said Provisions and Stipulations shall be so extended and have full Effect accordingly, any Act of Parliament, Law, Custom, or Usage to the contrary notwithstanding.

Provision for Extension of the Treaty to Newfoundland.

CAP. IV.

An Act to amend the Act for limiting the Time of Service in the Army.

[27th *February* 1855.]

'WHEREAS by an Act passed in the Session holden in the Tenth and Eleventh Years of Her 'Majesty, Chapter Thirty-seven, "for limiting the Time of Service in the Army," it was 'enacted, that no Person should be enlisted to serve Her Majesty, or in the Forces of the *East India* 'Company, as a Soldier, for a longer Term than Ten Years in the Infantry or Twelve Years in the 'Cavalry or Artillery, or other Ordnance Corps, to be reckoned from the Day on which the Recruit 'should have been attested, if he should have stated himself to be then of the Age of Eighteen Years, or 'if not, then from the Day on which he would complete the Age of Eighteen Years, to be reckoned 'according to the Age stated in his Attestation: And it was thereby also enacted, that any Soldier at any 'Time during the last Six Months of the Term of limited Service for which he should have been first 'engaged, or after the Completion of such Term, might, if approved by his Commanding Officer or other 'competent military Authority as a fit Person to continue in Her Majesty's Service or in the Service of 'the *East India* Company as a Soldier, be re-engaged to serve for the further Term of Eleven Years in 'the Infantry and Twelve Years in the Cavalry or Artillery, or other Ordnance Corps; and that any 'Soldier who should be ordered on Foreign Service, and who was within Three Years of the Expiration 'of his First Engagement, should be at liberty, with the Approbation of his Commanding Officer, to 're-engage before he embarked for such Foreign Service for such Period as should complete a total 'Service of Twenty-one Years in the Infantry or Twenty-four Years in the Cavalry or Artillery: And 'whereas by an Act passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, 'Chapter Seventy-three, "to limit the Enlistment in the Artillery and other Ordnance Corps," it was 'enacted, that during the last Six Months of the Term of limited Service for which a Soldier should 'have first engaged to serve in the Artillery or other Ordnance Corps, or after the Completion of such 'Term, he might, if approved by his Commanding Officer or other competent military Authority as a fit 'Person to continue in Her Majesty's Service as a Soldier, be re-engaged to serve for the further Term 'of Nine Years: And whereas by reason of Directions contained in Schedules to the said first-recited 'Act, for filling up Blanks in the Forms of Questions to be put to Recruits on enlisting, it is appre-'hended that it may not be lawful to enlist Persons to serve as Soldiers for lesser Terms than the said 'Terms of Ten Years and Twelve Years respectively: And whereas it is expedient that Her Majesty 'should be enabled to permit Enlistment for such lesser Terms, and to authorize Soldiers to re-engage 'for any Terms within the Limits of Service prescribed by the said Acts:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

10 & 11 Vict. c. 37.

12 & 13 Vict. c. 73.

I. For Three Years after the passing of this Act any Person may be enlisted to serve Her Majesty, or in the Forces of the *East India* Company, as a Soldier, for any such Term, not exceeding Ten Years in the Infantry or Twelve Years in the Cavalry or Artillery, or other Ordnance Corps (to be reckoned as provided in the said first-mentioned Act), as may be authorized by any Order or Orders of Her Majesty in Council in this Behalf; and any Soldier may, subject to such Approbation as in the said Acts mentioned, re-engage for such Term as may by such Order or Orders in Council be authorized; provided the Term for which he is so engaged, with the Term of his Service under his First Enlistment, do not exceed the Period of Twenty-one Years in the Infantry or Artillery, or other Ordnance Corps, or Twenty-four Years in the Cavalry; and the Forms of Questions on Enlistment in Schedule A. to the said first-mentioned Act, and the Form of Declaration in Schedule B. to such Act, may, when the Occasion requires, be filled up with such Term or Number of Years as may be authorized by such Order or Orders, instead of the Term or Number of Years mentioned in the Directions contained in such Schedules.

Power to Her Majesty, by Order in Council, for Three Years after passing of Act, to lessen Terms for Enlistment and Re-engagement of Soldiers.

II. The said Acts of the Tenth and Eleventh Years and Twelfth and Thirteenth Years of Her Majesty and this Act shall be read and construed together as One Act.

Recited Acts and this Act to be read as One.

CAP. V.

An Act to apply the Sum of Three millions three hundred thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and fifty-five. [5th *March* 1855.]

CAP.

CAP. VI.

An Act to apply the Sum of Twenty millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-five. [5th *March* 1855.]

CAP. VII.

An Act to extend to *Ireland* the Provisions of the Eighteenth Section of the Common Law Procedure Act, 1854. [16th *March* 1855.]

17 & 18 Vict. c. 125.

'WHEREAS it is expedient to extend to *Ireland* the Provisions contained in the Eighteenth Section of the Common Law Procedure Act, 1854:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of Section 18. extended to Ireland.

I. That from and after the passing of this Act, whenever any Cause shall be tried in any Court of Civil Jurisdiction in *Ireland* by any Jury, the Addresses to the Jury shall be regulated as follows; that is to say, the Party who begins, or his Counsel, shall be allowed, in the event of his Opponent not announcing at the Close of the Case of the Party who begins his Intention to adduce Evidence, to address the Jury a Second Time at the Close of such Case for the Purpose of summing up the Evidence, and the Party on the other Side, or his Counsel, shall be allowed to open the Case, and also to sum up the Evidence, if any, and the Right to reply shall be the same as at present.

CAP. VIII.

An Act for raising the Sum of Seventeen millions one hundred and eighty-three thousand Pounds by Exchequer Bills for the Service of the Year One thousand eight hundred and fifty-five. [16th *March* 1855.]

CAP. IX.

An Act to suspend the Decline of the Customs Duties on Tea from and after the Fifth Day of *April* One thousand eight hundred and fifty-five. [16th *March* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In lieu of Duties made payable by 16 & 17 Vict. c. 106. the following to be levied.

I. In lieu of the several Duties of Customs made payable on Tea by the Act of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter One hundred and six, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the following Duties thereon; that is to say,

	s.	d.
From and after the passing of this Act until the Expiration of Twelve Months from the Fifth Day of *April* inclusive, which shall first happen after the Date of a definitive Treaty of Peace with *Russia* - - - - - - - - - - - - - - - - the lb.	1	6
From thence until the Expiration of the ensuing Twelve Months - - - - - the lb.	1	3
And thenceafter - the lb.	1	0

Without any Allowance for Draft.

Short Title.

II. In citing this Act in other Acts or legal Instruments it shall be sufficient to use the Expression "The Tea Duties Decline Suspension Act, 1855."

CAP. X.

An Act to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons. [16th *March* 1855.]

6 Anne, c. 7. 22 G. 3. c. 82.

'WHEREAS under the Provisions of an Act of the Sixth Year of Queen *Anne*, Chapter Seven, and of an Act of the Twenty-second Year of King *George* the Third, Chapter Eighty-two, not more than Two of Her Majesty's Principal Secretaries of State are capable of sitting as Members of the House of Commons at the same Time, and by reason of the said Act of the Twenty-second Year of King *George* the Third, and of an Act of the Fifteenth Year of King *George* the Second, Chapter Twenty-two, Doubts are entertained whether more than Two of the Under Secretaries to the Principal Secretaries of State are capable of sitting as such Members: And whereas it would be for the Advantage of the Public Service that Three of such Principal Secretaries and Three of such Under Secretaries should be capable of sitting at the same Time in the House of Commons:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Three of Her Majesty's Principal Secretaries of State for the Time being, and any Three of the Under Secretaries for the Time being to Her Majesty's Principal Secretaries of State, may sit and vote as Members of the House of Commons, anything in the said Acts or in any other Act or Acts to the contrary notwithstanding; but not more than Three such Principal Secretaries and not more than Three such Under Secretaries shall sit as Members of the House of Commons at the same Time.

15 G. 2. c. 22.

Power to any Three of the Principal Secretaries and any Three of the Under Secretaries of State to sit in the House of Commons.

CAP. XI.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [16th *March* 1855.]

[*This Act is the same, except as to Dates and the Parts here inserted, as* 17 & 18 *Vict. c.* 4.]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: 'And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of 'Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of 'Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole 'Number of such Forces should consist of One hundred and ninety-three thousand five hundred and 'ninety-five Men, exclusive of the Officers and Men belonging to the Regiments employed in the Terri- 'torial Possessions of the *East India* Company, but including the Officers and Men of the Troops and 'Companies recruiting for those Regiments: And whereas no Man can be forejudged of Life or Limb, 'or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in 'any other Manner than by Judgment of his Peers, and according to the known and established Laws 'of this Realm, yet nevertheless it being requisite, for the retaining all the before-mentioned Forces in 'their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, 'or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good 'Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual 'Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That— Numbers, 193,565 Men.

XVI. After a Prisoner has been found guilty of any Charge or Charges, the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment, so far as the Charge of which he was convicted, was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Regimental or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in such Books, or any of them, and which shall be signed by the Adjutant, or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-after provided to the Officer commanding a Regiment by the Clerk of any such Court or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof, duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received, it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty. Previous Convictions to be put in Evidence.

XXI. Whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to Penal Servitude, or to be transported as a Felon for Life, or for a certain Term of Years, not less than Fourteen, or may sentence him to general Service as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court- Commutation of Death for Transportation.

Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions (the *Ionian Islands* excepted) for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude or to be transported as a Felon, either for Life or for a certain Term of Years, not less than Fourteen, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions (the *Ionian Islands* excepted), to the Officers commanding as aforesaid.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXVIII. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, or to Forfeiture of the Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former good Conduct, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,—

In wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service:

In tampering with his Eyes with Intent thereby to render himself unfit for the Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay for Drunkenness on Duty.

XXXI. A General, District, or Garrison Court-martial may sentence any Soldier for being drunk on Duty under Arms, and any Court-martial may sentence any Soldier for being drunk when on any Duty not under Arms or for Duty or on Parade or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Stoppages.

XXXIII. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct herein-before specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Horse, Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service in the Field or for general good Conduct which may have been granted him by Order of Her Majesty, or by Order of the *East India* Company, or any Loss or Destruction of, or Damage or Injury to, the Arms, Horse, Clothing, Instruments, Accoutrements, or Regimental Necessaries of any Officer or Soldier, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of any Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Soldier may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Mutiny.

XXXVI. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Soldier may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement; provided that when any Court-martial, whether General, Garrison, or District, or Regimental or Detachment, shall direct that the Imprisonment shall be solitary only, or when any Sentence of Corporal Punishment shall have been commuted to such Imprisonment only, the Periods shall in no Case exceed Fourteen Days. Power of Imprisonment by different Kinds of Courts-martial.

XLV. Every Soldier shall be liable to be tried and punished for Desertion from any Corps into which he may have unlawfully enlisted, although he may of right belong to another Corps and be a Deserter therefrom, and whether such Soldier shall be tried for deserting from the Corps to which he may of right belong, or for deserting from the Corps into which he may have unlawfully enlisted, or for any other Desertion, every Desertion previous or subsequent to that for which he may at the Time be taking his Trial may, if duly stated in the Charges, be given in Evidence against him on such Trial. Trials for Desertion after subsequent Re-enlistment.

LII. Any Person enlisted into Her Majesty's Service as a Soldier, or serving as a Non-commissioned Officer or Drummer on the permanent Staff of the Disembodied Militia, shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony or of Misdemeanor, other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least, over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Facts sworn to, and the Day of filing such Affidavit; but no Soldier or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatever, or to be taken out of Her Majesty's Service by any Writ, Summons, Warrant, Order, Judgment, Execution, or any Process whatsoever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left his Family or any Part thereof chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Soldier or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order on that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour, except in the Case of an Apprentice, or of an indentured Labourer, as herein-after described; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, on account of any of the Matters for which it is herein declared that a Soldier or other Person as aforesaid is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void, to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Soldier or by his Superior Officer, and by Warrant under his Hand discharge such Soldier, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Soldier out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Soldier, or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body; provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, or to indentured Labourers, as herein-after prescribed. Soldiers liable to be taken out of Her Majesty's Service only for Felony, Misdemeanor, or for Debts amounting to 30*l.* and upwards. Soldiers not liable to be taken out of Her Majesty's Service for Debts under 30*l.*, or for not maintaining their Families, or for Breach of Contract.

LVI. Any Recruit appearing as aforesaid before such Justice shall be at liberty to declare his Dissent to such enlisting, and upon such Declaration, and returning the Enlisting Money, and also paying the Sum of Twenty Shillings as Smart Money, together with the full Amount of any Pay which shall have been paid to such Recruit subsequent to the Period of his having been enlisted, shall be forthwith discharged and set at liberty in the Presence of such Justice; but if such Person shall refuse or neglect, within Dissent and Relief from Enlistment.

within the Space of Twenty-four Hours after so declaring his Dissent, to return and pay such Money as aforesaid, he shall be deemed and taken to be enlisted, as if he had given his Assent thereto before the said Justice: Provided always, that it shall be lawful for any Justice to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Ninety-six Hours as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Person belonging to the Recruiting Party shall be with the Recruit, if it shall appear to such Justice, upon Proof to his Satisfaction, that the Recruiting Party has left the Place where such Recruit was enlisted, or that the Recruit could not procure any Person belonging to such Party to go with him before the Justice; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting One Shilling as the Fee to his Clerk for reporting the Payment to the Secretary-at-War and Inspecting Field Officer of the District, shall be paid to any Person belonging to the Recruiting Party entitled thereto demanding the same; and no Recruit who has been actually, though erroneously, discharged by the Justice before the Expiration of Twenty-four Hours after the Time of his Enlistment, shall be liable on that Account to be proceeded against as having deserted from Her Majesty's Service; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Offences connected with Enlistment.

LVII. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Soldier in Her Majesty's Service, or in the Service of the *East India* Company, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary-at-War, in order that in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter; and any Recruit who shall have enlisted into and been attested for Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Man shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them upon being attested to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have wilfully concealed any such Infirmity, or to have designedly made any false Representation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed, before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or into the Service of the *East India* Company, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

attested

attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed, taken by the Recruit on his Attestation, and the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to any Regiment in Her Majesty's Service, or to Her Majesty's Ordnance, Navy, or Marines, or to the Forces of the *East India* Company, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall, upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice in the United Kingdom, or before a Regimental or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Regular Forces, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces into which he shall have so enlisted, or to the Navy into which he shall have entered: Provided always, that every such Person so enlisted shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, or if he had entered the Navy to the Rules and Regulations by which that Force is governed, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, or from the Navy, if he shall neglect or refuse to join and serve in such Corps, or in the Navy, as aforesaid.

Claims of Masters to Apprentices.

LXII. No Master shall be entitled to claim an Apprentice or an indentured Labourer as aforesaid who shall enlist as a Soldier in Her Majesty's or the *East India* Company's Service, or shall be serving in the Embodied Militia, unless he shall, within One Calendar Month after such Apprentice or indentured Labourer shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Seven Years, not having been above the Age of Fourteen when so bound, and if in *Ireland* or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed

endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture shall have been so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service, or of any indentured Labourer in Her Majesty's Colonies or Possessions abroad, shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice or indentured Labourer may have been bound for a less Term than Seven, Five, or Four Years as aforesaid: Provided also, that any Master who shall give up the Indentures of his Apprentice or of his Labourer as aforesaid within One Month after the enlisting of such Apprentice or indentured Labourer shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit, after deducting therefrom Two Guineas to provide him with Necessaries, as shall not have been paid to such Recruit before Notice given of his being an Apprentice or an indentured Labourer.

How and where Troops may be billeted.

LXIX. It shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *England* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in Her Majesty's Service, and Out-Pensioners when assembled as a local Force by competent Authority, and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and they shall be received by the Occupiers of such Houses in which they are so allowed to be billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *England* with Diet and Small Beer, and with Stables, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route; and in all Places where Cavalry shall be billeted in pursuance of this Act, the Men and their Horses shall be billeted in One and the same House, except in case of Necessity; and in no other Case whatsoever shall there be less than One Man billeted where there shall be One or Two Horses, nor less than Two Men where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March in a just and equal Proportion upon the Keepers of all Houses within One Mile of the Place mentioned in the Route, although some of such Houses may be in the adjoining County, in like Manner in every respect as if such Houses were locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice then to Two or more Justices within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men and Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses, or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place, with another Man or Horse billeted in the same Place, for the Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all

Abuses

Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to those Houses; and it shall be lawful for Constables to billet Officers and Soldiers in *Scotland* according to the Provisions of the Laws in force in *Scotland* at the Time of its Union with *England;* and no Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh:* Provided that no Officer or Soldier shall be billeted in *England* in any private Houses, or in any Canteen held or occupied under the Authority of the Ordnance Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the Houses of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Storekeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such. Exemptions from Billets.

LXXII. The Innholder or other Person on whom any Soldier is billeted in *England* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Soldiers may be billeted in *England*, except when on the March and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Penny Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse; and in *Ireland* the Sum to be paid for Forage to the Innholder or other Person, for Horses billeted by virtue of this Act, shall be the rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland;* and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay for any Officers or Soldiers shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons upon whom such Officers and Soldiers are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary-at-War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Regimental Agent to pay the said Sums, and to charge the same against such Officers; and in case of any Soldier being suddenly ordered to march, and that the respective Commanding Officers are not enabled to make Payment of the Sums due for the Lodging of the Men and Stabling for the Horses, every such Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted to the Agent of the Regiment, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer. Allowance to Innkeepers.

LXXIX. All Her Majesty's Officers and Soldiers, being in proper Staff or Regimental or Military Uniform, Dress or Undress, and their Horses and Baggage, (but not when passing in any hired or private Vehicle,) and all Recruits, marching by Route, and all Prisoners under Military Escort, and all Enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls, Tolls.

Tolls, in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

XCIII. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers, in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw, for each Horse, at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Twelve Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; or if any Toll Collector shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress, or for their Horses, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or from any Enrolled Pensioners in Uniform, when called out for Training or in aid of the Civil Power, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage or returning therefrom, every such Constable, Victualler, Toll Keeper, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Soldier, or a Recruit, with the view of fraudulently obtaining a Billet, or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Mode of recording a Soldier's Settlement.

XCIX. Any Justice in the United Kingdom within whose Jurisdiction any Soldier in the Regular Army, or on the permanent Staff of the Militia, having a Wife or Child, shall be billeted, may summon such Soldier before him in the Place where he is billeted, (which Summons he is hereby directed to obey,) and take his Examination in Writing, upon Oath, touching the Place of his last legal Settlement in *England*, and such Justice shall give an attested Copy of such Examination to the Person examined, to be by him delivered to his Commanding Officer, to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such last legal Settlement before any Justice or at any General or Quarter Sessions, although such Soldier be dead or absent from the Kingdom; provided that in case any Soldier shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy thereof being produced by him or by any other Person on his Behalf, such Soldier shall not be obliged to take any other Oath with regard to his legal Settlement, but shall leave a Copy of such Examination, or a Copy of such attested Copy of Examination, if required; provided also, that when no such Examination shall have been required, the Statement made on Oath by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Administration of Oaths.

CIII. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or Magistrate acting as such; and any Person taking a false Oath or Declaration in any Case wherein an Oath or Declaration is required to be taken by this Act shall be deemed guilty of wilful and corrupt Perjury, or of making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws in force any Persons convicted of wilful and corrupt Perjury are subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Soldier or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

Perjury.

CAP. XII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[16th *March* 1855.]

[*This Act is the same, except as to Dates and the Parts here inserted, as* 17 & 18 *Vict. c.* 6.]

Previous Convictions to be put in Evidence.

XVIII. After a Prisoner has been found guilty of any Charge or Charges the Court before which any such Prisoner shall have been tried may, before passing Sentence on such Prisoner, and for the Purpose only of affixing Punishment, receive in Evidence against him any previous Convictions by Courts-martial; and in like Manner and for the like Purpose the Court shall receive in Evidence any previous Conviction of such Prisoner by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment, so far as the Charge of which he was convicted, was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Divisional or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in such Books or any of them, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, containing the Substance and Effect of any Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proofs of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the said Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall have been so found guilty.

Commutation of Death for Transportation.

XXIII. Whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to Penal Servitude or to be transported as a Felon for Life or for a certain Term of Years not less than Fourteen Years, or may sentence him to general Service as a Marine or as a Soldier in any Corps and in any Country or Place which Her Majesty shall thereupon direct, or may, if such Offender shall have enlisted for a limited Term of Years, sentence him to serve for Life as a Marine or as a Soldier in any Corps which Her Majesty shall please to direct: Provided always, that in all Cases where a Capital Punishment shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions (the *Ionian Islands* excepted) for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude or to be transported as a Felon either for Life or for a certain Term of Years not less than Fourteen, or to suffer such Term of Imprisonment, either with or without Hard Labour, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions (the *Ionian Islands* excepted), to the Officers commanding as aforesaid.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXXI. Any General Court-martial may, in addition to any other Punishment which it may be competent to award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, or to Forfeiture of any Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former good Conduct, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Sentence which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or mutilated by any other Person, with Intent thereby to render himself or such other Marine unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In tampering with his Eyes, with Intent thereby to render himself unfit for the Service:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay for Drunkenness on Duty.

XXXV. A General, District, or Garrison Court-martial may sentence any Marine for being drunk on Duty under Arms, and any Court-martial may sentence any Marine for being drunk when on or for Duty not under Arms, or on Parade, or on the Line of March, to be deprived of a Penny a Day of his Pay for any Period not exceeding Thirty Days, in addition to any other Punishment which such Court may award.

Stoppages.

XXXVI. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal for Service or for general good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Loss, Disposal of, or Destruction of, or Damage or Injury to, the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to, Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that after satisfying the Charges for his messing and washing, so much only of the Pay of the Marine may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Power of Imprisonment by different Kinds of Courts-martial.

XXXIX. A General or District or Garrison Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, and may also direct that such Offender shall be kept in Solitary Confinement for any Portion or Portions of such Imprisonment not exceeding Fourteen Days at a Time, nor Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and when the Imprisonment awarded shall extend beyond Three Months, the Court-martial shall imperatively order that the Solitary Confinement shall not exceed Seven Days in any One Month of the whole Imprisonment awarded with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods; and any Divisional or Detachment Court-martial may sentence any Marine to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and may also direct that such Marine may be kept in Solitary Confinement for any Portion or Portions of such Imprisonment, not exceeding Fourteen Days at a Time, with an Interval between them of not less Duration than such Periods of Solitary Confinement: Provided always, that when any Court-martial, whether General, Garrison, or District, or Divisional or Detachment, shall direct that the Imprisonment shall be solitary only, or when any Sentence of Corporal Punishment shall have been commuted to Imprisonment only, the Period shall in no Case exceed Fourteen Days.

Custody of Prisoners under Military Sentence in Common Gaols.

XLIII. Every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, or of any Gaol or House of Correction in any Part of Her Majesty's Dominions, shall receive into his Custody any Military Offender under Sentence of Imprisonment by a General or other Court-martial, upon Delivery to him of an Order in Writing in that Behalf from the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or from the Officer commanding the Division or Detachment to which the Offender belongs or did last belong or is attached, which Order shall specify the Period of Imprisonment or Remainder of Imprisonment which the Offender is to undergo, and the Day and Hour of the Day on which he is to be released or be otherwise disposed of; and such Governor, Provost Marshal, Gaoler, or

or Keeper shall keep such Offender in a proper Place of Confinement, with or without Hard Labour, and with or without Solitary Confinement, according to the Sentence of the Court, and during the Time specified in the said Order, or until he be discharged or delivered over to Military Custody before the Expiration of that Time, under an Order duly made for that Purpose; and whenever Marines are called out in aid of the Civil Power, or are stationed in Billets, or are on the Line of March, every Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, shall receive into his Custody any Marine for a Period not exceeding Seven Days, upon Delivery to him of an Order in Writing in that Behalf from the Officer commanding such Marine; and any Governor, Provost Marshal, Gaoler, or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement, who shall refuse to receive and to confine, or to discharge or deliver over, any Marine Offender in the Manner herein prescribed, shall forfeit for every such Offence the Sum of One hundred Pounds.

Marines liable to be taken out of Her Majesty's Service only for Felony and certain Misdemeanors, or for Debts amounting to 30*l.* and upwards; but not liable to be taken out of Her Majesty's Service for not maintaining their Families or for Breach of Contract.

LVI. Any Person enlisted into Her Majesty's Royal Marine Forces as a Marine shall be liable to be taken out of Her Majesty's Service only by Process or Execution on account of any Charge of Felony, or on account of Misdemeanor other than the Misdemeanor of refusing to comply with an Order of Justices for the Payment of Money, or on account of an original Debt proved by Affidavit of the Plaintiff or of some one on his Behalf to amount to the Value of Thirty Pounds at the least over and above all Costs of Suit in the Action or Actions, such Affidavit to be sworn, without Payment of any Fee, before some Judge of the Court out of which Process or Execution shall issue, or before some Person authorized to take Affidavits in such Court, of which Affidavit, when duly filed in such Court, a Memorandum shall, without Fee, be endorsed upon the Back of such Process, stating the Fact sworn to, and the Day of filing such Affidavit; but no Marine or other Person as aforesaid shall be liable by any Process whatever to appear before any Justice of the Peace or other Authority whatsoever, or to be taken out of Her Majesty's Service by any Writ, Summons, Order, Warrant, Judgment, Execution, or any Process whatever issued by or by the Authority of any Court of Law, or any Magistrate, Justice or Justices of the Peace, or any other Authority whatsoever, for any original Debt not amounting to Thirty Pounds, or for not supporting or maintaining, or for not having supported or maintained, or for leaving or having left his Family or any Part thereof chargeable to any Parish, Township, or Place, or to the Common Fund of any Union, any Relation or Child which such Marine or Person might, if not in Her Majesty's Service, be compellable by Law to relieve or maintain, or for neglecting to pay to the Mother of any Bastard Child, or to any Person who may have been appointed to have the Custody of such Child, any Sum to be paid in pursuance of an Order in that Behalf, or for the Breach of any Contract, Covenant, Agreement, or other Engagement whatever, by Parol or in Writing, or for having left or deserted his Employer or Master, or his Contract, Work, or Labour; and all Summonses, Warrants, Commitments, Indictments, Convictions, Judgments, and Sentences, an account of any of the Matters for which it is herein declared that a Marine is not liable to be taken out of Her Majesty's Service, shall be utterly illegal, and null and void to all Intents and Purposes; and any Judge of any such Court may examine into any Complaints made by a Marine or by his Superior Officer, and by Warrant under his Hand discharge such Marine, without Fee, he being shown to have been arrested contrary to the Intent of this Act, and shall award reasonable Costs to such Complainant, who shall have for the Recovery thereof the like Remedy as would have been applicable to the Recovery of any Costs which might have been awarded against the Complainant in any Judgment or Execution as aforesaid, or a Writ of Habeas corpus ad subjiciendum shall be awarded or issued, and the Discharge of any such Marine out of Custody shall be ordered thereupon; provided that any Plaintiff, upon Notice of the Cause of Action first given in Writing to any Marine or left at his last Quarters, may proceed in any Action or Suit to Judgment, and have Execution other than against the Body: Provided also, that nothing herein contained relating to the leaving or deserting a Master or Employer, or to the Breach of any Contract, Agreement, or Engagement, shall apply to Persons who shall be really and *bonâ fide* Apprentices, duly bound, under the Age of Twenty-one Years, as herein prescribed.

Offences connected with Enlistment.

LXI. If any Recruit shall receive the Enlisting Money from any Person employed in the Recruiting Service (knowing it to be such), and shall abscond or refuse to go before such Justice, or shall thereafter absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded from the Party, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence

of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to any Regiment, or to the Marines, Ordnance, or Navy, or the Forces of the *East India* Company, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oaths and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the
7 & 8 G. 4. c. 29. Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth,
9 G. 4. c. 55. intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilt of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath in the Schedule to this Act annexed taken by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment in Her Majesty's Service, or to Her Majesty's Navy or Marine or Ordnance, or to the Forces of the *East India* Company, or that he designedly made any false Representation of any Particular contained in the said Oaths and Certificates or either of them before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice of the United Kingdom, or before a Divisional or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Forces, Army, Ordnance, or Marines, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprise for and during

any

any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted or in the Navy into which he shall have entered: Provided also, that every such Person so enlisted shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted during all the Time the Militia to which he shall belong shall remain disembodied, or shall not be called out for Training or Exercise, and shall during all such Time be subject to all the Provisions of this Act, or if he had entered the Navy, to the Law, Rules, Regulations, and Customs by which the Navy is governed, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines or from the Navy if he shall neglect or refuse to join and serve in the Marines or in the Navy as aforesaid.

Allowance to Innkeepers.

LXX. The Innholder or other Person on whom any Marine is billeted in *England* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Marines may be billeted in *England*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof such a Sum as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being shall at any Time or Times direct, but not less than the Sum of a Halfpenny *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *England*, for Hay and Straw, shall be Ninepence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Forage to the Innholder or other Persons for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland*; and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer to whom it belongs to receive or who does actually receive the Pay and Subsistence of the Officers and Men shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle the just Demands of all Victuallers or other Persons on whom such Men are billeted, out of their Pay and Subsistence, before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer, and in case of any Marines being suddenly ordered to march, and of the Commanding Officer not being enabled to make immediate Payment of the Sums due on account of Billets, every such Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Officer's Account.

Exemption from Tolls.

LXXVI. All Officers and Marines, being in proper Uniform, Dress or Undress, and their Horses and Baggage, (but not when passing in any private or hired Vehicle,) and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying Persons or Baggage going thereto or returning therefrom, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or passing Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or

or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXXIX. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Hay and Straw for each Horse at the Rate established by this Act, and in such Quantities as shall be fixed by Her Majesty's Regulations, not exceeding Eighteen Pounds of Hay and Six Pounds of Straw *per Diem* for each Horse, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Marine or Marine Recruit with the view of fraudulently obtaining a Billet or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalty for purchasing Clothes, &c. from any Marine.

LXXXII. Any Person who shall detain, buy, or exchange, or otherwise receive from any Marine or Marine Deserter, or any other Person, upon any Account or Pretence whatsoever, or shall solicit or entice any Marine or Marine Deserter, or shall be employed by any Marine or Marine Deserter, knowing him to be such, to sell any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, whether on shore or afloat, and whether the Marine or Marine Deserter or other Person be or be not borne on the Books of any One of Her Majesty's Ships, or be or be not embarked, or who shall have in his or her Possession or Keeping any Arms, Ammunition, Marine Clothes, or Military Furniture, or any other Articles which, according to the Custom of the Marine Corps, are generally deemed Regimental or Divisional Necessaries, or any Provisions, Sheets, or other Articles used in Barracks or provided under Barrack Regulations, and shall not give a satisfactory Account how he or she came by the same, or shall change or cause the Colour or Mark of any such Clothes, Appointments, Necessaries, Sheets, or other Articles to be changed or defaced, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with Treble the Value of all or any of the several Articles of which such Offender shall so become possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, and shall be convicted thereof by One or more Justices of the Peace, every such Offender shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall, in addition to such Forfeiture, be committed to the Common Gaol or House of Correction, there to be imprisoned only, or to be imprisoned and kept to Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove a Conviction for the former Offence; and if any credible Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority according to the Laws of that Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession or on his or her Premises any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, the Justice may and he is hereby required to grant a Warrant to search for such Property as in the Case of stolen Goods; and if upon Search any such

Property

Property shall be found the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before such Justice, to be dealt with according to Law.

Recovery of Penalties.

LXXXVI. All Offences for which any pecuniary Penalty or Forfeiture not exceeding Twenty Pounds, over and above any Forfeiture of Value or Treble Value, is by this Act imposed, shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and Forfeiture of Value and Treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered under the Provisions of an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture or Treble Value can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Calendar Months; which said recited Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such Penalties and Forfeitures or Treble Value as fully to all Intents as if the said recited Act had extended to *Scotland* and *Ireland*, anything in the said recited Act, or in an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, intituled *An Act to consolidate and amend the Acts regulating the Proceedings at Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, to the contrary notwithstanding; and all such Offences committed in the *British Isles*, or in any of Her Majesty's Dominions other than the United Kingdom, may be determined, and the Penalties and Forfeitures of Value or Treble Value recovered, before any Justices of the Peace or Persons exercising like Authority, according to the Laws of Her Majesty's Dominions in which the Offence shall be committed or the Offender may at any Time happen to be, and for default of Payment the Offender shall be punished as if the Offence had been committed in the United Kingdom; and all Penalties and Forfeitures by this Act imposed exceeding Twenty Pounds shall be recovered by Action in some of the Courts of Record at *Westminster* or in *Dublin*, or in the Court of Session in *Scotland*, and in no other Court in the United Kingdom, and may be recovered in the *British Isles*, or in any other Part of Her Majesty's Dominions, in any of the Royal or Superior Courts of such Isles or other Parts of Her Majesty's Dominions.

11 & 12 Vict. c. 43.

14 & 15 Vict. c. 93.

Mode of recording a Marine's Settlement.

LXXXIX. Any Justice in the United Kingdom, within whose Jurisdiction any Marine shall be quartered on shore, may summon such Marine before him, which Summons such Marine is hereby required to obey, and take his Examination in Writing upon Oath touching the Place of his last legal Settlement in *England;* and such Justice shall give an attested Copy of such Examination to the Person so examined, to be by him delivered to his Commanding Officer to be produced when required; which said Examination and such attested Copy shall be at any Time admitted in Evidence as to such legal Settlement before any Justice or at any General or Quarter Sessions of the Peace, although such Marine be dead or absent from the Kingdom: Provided always, that in Case any Marine shall be again summoned to make Oath as aforesaid, then, on such Examination or such attested Copy being produced, such Marine shall not be obliged to make any other or further Oath with regard to his legal Settlement, but shall leave with such Justice a Copy of such Examination or a Copy of such attested Copy of Examination, if required: Provided also, that when no such Examination shall have been required, the Statement made on Oath by the Recruit on his Attestation of his Place of Birth shall be taken to be his last Place of Settlement until legally disproved.

Administration of Oaths.

XC. All Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or Magistrate acting as such; and that any Person giving false Evidence or taking a false Oath or Declaration in any Case wherein an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Marine or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

Perjury.

CAP. XIII.

An Act to explain and amend the Lunacy Regulation Act, 1853. [26th *April* 1855.]

WHEREAS by the Section numbered CXXIX. of an Act passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Proceedings* ‘ *under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so* ‘ *found by Inquisition, and their Estates*, it was enacted, that where a Lunatic is seised or possessed of or ‘ entitle to Land in Fee or in Tail, or to Leasehold Land for an absolute Interest, and it appears to the ‘ Lord C ancellor, intrusted as in the said Act mentioned, to be for his Benefit that a Lease or Under- ‘ lease should be made thereof for Terms of Years, for encouraging the Erection of Buildings thereon, or ‘ for repairing Buildings actually being thereon, or otherwise improving the same, or for Farming or other

‘ Purposes,

'Purposes, the Committee of the Estate may, in the Name and on behalf of the Lunatic, under Order of 'the Lord Chancellor, intrusted as aforesaid, make such Leases of the Land or any Part thereof, according 'to the Lunatic's Estate and Interest therein, and to the Nature of the Tenure thereof, for such Term or 'Terms of Years, and subject to such Rents and Covenants, as the Lord Chancellor, intrusted as afore- 'said, shall order: And whereas it has been considered that the Lord Chancellor, intrusted as aforesaid, 'cannot by Force of the said Enactment empower the Committee of a Lunatic Tenant in Tail to grant 'Leases as extensively as was intended by the said Enactment, which will bind his Issue in Tail and the 'Remaindermen: And whereas it is expedient to explain and enlarge the Power of the Lord Chancellor, 'intrusted as aforesaid, in the Matter aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lord Chancellor, in Matters of Lunacy, enabled to empower Committees of Estates to grant Leases binding on Issue or Remaindermen.

I. Where a Lunatic is seised of or entitled to Land in Tail, and it appears to the Lord Chancellor, intrusted as aforesaid, to be for his Benefit, the Committee of the Estate may in the Name and on behalf of the Lunatic, under Order of the Lord Chancellor, intrusted as aforesaid, make any such Leases of the Land or any Part thereof as in the said Section of the said Act are mentioned, and every such Lease shall be good and effectual in Law against the Lunatic and his Heirs, and all Persons claiming the Lands entailed by force of any Estate Tail which shall be vested in such Lunatic, and also against all Persons, including the Queen's most Excellent Majesty, Her Heirs and Successors, whose Estates are to take effect after the Determination of or in remainder or reversion expectant upon such Estate Tail, according to such Estate as is comprised and specified in every such Lease, in like Manner as the same would have been good and effectual in Law if the Lunatic at the Time of the making of such Leases had been lawfully seised of the same Lands comprised in such Lease of a pure Estate in Fee Simple to his own Use, and had been of sound Mind, and not the Subject of a Commission of Lunacy, and had himself granted such Lease; and every Person to whom from Time to Time the Reversion expectant upon the Lease shall belong after the Death of the Lunatic shall and may have such and the like Remedies and Advantages, to all Intents and Purposes, against the Lessee, his Executors, Administrators, and Assigns, as the Lunatic or his Committee would or might have had against him or them: And the Powers given by Sections numbered CXXX. and CXXXI. of the said recited Act shall and are to operate as extensively as the Power given by the said Section CXXIX. of the said Act as explained and enlarged by this Act.

Interpretation.

II. Where any of the Expressions in this Act are used in the said recited Act they shall receive the same Interpretation in this Act as by the said recited Act is imposed upon them.

CAP. XIV.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [26th *April* 1855.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts 'for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for 'and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Tenth 'Annual General Report certified their Opinion that such Inclosures would be expedient; but the same 'cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1855," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Kirkland	Cumberland	15th June 1854.
North Coats	Lincoln	22d June 1854.
Bowerchalke	Wilts	22d June 1854.
Engollan Common	Cornwall	13th July 1854.
Ulleskelf	York	4th October 1854.
Thrandeston	Suffolk	9th September 1854.
Milburn Fell Pasture	Westmorland	8th June 1854.
Ilkley Cow Pasture	York	4th October 1854.
Great Boughton	Chester	18th May 1854.
Melmerby	Cumberland	14th January 1853.

Commons Inclosure. *Purchasers Protection against Judgments.*

Inclosure.	County.	Date of Provisional Order.
Dymock - - - - -	Gloucester - -	27th October 1854.
Westwick - - - - -	Cambridge - -	27th July 1854.
Pendine - - - - -	Carmarthen - -	3d January 1855.
Barnes - - - - -	Surrey - -	3d January 1855.
Ramsden Bellhouse - - -	Essex - - -	11th January 1855.
West Lulworth and Winfrith Newburgh	Dorset - - -	18th January 1855.
Bootle - - - - -	Cumberland - -	17th January 1854.
Penlline and Langan - - -	Glamorgan - -	25th January 1855.
The Wash Common - - -	Berks - - -	4th January 1855.
Horsepath and Shotover - -	Oxford - -	26th January 1855.

CAP. XV.

An Act for the better Protection of Purchasers against Judgments, Crown Debts, Cases of Lis pendens, and Life Annuities or Rentcharges. [26th *April* 1855.]

'WHEREAS an Act of Parliament was passed in the Session of the First and Second Years of Her Majesty, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in* England; and another Act in the Session of the Second and Third Years of Her Majesty, intituled *An Act for the better Protection of Purchasers against Judgments, Crown Debts, Lis pendens, and Fiats in Bankruptcy;* and another Act in the Session of the Third and Fourth Years of Her Majesty, intituled *An Act for further amending the Act for abolishing Arrest on Mesne Process in Civil Actions:* And whereas the Provisions of the said Acts respecting Judgments, Decrees, Orders, and Rules, and Lis pendens, ought to include and be applicable to the Counties Palatine of *Lancaster* and *Durham*, and the Common Law and Equity Courts thereof respectively: And whereas an Act was passed in the Session of the Thirteenth and Fourteenth Years of Her Majesty, intituled *An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of* Lancaster, by force whereof the said Provisions do to some Extent include and are applicable to the County Palatine of *Lancaster*, as far as regards the Court of Chancery thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1 & 2 Vict. c. 110.

2 & 3 Vict. c. 11.

3 & 4 Vict. c. 82.

13 & 14 Vict. c. 43. s. 24.

Certain Judgments of Common Law Palatinate Courts not to affect Lands, &c. unless registered within limited Time.

I. Any Judgment of the Court of Common Pleas of the County Palatine of *Lancaster*, or of the Court of Pleas of the County Palatine of *Durham*, obtained before the coming into operation of the said Act of the Session of the First and Second Years of Her Majesty, and not already registered in the said Courts respectively under the Provisions of the same Act, and which shall not be registered in the said Courts respectively under the same Provisions as amended by this Act, on or before the First Day of *November* One thousand eight hundred and fifty-five, shall not after that Day affect any Lands, Tenements, or Hereditaments in the said Counties Palatine respectively as to Purchasers, Mortgagees, or Creditors, unless and until such Memorandum or Minute of such Judgment as is in the said Act prescribed shall be left with the Prothonotary of the Court in which the Judgment has been obtained, who shall forthwith enter the same in manner by the same Act as amended by this Act directed in regard to Judgments thereby authorized to be registered, and shall be entitled for every such Entry to the Sum of Two Shillings and Sixpence; and the Provision for Re-registration, *toties quoties*, herein-after mentioned, as explained by this Act, is hereby extended and applied, *mutatis mutandis*, to Judgments registered under this present Provision.

Fee for Entry of Judgments.

Certain Provisions of 1 & 2 Vict. c. 110. extended to Common Law Palatinate Courts, and to Equity Court of Durham.

II. And be it declared and enacted as follows: The Provisions contained in the Sections of the said Act of the First and Second Years of Her Majesty numbered respectively XVIII., XIX., and XX., giving to certain Rules of Courts of Common Law, and Decrees and Orders of Courts of Equity, the Effect of Judgments in the Superior Courts of Common Law, and constituting the Persons therein mentioned Judgment Creditors, and giving to Courts of Equity the Powers by the same Act given to the Judges of the said Superior Courts, and giving to the Persons so constituted Judgment Creditors as aforesaid such Remedies as are therein mentioned, and authorizing the Registration of such Decrees, Orders, and Rules as aforesaid, and providing for the Writs to be sued out of Courts of Equity, shall extend and are applicable, *mutatis mutandis*, to the said Counties Palatine and the Courts of Common Law thereof respectively, and to the Court of Chancery of the County Palatine of *Durham*, within the Limits of their respective Jurisdictions, to the end that the same Law in the respects aforesaid may apply to the Courts of the said Counties Palatine, and the Decrees, Orders, Judgments, and Rules thereof, so far as relates to Lands, Tenements, and Hereditaments within the Jurisdiction of such Courts respectively,

tively, as under the previous Statutes amended by this Act, will regulate the Operation of Judgments in the Superior Courts of Common Law: But no Judgment, Decree, Order, or Rule of any Court shall bind Lands, Tenements, and Hereditaments in the said Counties Palatine respectively, as against Purchasers, Mortgagees, or Creditors, unless and until such Memorandum or Minute thereof as hereinbefore is mentioned shall be left with the Prothonotary of the Palatine Court in which are situated the Lands, Tenements, and Hereditaments intended to be charged thereby.

2 & 3 Vict. c. 11. ss. 2, 4, 5, & 7, and 3 & 4 Vict. c. 82. s. 2. extended to Common Law and Equity Courts of Counties Palatine.

III. The Provisions contained in the Sections of the said Act of the Second and Third of Her Majesty numbered respectively III., IV., V., and VII., and in the Section of the said Act of the Third and Fourth of Her Majesty numbered II., respecting the Particulars to be inserted in the Register by the Master, and respecting the Re-registration of Judgments, Decrees, or Orders, and Rules, and respecting the Registration and Re-registration of Lis pendens, and respecting the Protection of Purchasers, Mortgagees, and Creditors, as explained or amended by this Act, shall extend and are applicable, *mutatis mutandis*, to the Counties Palatine and the Courts of Common Law and Courts of Chancery thereof respectively, within the Limits of their respective Jurisdictions.

No Judgment, &c. registered under 3 & 4 Vict. c. 82. to affect Lands, &c. as to Purchasers, &c. until registered.

IV. 'And whereas the Protection afforded to Purchasers, Mortgagees, and Creditors, by the said Act 'of the Third and Fourth of Her Majesty, against Judgments, Decrees, Orders, or Rules not duly 'registered, any Notice thereof notwithstanding, is confined to Judgments, Decrees, Orders, or Rules 'binding by virtue of the said Act of the First and Second Years of Her Majesty: And whereas the 'Docket or Register previously in use has been closed, and the said Provision ought not to be so 'restricted:' Be it therefore enacted, That no Judgment, Decree, Order, or Rule which might be registered under the said Act of the First and Second Years of Her Majesty shall affect any Lands, Tenements, or Hereditaments, at Law or in Equity, as to Purchasers, Mortgagees, or Creditors, unless and until such a Memorandum or Minute as in the said Act in that Behalf mentioned shall have been left with the proper Officer of the proper Court, any Notice of any such Judgment, Decree, Order, or Rule to any such Purchaser, Mortgagee, or Creditor in anywise notwithstanding.

Purchasers protected against Judgments not re-registered.

V. 'And whereas it is expedient that certain Doubts which have arisen upon some of the Provisions 'for the Protection of Purchasers against Judgments in the said Acts contained should be removed:' Be it therefore declared and enacted as follows: The Provision contained in the Section numbered II. of the said Act of the Third and Fourth Years of Her Majesty extends and shall be deemed to extend as well to the Act therein referred to as to the Section numbered IV. of the said Act of the Second and Third of Her Majesty, as explained by this Act, so that Notice of any Judgment, Decree, Order, or Rule, not duly re-registered, shall not avail against Purchasers, Mortgagees, or Creditors, as to Lands, Tenements, or Hereditaments.

Provision for Re-registration explained.

VI. Where by the said Act of the Second and Third Years of Her Majesty Re-registry of Judgments, Decrees, Orders, or Rules is required within such Period of Five Years as is therein mentioned, in order to bind Purchasers, Mortgagees, and Creditors, it shall be deemed sufficient to bind such Purchasers, Mortgagees, and Creditors if such a Memorandum or Minute as was required in the first instance is again left with the Senior Master of the Common Pleas within Five Years before the Execution of the Conveyance, Settlement, Mortgage, Lease, or other Deed or Instrument vesting or transferring the legal or equitable Right, Title, Estate, or Interest, in or to any such Purchaser or Mortgagee for valuable Consideration, or as to Creditors within Five Years before the Right of such Creditors accrued, as directed by the said last-mentioned Act, although more than Five Years shall have expired by Effluxion of Time since the last previous Registration before such last-mentioned Memorandum or Minute was left, and so *toties quoties* upon every Re-registry.

Judgments of Inferior Courts, when removed, shall be registered.

VII. Where by the Section numbered XXII. of the said Act of the First and Second Years of Her Majesty Power is given to remove Judgments, Rules, or Orders obtained in or made by certain Inferior Courts into the said Superior Courts, or into the Court of Common Pleas of *Lancaster*, as the Case may be, no such Judgment, Rule, or Order which has already been or hereafter shall be so removed shall bind any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors, unless and until after such Removal it shall be registered, and, if necessary, re-registered, in like Manner as in order to bind such Purchasers, Mortgagees, or Creditors it must have been if originally entered up in One of the said Superior Courts, or in the said Court of Common Pleas of *Lancaster*, as the Case may be; but from and after the passing of this Act every such Judgment, Rule, or Order so registered, and where necessary re-registered, shall be binding in like Manner, but not further or otherwise, as other Judgments, Rules, or Orders of the said Superior Courts or of the said Court of Common Pleas of *Lancaster* respectively, and the Proviso at the End of the said Section XXII. restricting the Operation of the same is hereby repealed.

Extinguished Judgments not revived.

VIII. Nothing herein contained shall extend to revive or restore any Judgment which shall be extinguished or barred, or to affect or prejudice any such Judgment, or any Decree, Order, or Rule, as between the Parties thereto, or their Representatives, or those deriving as Volunteers under them.

Duties of Prothonotary.

IX. For the Purposes of any Registration or Re-registration to be made in pursuance of this Act in either of the said Counties Palatine, all such Acts and Things as under the Provisions of the said several Acts of the Reign of Her Majesty ought to be done by or left with the Senior Master of the Court of Common Pleas at *Westminster* shall be done by or left with the Prothonotary or Deputy Prothonotary of the

the Court of Common Pleas of the County Palatine of *Lancaster*, or of the Court of Pleas of the County Palatine of *Durham*, as the Case may require, or such other Officer (if any) of the same Courts respectively as may for the Time being have been appointed by the same Courts respectively, for the Purpose of entering the Judgments thereof respectively, under the Provisions of the said Act of the First and Second Years of Her Majesty; and the said Prothonotary, Deputy Prothonotary, or other Officer as aforesaid, shall be entitled to the Sum of Two Shillings and Sixpence, and no more, for the Duties to be performed on every Registration, and the Sum of One Shilling only for Re-registration; and all Persons shall be at liberty to search all or any of the Books kept in pursuance of any of the foregoing Provisions of this Act in each Court, for the Sum of One Shilling.

Fees for Registration and Searches.

X. 'And whereas by the Section numbered CXXIII. of the Bankrupt Law Consolidation Act, 1849, 'when any Person admits (in manner therein mentioned) that he is indebted to a Bankrupt, it is enacted 'that every Order of the Court of Bankruptcy for the Payment by such Person of the Amount so 'admitted, and Costs (if any), shall have the Effect of a Judgment in the said Superior Courts, and may 'be enforced accordingly, and by the Section numbered CCXLIX. of the same Act it is enacted that the 'said Court may in all Matters before it award Costs, and that the like Remedies may be had upon an 'Order of the said Court for Costs as upon a Rule of any of the said Superior Courts for Costs, but the 'said Act does not direct the Registration of any such Order as aforesaid:' Be it therefore enacted as follows: No such Order of the Court of Bankruptcy for Payment of Money or of Costs as aforesaid shall affect any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors, unless and until it shall be registered, and if necessary re-registered, in like Manner as in order to bind such Purchasers, Mortgagees, or Creditors, it must have been if it had originally been a Judgment or Rule obtained or entered up in One of the said Superior Courts or in the said Palatine Courts respectively, any Notice of any such Order to any such Purchaser, Mortgagee, or Creditor in anywise notwithstanding.

No Order of Court of Bankruptcy to affect Lands, &c. until registered.

XI. 'And whereas great Delay and Expense are occasioned upon Purchases and Mortgages of Lands 'in consequence of Judgments against Mortgagees and Crown Debts and Liabilities to the Crown of 'Mortgagees continuing to bind Lands, although the Mortgagees have been *bonâ fide* paid off, and the 'Lands have been actually conveyed to Purchasers, or to other Mortgagees:' For Remedy whereof, be it enacted as follows: Where any legal or equitable Estate or Interest or any disposing Power in or over any Lands, Tenements, or Hereditaments shall, under any Conveyance or other Instrument executed after the passing of this Act, become vested in any Person as a Purchaser or Mortgagee for valuable Consideration, such Lands, Tenements, or Hereditaments shall not be taken in execution under any Writ of Elegit, or other Writ of Execution, to be sued upon any Judgment, or any Decree, Order, or Rule, against any Mortgagee or Mortgagees thereof, who shall have been paid off prior to or at the Time of the Execution of such Conveyance, nor shall any such Judgment, Decree, Order, or Rule, or the Money thereby secured, be a Charge upon such Lands, Tenements, or Hereditaments so vested in Purchasers or Mortgagees, nor shall such Lands, Tenements, or Hereditaments so vested in Purchasers or Mortgagees be extended or taken in execution, or rendered liable under any Writ of Extent or Writ of Execution or other Process issued by or on behalf of Her Majesty, Her Heirs or Successors, in respect of any Judgment, Statute, or Recognizance obtained against or entered into by, or Inquisition found against, or Obligation or Specialty made by, or Acceptance of Office by any Mortgagee or Mortgagees, whereby he or they hath or have become or shall become a Debtor or Accountant, or Debtors or Accountants to the Crown, where such Mortgagee or Mortgagees shall have been paid off prior to or at the Time of the Execution of such Conveyance as aforesaid.

Legal Estate vested in Purchaser or Mortgagee not to be taken in execution.

XII. 'And whereas by reason of the Repeal in the last Session of Parliament of the Act of the Fifty-'third Year of King *George* the Third, Chapter One hundred and forty-one, requiring the Enrolment of 'Life Annuities or Rentcharges, Purchasers are no longer enabled to ascertain by Search what Life 'Annuities or Rentcharges may have been granted by their Vendors or others:' Be it therefore enacted by the Authority aforesaid as follows: Any Annuity or Rentcharge granted after the passing of this Act, otherwise than by Marriage Settlement, for One or more Life or Lives, or for any Term of Years or greater Estate determinable on One or more Life or Lives, shall not affect any Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors, unless and until a Memorandum or Minute containing the Name, and the usual or last known Place of Abode, and the Title, Trade, or Profession of the Person whose Estate is intended to be affected thereby, and the Date of the Deed, Bond, Instrument, or Assurance whereby the Annuity or Rentcharge is granted, and the annual Sum or Sums to be paid, shall be left with the Senior Master of the Court of Common Pleas at *Westminster*, who shall forthwith enter the Particulars aforesaid in a Book in alphabetical Order by the Name of the Person whose Estate is intended to be affected by the Annuity or Rentcharge, together with the Year and the Day of the Month when every such Memorandum or Minute is so left with him, and he shall be entitled for every such Entry to the Sum of Two Shillings and Sixpence, and all Persons shall be at liberty to search the same Book, together with the other Books or Registers in the Office, on Payment of the Sum of One Shilling.

Life Annuities and Rentcharges not to affect Lands as to Purchasers, &c. until Memorandum left with Senior Master.

XIII. The Searches of the several Registers, by the said recited Acts or by this Act authorized to be made for the Sum of One Shilling, may be made by the Parties themselves, under proper Regulations in the

Searches may be made by Parties themselves.

the Office, and the Sum of One Shilling only shall be payable on One Search, although more Names than One shall be searched for where such Names relate to the same Purchase, Mortgage, or other Transaction.

Annuities, &c. excepted from Act.

XIV. The Provisions of this Act shall not extend to require the Registry of Annuities or Rentcharges given by Will.

CAP. XVI.

An Act to authorize the letting Parts of the Royal Forests of *Dean* and *Woolmer*, and certain other Parts of the Hereditary Possessions of the Crown. [26th *April* 1855.]

'WHEREAS the Powers of leasing given by an Act of Parliament passed in the Tenth Year of His late Majesty King *George* the Fourth, Chapter Fifty, are by such Act declared not to extend to 'the leasing of any Part of the Royal Forests, Parks, or Chases in *England*, and by an Act of Parliament passed in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Seventy-six, the 'Powers of leasing given by the said Act of the Tenth *George* the Fourth, Chapter Fifty, were extended 'to certain Parts of the *New Forest*, and it is expedient that such Powers of leasing should be extended 'to Parts of the Royal Forests of *Dean* and *Woolmer*, and certain other Parts of the Hereditary Possessions of the Crown:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of leasing given by the 10 G. 4. c. 50. extended to certain Parts of the Royal Forests of Dean and Woolmer.

I. The Powers of leasing given by the said Act of the Tenth *George* the Fourth, Chapter Fifty, shall henceforth extend to enable the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty, to lease all or any Parts of the Royal Forest of *Dean* in the County of *Gloucester*, and of the Royal Forest of *Woolmer* in the County of *Southampton*, the Soil and Freehold of which now are or hereafter may be permanently vested in Her Majesty, Her Heirs and Successors, discharged of all Common and other Rights of the Subject in and over the same: Provided always, that such Power shall not extend to any Portion of the Land of the said Forests for the Time being inclosed under the Authority of any Acts or Act for the Growth of Timber or other Trees.

Power of leasing extended to certain other Parts of the Hereditary Possessions of the Crown.

II. The Powers of leasing herein-before given shall extend to all Hereditaments which were or are Part of the several Royal Forests, or late Royal Forests, mentioned in the Acts set forth in the Schedule to this Act, and which now are or hereafter may be permanently vested in Her Majesty, Her Heirs and Successors, discharged of all Common or other Rights of the Subject in and over the same, and which Hereditaments may not for the Time being be appropriated by or on behalf of the Crown for the Growth of Timber, or, if so appropriated, the said Powers shall also extend to any Rights of Sporting or other Rights which may in the Judgment of the said Commissioners be properly exercised over the same Hereditaments.

By whom Powers hereby given may be exercised.

III. The Powers hereby given may be exercised by the Commissioner or Commissioners or other Officer or Officers for the Time being of Her Majesty to or in whom the Management of the said Forests of *Dean* and *Woolmer* and other the Hereditaments hereby authorized to be leased is now or may hereafter be assigned or vested.

The SCHEDULE.

50 G. 3. c. 218. An Act for disafforesting the Forest of South otherwise East Bere otherwise Bier in the County of Southampton, and for inclosing the Open Commonable Lands within the said Forest.

52 G. 3. c. 72. An Act for the better Cultivation of Navy Timber in the Forest of Alice Holt in the County of Southampton.

52 G. 3. c. 136. An Act for inclosing the Forest of Delamere in the County of Chester.

52 G. 3. c. 171. An Act for disafforesting the Forest of Parkhurst in the County of Southampton, and for inclosing the Open Commonable Lands within the said Forest.

5 G. 4. c. 99. An Act for dividing, allotting, and inclosing that Portion of the Forest of Whittlewood called Hayleborough Walk in the Parish of Whitfield and Liberties or Precincts of Silston otherwise Silverston otherwise Silveston Burnham in the County of Northampton, and of the Open Fields of Silston otherwise Silverston otherwise Silveston Burnham aforesaid.

6 G. 4. c. 132. An Act for dividing, allotting, and inclosing the Forest of Salcey in the Counties of Northampton and Buckingham, and of certain Lands in the Parish of Hartwell in the said County of Northampton.

CAP. XVII.

An Act to carry into effect a Convention between Her Majesty and the King of *Sardinia*. [26th *April* 1855.]

'WHEREAS a Military Convention having been concluded on the Twenty-sixth Day of *January* One thousand eight hundred and fifty-five, between Her Majesty and the Emperor of the 'French and the King of *Sardinia*, whereby the King of *Sardinia* agreed to furnish and keep up by 'the

'the necessary Reinforcements an Army of Fifteen thousand Men for the present War, a Convention 'supplementary to the said Military Convention was on the said Twenty-sixth Day of *January* One 'thousand eight hundred and fifty-five concluded between Her Majesty and the King of *Sardinia*, 'whereby it was agreed as follows:

'ARTICLE I.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* 'undertakes to recommend to Her Parliament to enable Her to advance by way of Loan to His 'Majesty the King of *Sardinia* the Sum of One million Pounds Sterling, of which Sum Five 'hundred thousand Pounds Sterling shall be paid by Her Majesty as soon as possible after the 'Assent of Her Parliament shall have been given, and the remaining Five hundred thousand Pounds 'at the Expiration of Six Months after Payment of the First Sum; and Her *Britannic* Majesty 'engages further to recommend to Her Parliament to enable Her, if the War should not have been 'brought to a Close at the Expiration of Twelve Months after Payment of the First Instalment of 'the above-mentioned Loan, to advance to His Majesty the King of *Sardinia* in the same Propor- 'tions a like Sum of One million Pounds Sterling.

'ARTICLE II.—The Interest to be paid upon the said Loan or Loans by the *Sardinian* Govern- 'ment shall be at the Rate of Four *per Cent. per Annum*, of which One *per Cent. per Annum* shall 'be for a Sinking Fund:

'The said Interest shall be calculated from the Days on which the Payments on account of the 'Loan or Loans shall be made, and shall be payable half-yearly, the First Payment to be made 'within Fifteen Days after the Expiration of Six Months from the Payment of the First Instalment 'of the Loan, and so on successively.

'ARTICLE III.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* 'will undertake gratuitously the Transport of the *Sardinian* Troops.

'And whereas the said Supplementary Convention has been ratified between Her Majesty and the 'King of *Sardinia:* And whereas, in pursuance of Her Majesty's gracious Recommendation in this 'Behalf, it is expedient that Her Majesty should be enabled to carry into effect the said Supplementary 'Convention with the King of *Sardinia:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury to direct Sums required for the Loan or Loans to Sardinia to be issued out of the Consolidated Fund.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to direct and cause to be issued to Her Majesty's Paymaster-General from Time to Time out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, such Sums of Money as shall be required for the Advance to His Majesty the King of *Sardinia* of the said Loan of One million Pounds Sterling, and (if the War shall not have been brought to a Close as in the said Supplementary Convention mentioned) of the said further Loan of One million Pounds Sterling, by the several Instalments and at the Times provided by the said Supplementary Convention, conformably to Her Majesty's Engagements in this Behalf.

Sums repaid as Interest, &c. to go to Consolidated Fund.

II. The Commissioners of Her Majesty's Treasury shall cause such Sums as shall be from Time to Time paid by the *Sardinian* Government as Interest and Sinking Fund in respect of the said Loan or Loans to be carried to and form Part of the said Consolidated Fund.

Annual Account to be laid before Parliament.

III. The said Commissioners of the Treasury shall cause to be prepared, and shall lay before both Houses of Parliament within Twenty Days after the First Meeting of Parliament after the First Day of *January* in every Year, an Account, up to the Thirty-first Day of *December* then next preceding, of the total Sums which shall from Time to Time have been issued by virtue of this Act in respect of the said Loan or Loans, and also of the Sums from Time to Time received from the *Sardinian* Government for Interest and Sinking Fund in respect thereof, and such Account shall specify how much of such Loan or Loans has been discharged, and how much remains to be discharged.

CAP. XVIII.

An Act for raising the Sum of Sixteen Millions by way of Annuities. [5th *May* 1855.]

'Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great* '*Britain* and *Ireland*, in Parliament assembled, being desirous to raise the necessary Supplies 'which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved, that 'the Sum of Sixteen Millions be raised by Annuities in manner herein-after mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Contributors entitled to 100*l.* in the Three per Cent. Consols, and to an

I. Every Contributor towards raising the said Sum of Sixteen Millions shall for every One hundred Pounds contributed and paid be entitled to the Principal Sum of One hundred Pounds in Consolidated Annuities, after the Rate of Three Pounds *per Centum*, to commence from the Fifth Day of *January* One thousand eight hundred and fifty-five, and shall also be entitled to a further Annuity of Fourteen Shillings and

Annuity of 14*s.* 6*d.* for 30 Years.

and Sixpence for a Term of Thirty Years, to commence from the Fifth Day of *April* One thousand eight hundred and fifty-five.

Contributors who have made Deposits to pay the Remainder of Subscriptions by Instalments.

II. 'And whereas, pursuant to and upon the Terms and Conditions expressed in the said Resolution, 'several Persons have, in Books opened at the Bank of *England* for that Purpose, subscribed 'together the whole of the said Sum of Sixteen Millions to be raised by Annuities, and made Deposits 'of Ten Pounds *per Centum* on the respective Sums by them so subscribed to the said Sum of Sixteen 'Millions to be raised by Annuities with the Cashiers of the Governor and Company of the Bank of '*England*:'

It shall and may be lawful to and for such Contributors who have made such Deposits with the Cashier or Cashiers of the Governor and Company of the Bank of *England* (which Cashier or Cashiers is and are hereby appointed the Receiver and Receivers of such Contributions, without any other Warrant to be had in that Behalf,) to advance and pay unto the said Cashier or Cashiers of the Governor and Company of the Bank of *England* the several Remainders of the Sums by them respectively subscribed towards the said Sum of Sixteen Millions, at or before the respective Days and Times and in the Proportions herein-after limited and appointed in that Behalf; (that is to say,) the further Sum of Fifteen Pounds *per Centum* on or before the Twenty-second Day of *May* One thousand eight hundred and fifty-five; the further Sum of Ten Pounds *per Centum* on or before the Nineteenth Day of *June* then next following; the further Sum of Fifteen Pounds *per Centum* on or before the Seventeenth Day of *July* then next following; the further Sum of Ten Pounds *per Centum* on or before the Twenty-first Day of *August* then next following; the further Sum of Ten Pounds *per Centum* on or before the Eighteenth Day of *September* then next following; the further Sum of Ten Pounds *per Centum* on or before the Sixteenth Day of *October* then next following; the further Sum of Ten Pounds *per Centum* on or before the Twentieth Day of *November* then next following; and the remaining Sum of Ten Pounds *per Centum* on or before the Eighteenth Day of *December* then next following.

Power to Guardians, &c. to subscribe for Infants.

III. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing the said Sum of Sixteen Millions to be raised by Annuities in manner aforesaid, and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof, in such and the like Manner as any other Contributor; and the said Guardian and Trustee as to the said Sum or Sums so advanced is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

Contributors entitled to certain Annuities payable half-yearly.

IV. The several Subscribers or Contributors, their Executors, Administrators, Successors, and Assigns, in respect of the said Sum of Sixteen Millions, shall be entitled, for every One hundred Pounds by him, her, or them respectively advanced and paid, to an Annuity after the Rate of Three Pounds *per Centum*, to commence from the Fifth Day of *January* One thousand eight hundred and fifty-five, until Redemption by Parliament in manner herein-after mentioned, and also to an Annuity of Fourteen Shillings and Sixpence for the Term of Thirty Years from the Fifth Day of *April* One thousand eight hundred and fifty-five, and no longer, which said respective Annuities shall be payable and paid half-yearly by even and equal Portions; that is to say, the said Annuity after the Rate of Three Pounds *per Centum* on the Fifth Day of *July* and the Fifth Day of *January* in every Year, and the said Annuity of Fourteen Shillings and Sixpence on the Fifth Day of *April* and Tenth Day of *October* in every Year, the first Payment of each of the said Annuities to be due on the Days herein-after appointed for that Purpose.

Time at which Stock may be transferred.

V. As soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the Deposit of Ten *per Centum*, have made Payment of any subsequent Instalment payable by them respectively on the Day specified in this Act towards the said Sum of Sixteen Millions, such Contributors may have a proportional Amount of Stock in Consolidated Three Pounds *per Centum* Annuities, and of the said Terminable Annuity in respect of such Instalment, forthwith placed in the Books of the Bank of *England* to the Credit of such respective Contributors, their Executors, Administrators, Successors, and Assigns; and on Payment of the last Instalment, such Contributors, their Executors, Administrators, Successors, and Assigns, shall have a proportional Amount of like Stock and of the said Terminable Annuity placed to their respective Credits, corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Consolidated Annuities and Terminable Annuity, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall and may have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate, whatsoever, in the Books of the Bank of *England*; and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after the passing of this Act, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Principal Sums so paid by them respectively; and such Stock shall carry the Annuities after the Rate of Three Pounds *per Centum per Annum*, to be payable under this Act, until Redemption thereof in such Manner as is herein-after mentioned, and, together with the said Terminable Annuities created under this Act, shall be transferable as this Act directs, and not otherwise.

VI. All

Loan.

Contributors may anticipate Payments.

VI. All and every such Contributor or Contributors, his, her, or their Executors, Administrators, Successors, and Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of his, her, or their Contribution Money, or any Part thereof, in anticipation of the said Instalments or any of them, shall be entitled to have forthwith inscribed into his, her, or their Names the whole or such proportional Amount of the said Three Pounds *per Centum* Annuities, and of the said Terminable Annuity; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Commencement of Dividends.

VII. The First Half Year's Payment of the said Annuity after the Rate of Three Pounds *per Centum* shall be due on the Fifth Day of *July* One thousand eight hundred and fifty-five on all Sums of Three Pounds *per Centum* Annuities written into the Books of the Bank of *England*, under the Authority of this Act, not later than the preceding Twenty-fifth Day of *June*, and the First Half Year's Payment of the said Terminable Annuity shall be due on the Tenth Day of *October* One thousand eight hundred and fifty-five in respect of every such Terminable Annuity written into the Books of the Bank of *England* not later than the Twenty-fifth Day of *September* preceding; and in respect of all Sums of Three Pounds *per Centum* Annuities written into the said Books as aforesaid after the said Twenty-fifth Day of *June* One thousand eight hundred and fifty-five One Year's Annuity shall be due on the Fifth Day of *January* One thousand eight hundred and fifty-six, and in respect of every such Terminable Annuity so written in after the Twenty-fifth Day of *September* One Year's Annuity shall be due on the Fifth Day of *April* One thousand eight hundred and fifty-six.

Annuities payable and transferable at the Bank.

VIII. All the Annuities aforesaid shall be payable and paid and be transferable at the Bank of *England*; and the Three *per Centum* Annuities aforesaid shall be subject to such Redemption as is herein-after mentioned.

Annuities in respect of 16,000,000*l.* to be paid out of Consolidated Fund;

IX. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to the said Cashier or Cashiers of the Governor and Company of the Bank of *England*, as shall be sufficient to satisfy and pay the respective Annuities to be created in respect of the said Sum of Sixteen Millions, together with the Charges attending the same.

and shall be charged upon the said Fund.

X. All the said Annuities, Interest, and Dividends which shall become payable in respect of the said Sum of Sixteen Millions shall be charged and chargeable upon, and are hereby charged upon and made payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Bank to appoint a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier for Payment of Annuities.

XI. For the more easy and sure Payment of all the Annuities established by this Act, the said Governor and Company of the Bank of *England*, and their Successors, shall from Time to Time, until all the said Annuities shall be redeemed, or shall cease, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One other sufficient Person within the same Office to be their Accountant General; and so much of the Monies by this Act appropriated for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and other Payments herein directed to be made out of the said Monies, in respect of the said Sum of Sixteen Millions, shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Annuities in respect of the said Sum of Sixteen Millions payable by virtue of this Act; and such Cashier or Cashiers, to whom the said Money shall from Time to Time be issued, shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof according to the due Course of the Exchequer; and the said Accountant General for the Time being shall, from Time to Time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Cashier to give Receipt for Subscriptions, which may be assigned before 18th December 1855.

Cashier to give Security for paying the Money he receives into the Exchequer.

XII. The Cashier or Cashiers of the Governor and Company of the Bank of *England* who shall have received or shall receive any Part of the said Contributions towards the said Sum of Sixteen Millions, shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums; and the Receipts so to be given shall be assignable at any Time before the Eighteenth Day of *December* One thousand eight hundred and fifty-five, and no longer: Provided always, that such Cashier or Cashiers shall give Security to the good liking of any Two or more of the Commissioners of Her Majesty's Treasury, for duly answering and paying into the Receipt of the Exchequer as after mentioned, for the Public Use, all the Monies which he or they has or have already received, and shall hereafter receive from Time to Time, of and for the whole of the said Sum of Sixteen Millions, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same, or any Part thereof, or within Five Days afterwards at the farthest, into, and shall account for the same in the Exchequer, according to the due Course thereof, deducting thereout such Sums as shall have been paid by him or them in pursuance of this Act, for which Sums so paid Allowance shall be made in his or their Accounts.

A Book to be kept in Accountant General's Office for

XIII. In the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors,

entering Contributors Names, and a Duplicate to be sent to Exchequer.

Executors, Administrators, Successors, and Assigns, shall and may from Time to Time, and at all seasonable Times, resort to and inspect without any Fee or Charge; and the said Accountant General shall, on or before the Fifth Day of *July* One thousand eight hundred and fifty-six, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books into the Office of the Receipt of the Exchequer, there to remain for ever.

Subscriptions paid in Part and not completed, forfeited.

XIV. In case any such Contributors who have already deposited with or shall hereafter pay to the said Cashier or Cashiers any Sum or Sums of Money at the Time and in the Manner herein-before mentioned, in Part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner before mentioned, then and in every such Case the aforesaid Deposit of Ten Pounds *per Centum* shall be forfeited for the Benefit of the Public, and all Right and Title to the said Ten Pounds *per Centum* Deposit, and to the Annuities in respect thereof, shall be extinguished; anything in this Act contained to the contrary thereof in anywise notwithstanding.

Annuities to be deemed Personal Estate.

XV. All Persons and Corporations who shall be entitled to any of the Annuities hereby granted in respect of the said Sum of Sixteen Millions, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute, or Custom to the contrary notwithstanding.

Power to Treasury to apply the Money paid into the Exchequer.

XVI. It shall be lawful for the Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as have been or shall be so paid into the Receipt of Her Majesty's Exchequer by the said Cashier or Cashiers, in respect of the said Sum of Sixteen Millions, to such Services as are now charged on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or shall be charged thereon by any Act that may be passed hereafter.

Accountant General to keep Books for entering Transfers.

XVII. Books shall be constantly kept by the said Accountant General for the Time being, wherein all Assignments or Transfers of all Sums of Stock in the Consolidated Three Pounds *per Centum* Annuities created under this Act, and of the said Terminable Annuities, shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if such Parties be absent, by their respective Attorney or Attornies thereunto lawfully authorized in Writing under his or their Hand and Seal, or Hands and Seals, to be attested by Two or more credible Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof, and no other Method of assigning and transferring the said Stock or Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

Transfers not liable to Stamp Duties.

Treasury to defray Incidents.

XVIII. Out of the Monies arising from the Contributions towards raising the said Sum of Sixteen Millions by Annuities, the Commissioners of Her Majesty's Treasury shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable.

Allowance for the Expense of Management.

XIX. It shall be lawful to and for the Governor and Company of the Bank of *England* to retain out of the said Contributions at the Rate of Three hundred Pounds for every Million thereof as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same; and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance, in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company, shall be for the Use of the said Governor and Company, and at their Disposal only.

Three per Cent. Annuities created by this Act to be added to the Joint Stock of the Three per Cent. Consols.

XX. All the Annuities after the Rate of Three Pounds *per Centum per Annum* to which any Person or Persons shall become entitled by virtue of this Act, in respect of any Sum advanced or contributed towards the said Sum of Sixteen Millions, shall be added to the Joint Stock of Annuities transferable at the Bank of *England*, into which the several Sums carrying an Interest after the Rate of Three Pounds *per Centum per Annum* were by several Acts made in the Twenty-fifth, Twenty-eighth, Twenty-ninth, Thirty-second, and Thirty-third Years of the Reign of His late Majesty King *George* the Second, and by several subsequent Acts consolidated, and shall be deemed Part of the said Joint Stock of Annuities; subject nevertheless to Redemption by Parliament in such Manner and upon such Notice as in the said Act made in the Twenty-fifth Year of His said late Majesty's Reign is directed in respect of the several and respective Annuities redeemable by virtue of the said Act; and all and every Person and Persons and Corporation whatsoever, in proportion to the Money to which he, she, or they shall become entitled as aforesaid by virtue of this Act, shall have and be deemed to have a proportional Interest and Share in the said Joint Stock of Annuities at the Rates aforesaid.

Terminable Annuities created by this Act may be transferred to

XXI. The Terminable Annuities granted under the Provisions of this Act shall and may be transferred to and from the Books of the Governor and Company of the Bank of *England* to the Books of the Governor and Company of the Bank of *Ireland*, and *vice versâ*, for the Purpose of having corresponding Sums in the like Annuities written into the Books of the said respective Banks, in like Manner and under the same Regulations as any other Annuities for Terms of Years or Capital Stock are permitted to be

be so transferred under and by virtue of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to permit the mutual Transfer of Capital in certain Public Stocks or Funds transferable at the Banks of* England *and* Ireland *respectively*, and an Act of the Sixth Year of the same Reign, intituled *An Act to provide for the Assimilation of the Currency and Monies of Account throughout the United Kingdom of* Great Britain *and* Ireland. and from England and Ireland. 5 G. 4. c. 53. 6 G. 4. c. 79.

XXII. For the Purpose of the Extinction of a Portion of the Funded Debt of *Great Britain* and *Ireland* equal to the Amount to be added to the said Joint Stock as aforesaid, there shall be issued and paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Commissioners for the Reduction of the National Debt, in the financial Year commencing on the First Day of *April* which shall first happen Twelve Months after the Ratification of a definitive Treaty of Peace with *Russia*, and in every subsequent Year until such Portion of the said Funded Debt is extinguished by means of the Monies to be issued to the said Commissioners under this Enactment, the Sum of One million Pounds: Provided that in case, in the last Year in which such Sum would be payable, the Sum necessary for purchasing the remaining Portion of the said Portion of such Funded Debt be less than One million Pounds, then so much only of such Sum as may be necessary for that Purpose shall be issued and paid as aforesaid; and the Sums so to be issued and paid to the Commissioners for the Reduction of the National Debt shall be applied by them from Time to Time in the Purchase of such Funded Debt, in the Manner directed by the Acts for the Reduction of the National Debt, until by means of such Sums a Sum of Sixteen million Pounds of such Funded Debt has been extinguished and cancelled, and all such Funded Debt purchased by the said Commissioners under the Authority of this Act shall from Time to Time be forthwith cancelled and extinguished, and all Dividends in respect thereof shall cease to be payable; and for the Purposes of the Acts for the Reduction of the National Debts, the Sums to be issued and paid to the said Commissioners as aforesaid shall be deemed Part of the Expenditure of the United Kingdom. Sinking Fund.

XXIII. If any Person or Persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or any Part or Parts of the said Contributions towards the said Sum of Sixteen Millions, either with or without the Name or Names of any Person or Persons being inserted therein, as the Contributor or Contributors thereto, or Payer or Payers thereof, or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall, at the Discretion of the Court, be liable to be transported beyond the Seas for Life or for any Term not less than Fourteen Years, or to be kept in Penal Servitude for Life or for any Term not less than Four Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Four Years nor less than Two Years. Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.

XXIV. The said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Consolidated Three Pounds *per Centum* Annuities by this Act granted shall be redeemed by Parliament as aforesaid, and the Terminable Annuities by this Act granted shall cease; and the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act. Bank to continue a Corporation till the Annuities hereby granted shall be redeemed or shall cease.

XXV. No Fee, Reward, or Gratuity whatsoever shall be demanded or taken of any of Her Majesty's Subjects for receiving or paying the said Subscription or Contribution Monies or any of them, or for any Receipt concerning the same, or for paying the said Annuities or any of them, or for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon pain that any Officer or Person offending by taking or demanding any such Fee, Reward, or Gratuity shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered in any of Her Majesty's Superior Courts of Law at *Westminster*. No Fee to be taken for receiving Contributions or paying or transferring Annuities, on Penalty of 20*l*.

XXVI. If any Person or Persons shall be sued, molested, or prosecuted for anything done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Prosecution, or be nonsuited, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have full Costs awarded to him, her, or them, against any such Plaintiff or Plaintiffs. Persons sued may plead the General Issue.

CAP. XIX.

An Act to remove Doubts as to the Commissions of Officers of Militia in *Ireland* who have omitted to deliver unto the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in *Ireland*. [25th *May* 1855.]

49 G. 3. c. 120.

'WHEREAS by an Act of the Forty-ninth Year of King *George* the Third, Chapter One hundred and twenty, it was enacted, that no Person should thereafter be appointed to any Commission in 'the Militia of *Ireland* who should require a Qualification in respect of Property by virtue of the said 'Act until he should have delivered unto the Clerk of the Peace of the County or City for which he 'should be appointed, or, in the Absence of such Clerk of the Peace, to his Deputy, a specific Descrip-'tion in Writing signed by himself of his Qualification, stating the Particulars of such Qualification; 'and that no Commission to be granted by virtue of the said Act should be valid unless it was declared 'in such Commission that the Officer to whom such Commission was given had delivered in his Qualifi-'cation as directed: And whereas Persons have in many Instances been appointed to and have acted 'under Commissions in the Militia in *Ireland* requiring Qualifications in respect of Property, without 'having previously delivered the Particulars of their Qualifications, as required by the said Act: And 'whereas Doubts have been raised as to the Validity of such Commissions, and of the Acts done by the 'Persons thereby appointed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Officers of Militia acting under certain Commissions indemnified, on depositing their Qualifications within Three Months.

I. Every Person who before the passing of this Act hath been appointed an Officer in the Militia of *Ireland* by any such Commission, and who was at the Time of the issuing of such Commission seised or possessed of the necessary Qualification, or who has since acquired and now is seised or possessed of the necessary Qualification, and has since the issuing of such Commission delivered or shall within Three Months after the passing of this Act deliver to such Clerk of the Peace or his Deputy of such County or City the specific Description of his Qualification which he possessed when such Commission was issued, or which he may now possess, shall be indemnified, freed, and discharged from and against all Penalties and Forfeitures incurred or to be incurred for or by reason of previous Neglect or Omission to deliver in such Qualification at the Time required by Law, or for or by reason of his having executed any of the Powers by the said Act directed to be exercised by Colonels, Lieutenant Colonels, Majors, Captains, Lieutenants, or Ensigns without being qualified as required by the said recited Act, or without having delivered in such specific Description of his Qualification; and every such Person is and shall be deemed and adjudged to be and to have been duly qualified to hold such Commission according to the said Act of the Forty-ninth of *George* the Third, Chapter One hundred and twenty, or any Act now in force relating to such Qualification; and all Acts done or to be done by any such Person, or by Authority derived from him, under such Commission, are and shall be of the same Force and Validity as the same or any of them would have been if such specific Description of such Qualification in respect of Property had been duly delivered as directed by the said Act, and all the Provisions relating thereto had been complied with.

Proviso for Officers below the Rank of Captain commissioned when Property Qualification was required.

II. Provided always, That it shall not be necessary for any Officer now holding a Commission in any Regiment of Militia in *Ireland* under the Rank of Captain to deliver in such Qualification to the Clerk of the Peace, although his Commission may have been issued when the Law required him to be qualified in respect of Property; and notwithstanding any such Neglect as aforesaid on the Part of such Officer under the Rank of Captain to deliver in such Qualification at or previous to the Time of issuing such Commission, his Commission shall to all Intents and Purposes be and be deemed to have been as valid, and all Acts done thereunder of the same Force and Effect, and such Officer shall be freed from all Penalties and Forfeitures, as fully as if no such Neglect or Omission had happened.

Not to indemnify Persons against whom final Judgment has been obtained, &c.

III. Provided always, That this Act shall not extend to indemnify any Person against whom final Judgment shall have been given for any Penalty before the passing of this Act, or to exempt any Person holding a Commission of Captain or any higher Rank in the said Militia from the Penalties to which he shall or may be subject for acting as such Captain or Officer of higher Rank in the said Militia, without being possessed of the Property Qualification required by Law.

Lieutenants of Counties and Colonels to send with the Certificates of Appointments of Officers the Description of their Qualifications.

IV. Every Lieutenant of a County in *Ireland* or Colonel commanding a Battalion of Militia in *Ireland*, as the Case may be, who after the passing of this Act appoints any Person to be an Officer of the Militia of any Rank whereunto a Qualification in respect of Property is now required, shall, before transmitting the Name of such Officer to the Lord Lieutenant for Approval, require from the Clerk of the Peace or his Deputy a Certificate that the necessary Description in Writing of Qualification has been lodged with him by such Officer, and when he transmits for Approval to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being the Name and Rank of the Officer so to be appointed shall state to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being that he has received from the Clerk of the Peace or his Deputy such Certificate.

V. In

V. In case any Action, Suit, or other Proceeding shall be instituted to recover any Penalty imposed by the Nineteenth Section of the said recited Act, the Defendant in such Action, Suit, or other Proceeding shall be entitled, at any Time before pleading or filing his Defence, to require the Plaintiff to give Security for Costs, and to have the Proceedings stayed until such Security for Costs shall have been given. In Actions under 49 G. 3. c. 120. s. 19. Security for Costs to be given.

VI. 'And whereas by the said Act of the Forty-ninth of *George* the Third, Chapter One hundred 'and twenty, it is enacted, that it shall and may be lawful for His Majesty, His Heirs and Successors, 'from Time to Time, as He or they shall think fit, to signify His or their Pleasure to the Colonel or other 'Commanding Officer of any such Regiment or Battalion of Militia to displace all or any Officers or 'Officer of Militia serving under him in such Regiment or Battalion: And whereas under the said Act 'the Colonels of Militia in *Ireland* were appointed by the Lord Lieutenant or other Chief Governor or 'Governors of *Ireland*, and the Power of Removal was vested in such Lord Lieutenant or other Chief 'Governor or Governors: And whereas by an Act of the Session holden in the First and Second Years 'of King *William* the Fourth, Chapter Seventeen, the Power of appointing the Colonels of Militia was 'transferred from the Lord Lieutenant or other Chief Governor or Governors to the Lieutenants of 'Counties, and the Power of appointing inferior Officers was transferred from the Colonels to such 'Lieutenants of Counties, subject to a Proviso, saving to Colonels of Militia acting under Commissions 'granted before the passing of the said Act of their Power to appoint Lieutenant Colonels and other 'Officers of their Regiments and Battalions; but no Provision was made as to the displacing of the 'Officers of the Militia corresponding with the Alteration in the Powers of appointing them:' It shall be lawful for Her Majesty, Her Heirs or Successors, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time as they respectively may think fit, to signify Her, their, or his Pleasure to the Lieutenant of any County or Place to displace all or any of the Officers in the Militia of such County or Place, and thereupon such Officers shall be displaced, and others shall be appointed in their Stead. Her Majesty or Lord Lieutenant of Ireland may direct Lieutenants of Counties to displace Officers of Militia.

VII. The Thirty-second Section of the Militia (*Ireland*) Act, 1854, shall be and the same is hereby repealed; and all Offences for which any pecuniary Penalty or Forfeiture is by the said Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *Ireland* under the Provisions of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her present Majesty, intituled "The Petty Sessions (*Ireland*) Act, 1851." Recovery of Penalties. 17 & 18 Vict. c. 107. s. 32. repealed.

VIII. 'And whereas by the said Act of the Forty-ninth Year of King *George* the Third, Chapter One 'hundred and twenty, it is provided that no such Appointment of an Adjutant of Militia to the Brevet 'Rank of Captain as therein mentioned shall be valid, unless in the Instrument granting the same it be 'specified in what Regiment or Battalion, and whether of the Militia or of Her Majesty's other Forces, 'such Adjutant hath served, and what was or were the Date or Dates of his Commission or Commis-'sions: And whereas it is expedient that Adjutants who have served as Non-commissioned Officers in 'Her Majesty's Regular Forces should be eligible to the Brevet Rank of Captain, although they may 'not have held any Commissions:' Be it enacted, That it shall be lawful for the Adjutant of any Regiment or Corps of Militia in *Ireland* who shall have served as a Non-commissioned Officer in Her Majesty's Regular Forces, and whose whole Service shall amount to Five Years, to be appointed by the Lieutenant of the County to which such Regiment or Corps belongs (or by the Colonel thereof appointed previously to the Twenty-third Day of *August* One thousand eight hundred and thirty-one), with the Approval of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to the Brevet Rank of Captain, notwithstanding that he may not have held any Commission other than his Commission as an Adjutant of Militia. Adjutants of Militia Regiments who have served as Non-commissioned Officers to be eligible to Brevet Rank of Captain.

CAP. XX.

An Act for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices. [25th *May* 1855.]

'Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great* '*Britain* and *Ireland* in Parliament assembled, towards raising the Supplies to defray the Expenses 'of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved 'to give and grant unto Your Majesty the Rate and Duty herein-after mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:

I. From and after the Fifth Day of *April* One thousand eight hundred and fifty-five, there shall be charged, raised, levied, collected, and paid yearly unto and for the Use of Her Majesty, Her Heirs and Successors, in addition to the Rates and Duties chargeable under the Act passed in the last Session of Parliament, Additional Rate of 2*d.* in the Pound on Income Tax to be

charged from 5th April 1855.

Parliament, Chapter Twenty-four, for and in respect of all Property, Profits, and Gains chargeable under the several Acts in force relating to the Income Tax, either by Assessment or under any Contract of Composition or otherwise, the additional Rate and Duty of Twopence for every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains respectively.

All Relief, Abatement, and Deduction to be proportionate to the increased Rate of Duty granted by this Act.

II. Provided always, That where under the said several Acts in force any less Rate or Duty than One Shilling and Twopence for every Twenty Shillings of the annual Value or Amount of any Property, Profits, or Gains is now chargeable, or any Relief, or Abatement, or Deduction is directed to be given, made, or allowed after any Rate in such Act or Acts specified, then and in every such Case such Rate of Duty, Relief, Abatement, and Deduction to be charged, given, made, and allowed respectively under this Act and the several Acts aforesaid shall bear the same Proportion to One Shilling and Fourpence for every Twenty Shillings as the Rate of Duty, Relief, Abatement, and Reduction respectively, now chargeable or directed to be given, made, or allowed as aforesaid, in the like Cases respectively bears to One Shilling and Twopence for every Twenty Shillings: Provided nevertheless, that any Person entitled to Relief under the said Acts and this Act, on the Ground that his total Income, although amounting to One hundred Pounds or upwards, is less than One hundred and fifty Pounds a Year, shall be relieved from so much of the Duties assessed upon or paid by him under or by virtue of the said several Acts and this Act as shall exceed the Rate of Elevenpence Halfpenny for every Twenty Shillings of his Profits or Gains.

Duty to be assessed and raised under the Provisions of recited Acts.

III. The said Duty hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the several Acts now in force relating to the Income Tax; and all Powers, Authorities, Rules, Regulations, Directions, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts, and in force with respect to the Duties granted by the said first-mentioned Act, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) respectively be duly observed, applied, and put in execution for assessing, raising, levying, collecting, receiving, accounting for, and securing the said Duty hereby granted, and otherwise relating thereto, as if the same were particularly repeated and re-enacted, *mutatis mutandis*, in the Body of this Act, with reference to the said Rate and Duty hereby granted.

Continuance of Duties.

IV. The Duties by this Act and the said Act of the last Session of Parliament respectively granted shall continue in force during the present War and until the Sixth Day of *April* which shall first happen after the Expiration of One Year from the Ratification of a definitive Treaty of Peace, and no longer: Provided always, that if the Period limited by this Act for the Continuance of the said Duties shall expire before the Sixth Day of *April* One thousand eight hundred and sixty, then, on and from and after the Expiration of the said Period, the several Rates and Duties granted by the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, shall revive, and be payable during so much of the respective Terms limited by the said last-mentioned Act as shall be then unexpired.

Continuance of Act for Recovery of Arrears of Duty, &c.

V. Provided always, That the said Rates and Duties shall not cease at the Time herein-before appointed in that Behalf with respect to any Assessment which ought before then to have been made, but which shall not have been made and completed, nor with respect to any Duty which shall have been assessed and shall then remain unpaid, nor with respect to any Penalty before then incurred, nor with respect to any Deduction of the said Duty or any Portion thereof authorized by Law to be made out of any Rent, Interest, or other annual Payment, nor with respect to any Penalty for refusing to allow any such Deduction, although such Refusal may be after the Time appointed as aforesaid, nor with respect to the Assessment of the Interest on Exchequer Bills becoming due in the Month of *June* next after the Time appointed for the ceasing of the said Duty, but all the Powers and Provisions of this Act, and of the several Acts herein mentioned or referred to, shall continue in force for making and completing all such Assessments as aforesaid, and for levying and recovering the Duties so assessed or to be assessed, and all Arrears of such Duties, and also for re-assessing the same in default of Payment, and for making and allowing such Deduction as aforesaid, and for the suing for, adjudging, and recovering any Penalty which shall have been or may be incurred.

CAP. XXI.

An Act for granting certain Duties of Customs on Tea, Coffee, Sugar, and other Articles. [25th *May* 1855.]

'Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supplies to defray the Expenses 'of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved 'to give and grant to Your Majesty the several additional Duties of Customs herein-after respectively 'mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That

Customs Duties.

I. That on and after the Twenty-first Day of *April* One thousand eight hundred and fifty-five there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, in lieu and instead of the Duties now payable by Law upon the Importation into the United Kingdom of the Articles next herein-after mentioned, the several Duties of Customs following; that is to say, on

On and after 21st April 1855 the following Duties of Customs on Tea, Coffee, Sugar, &c. shall be levied.

	£	s.	d.
TEA.—Until the Fifth Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia, the lb.	0	1	9

From which last-mentioned Day the Duty shall be regulated in accordance with the Provisions of the Act, Chapter Nine, of the present Session of Parliament.

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.			For the following Twelve Months after such 5th Day of April.			Thereafter.		
	£	s.	d.	£	s.	d.	£	s.	d.
COFFEE - - - - - - - - - the lb.	0	0	4	0	0	3	0	0	3
——— Kiln dried, roasted or ground - - the lb.	0	0	5	0	0	4	0	0	4
CHICORY, or any other Vegetable Matter applicable to the Use of Chicory or Coffee, roasted or ground, the lb.	0	0	5	0	0	4	0	0	4
SUGAR, viz.:—									
Candy, Brown or White Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, the Cwt.	1	0	0	0	16	8	0	13	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, or equal in Quality to Refined - - the Cwt.	0	17	6	0	14	7	0	11	8
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed - - - - - - - the Cwt.	0	15	0	0	12	9	0	10	6
Brown Muscovado, or any other Sugar not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar - - - - - - - the Cwt.	0	13	9	0	11	8	0	9	6
MOLASSES - - - - - - - the Cwt.	0	5	4	0	4	6	0	3	9
CONFECTIONERY, Comfits, Cherries dried, Marmalade, Plums preserved in Sugar, Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated - - - - the lb.	0	0	2½	0	0	2	0	0	1½

II. That in lieu of the Duties of Customs now payable on the Articles under mentioned, imported into *Scotland* or *Ireland*, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, on and after the Twentieth Day of *April* One thousand eight hundred and fifty-five, the following Duties; that is to say, on

On and after 20th April 1855 the following Duties of Customs on Spirits shall be levied.

	£	s.	d.
SPIRITS:			
Not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes' Hydrometer, for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon; viz.			
——— Of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act, Fourth Victoria, Chapter Eight, have or shall have been fulfilled:—			
If imported into Scotland - - - - - - - - - the Gallon	0	8	2
If imported into Ireland - - - - - - - - - the Gallon	0	6	4
——— Rum Shrub, Cordials, and Liqueurs of and from a British Possession in America or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter qualified as aforesaid:—			
If imported into Scotland - - - - - - - - - the Gallon	0	8	2
If imported into Ireland - - - - - - - - - the Gallon	0	6	4

III. That

On and after 19th May 1855 the following Drawbacks on Sugar shall be allowed.

III. That in lieu of the Bounties and Drawbacks now payable on the Exportation of Refined Sugar, the following Drawbacks shall be allowed on and after the Nineteenth Day of *May* One thousand eight hundred and fifty-five, on the Exportation, or on the Removal to the *Isle of Man* for Consumption there, of the several Descriptions of Refined Sugar herein-after mentioned; that is to say,

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
Upon Refined Sugar in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, for every Cwt.	0 18 9	0 15 8	0 12 6
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters, for every Cwt.	0 18 9	0 15 8	0 12 6
Upon Refined Sugar, unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample, No. 1, approved by the Lords of the Treasury, and which shall not contain more than Five per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove, for every Cwt.	0 17 10	0 14 10	0 11 10
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample, No. 2, approved by the Lords of the Treasury, for every Cwt.	0 16 6	0 13 9	0 11 0
Upon Bastard or Refined Sugar, being inferior in Quality to the said Export Standard Sample, No. 2, for every Cwt.	0 13 9	0 11 8	0 9 6

When Contracts have been entered into, Amount of increased Duty to be added.

IV. 'And whereas Contracts or Agreements may have been made for the Sale or Delivery of some of 'the Goods or Commodities on which increased or additional Duties of Customs are by this Act granted 'and imposed, which Contracts or Agreements may have been made with no Reference to such Additional 'Duties, and thereby the several Contractors may be materially affected:' For Remedy thereof be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered, in the Case of any such Contract or Agreement, to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled, by virtue of this Act, to be paid, and to sue for and recover the same accordingly.

Short Title.

V. In citing this Act in other Acts or legal Instruments it shall be sufficient to use the Expression "The Customs Duties Act, 1855."

CAP. XXII.

An Act for granting certain additional Rates and Duties of Excise. [25th *May* 1855.]

'Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of 'Great Britain and Ireland in Parliament assembled, towards raising the Supplies to defray the 'Expenses of the just and necessary War in which Your Majesty is engaged, have freely and volun-'tarily resolved to give and grant unto Your Majesty the several additional Rates and Duties of Excise 'herein respectively mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Grant of Duties of Excise as in Schedule A.

I. There shall be charged, raised, levied, collected, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, upon the several Goods and Commodities mentioned and described in the Schedule marked (A.) hereunto annexed, the several Sums of Money and additional Duties of Excise as they are respectively inserted, described, and set forth in the said Schedule ; and there shall be made, allowed, and paid for or in respect of the Goods and Commodities mentioned and described in the Schedule marked (B.) hereunto annexed, the several Allowances and Drawbacks of Excise as the same are respectively inserted, described, and set forth in the said last-mentioned Schedule ; and the said Duties, Allowances, and Drawbacks respectively shall commence and take effect on the respective Days mentioned in the said Schedules respectively.

Allowance and Drawbacks as in Schedule (B.)

Drawback on Spirit Mixtures to cease, except as to Made Wines.

II. Provided always, That no Drawback of Excise shall be allowed or paid for or upon any of the Mixtures, Compounds, Preparations, or Commodities described in the Schedule (B.) annexed to the Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty's Reign, Chapter Twenty-seven, which on or after the Twentieth Day of *April* One thousand eight hundred and fifty-five shall be removed from *England* or *Scotland* to *Ireland*, except upon Made Wines ; and that for and upon every Gallon of all Made Wines which shall be so removed as aforesaid, there shall be allowed and paid the countervailing Drawback of Twopence Three Farthings, and no more.

Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.

III. The said several Duties, Allowances, and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, applied, and allowed respectively, in such and the like Manner, and by the same Ways, Means, and Methods, by which other Duties, Allowances, and Drawbacks of Excise upon or in respect of Goods or Commodities of the same Sorts or Kinds respectively, are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied ; and all Acts relating to the Duties, Allowances, and Drawbacks of Excise respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the Duties of Excise or any of them, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall be respectively applied, practised, and put in execution for and in respect of the said Duties, Allowances, and Drawbacks hereby granted, imposed, and allowed respectively, in as full and ample a Manner to all Intents and Purposes as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties, Allowances, and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

Where Contracts have been made before the additional Duties to be added to the Price of the Articles contracted for.

IV. ' And whereas Contracts or Agreements may have been made for the Sale or Delivery of some ' of the Goods or Commodities on which increased or additional Duties of Excise are by this Act granted ' and imposed, which Contracts or Agreements may have been made with no reference to such additional ' Duties, and thereby the several Contractors may be materially affected :' For Remedy thereof, be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered in the Case of any such Contract or Agreement to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

British Duty to be paid on Spirits from Duty-free Warehouse in Ireland.

V. Upon the Delivery of any Spirits from a Duty-free Warehouse in *Ireland* for Consumption in *England* or *Scotland*, the full Amount of the Duty chargeable on Spirits distilled in *England* or *Scotland* for Consumption there shall be paid on such Spirits in *Ireland* previously to the Removal thereof from such Warehouse, anything in the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty, contained to the contrary notwithstanding.

Spirits may be sent out or warehoused at Proof Strength or within Six Tenths thereof.

VI. Notwithstanding anything contained in any former Act to the contrary, it shall be lawful to send out or remove from any Distillery, either for Consumption or into any Warehouse, Spirits of the Degree of Strength denominated Proof Strength, or within Six Tenths of One *per Centum* over or under such Strength, as well as of the respective Strengths specified and allowed by any former Act, but under and subject, nevertheless, to all such Rules and Regulations as are contained in any former Act with respect to Spirits of any other specified Strength.

Distillers in England and Ireland to be entitled to Allowance on Spirits distilled from Malt for Home Consumption as well as for Exportation.

VII. Every licensed Distiller in *England* and *Ireland* respectively shall be entitled to the Allowance by this Act granted in respect of Spirits distilled from Malt only, whether for Consumption in *England*, *Scotland*, or *Ireland*, or for Exportation or Use as Ships Stores ; and all Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures contained in any Act mentioned or referred to in the Thirteenth Section of the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred and twenty-two, or contained in any other Act or Acts in force in relation to the making or Use of Malt for the Distillation of Spirits from Malt only, or in relation to the Distillation of such Spirits in *Scotland*, or the warehousing or Removal thereof, either for Exportation or for Use as Ships Stores, or for Home Consumption, or in relation to the granting or Payment of the said Allowance in respect of Spirits distilled in *Scotland*, or for the preventing of Frauds in

in claiming the same, shall be observed, applied, and enforced with respect to the making and Use of Malt for Distillation, and the distilling of Spirits from Malt only in *England* and *Ireland* respectively, and the said Allowance granted thereon, as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted, *mutatis mutandis*, in this Act, with reference to the said Allowance by this Act granted.

Repeal of certain Provisions of Acts requiring Repayment of Malt Allowance on Spirits for Consumption in England or Ireland, &c.

VIII. So much and such Part or Parts of the several Acts in force as is and are herein-after in this Clause mentioned or referred to shall be and the same is and are hereby repealed; (that is to say,)

So much of any Act as enacts or requires that upon the Removal to *England* or *Ireland* for Consumption there of Spirits distilled in *Scotland* from Malt only, or that on the Delivery for Consumption in *England* or *Ireland* of Spirits from Malt only, One Half or any other Portion of the Allowance granted thereon in respect of the Malt used in the Distillation thereof shall be repaid, and so much of any Act as prohibits or restrains the Removal otherwise than by Sea from *England* to *Scotland*, or from *Scotland* to *England*, of any *British* Spirits, whether compounded, medicated, or otherwise, or any Spirit Mixtures or Preparations, or any Made Wines:

And the same shall be deemed to have been repealed on and from and after the Twentieth Day of *April* One thousand eight hundred and fifty-five.

Distillers may remove Duty-paid Spirits between England and Scotland.

IX. From and immediately after the passing of this Act, it shall be lawful for Distillers in *England* and *Scotland* respectively to remove from their respective Stores Spirits on which the full Duties of Excise chargeable by Law shall have been paid from *England* to *Scotland*, or from *Scotland* to *England*, in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof to and from and between Places both of which are situated in one and the same Part of *Great Britain*.

Duty-paid Spirits may be removed from the Stocks of Rectifiers and Dealers between England and Scotland.

X. And on and from and after the First Day of *October* One thousand eight hundred and fifty-five Spirits on which the full Duties of Excise chargeable by Law shall have been paid may lawfully be removed from the respective Stocks of Rectifiers, Compounders, Dealers, and Retailers of Spirits, in *England* and *Scotland* respectively, to and from and between the said respective Parts of *Great Britain*, in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof from any such last-mentioned Stocks to and from and between Places both of which are situated in one and the same Part of *Great Britain*.

Allowance on the Cistern or Couch Gauges of Malt-making for distilling Purposes to be 17 per Cent.

XI. In respect of all Corn or Grain in process of making into Malt, to be used in the Distillation of Spirits made from Malt only, the Allowance to be made upon the Gauges of such Corn or Grain during the Time that the same shall be in the Cistern or in the Couch Frame, whilst directed by Law to be deemed and gauged as in Couch, shall be after the Rate of Seventeen Bushels only for every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge, anything in the Ninth Section of the Act passed in the First Year of Her Majesty's Reign, Chapter Forty-nine, notwithstanding.

Commissioners may revoke the Licence of a Maltster for Distillery Purposes, or a Distiller from Malt, on a Second Conviction.

XII. If any Maltster or Maker of Malt to be used in distilling Spirits from Malt only, or if any Distiller having given Notice of his Intention to distil Spirits from Malt only, shall at any Time hereafter be convicted of any of the several Offences specified in the Seventy-third Section of the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Fifty-two, or in the Ninety-second Section of the Act passed in the Fourth Year of the Reign of the said King *George* the Fourth, Chapter Ninety-four, or in the Ninth Section of the Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, Chapter Twenty-nine, and if such Maltster or Distiller shall afterwards be again convicted either of the same Offence or any other of the several Offences aforesaid, it shall be lawful for the Commissioners of Inland Revenue, and they are hereby empowered, to revoke and annul the Licence granted to such Maltster or Distiller, and to refuse to grant to him any further Licence as a Maltster or Distiller, and also to refuse to grant any such Licence to any other Person to exercise such Trade or Business at the same Premises where the Offence was committed in respect of which such Second Conviction as aforesaid was made.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

DUTIES.

SPIRITS.

Scotland and Ireland.

	Duties. £ s. d.
For and upon every Gallon of Spirits of the Strength of Hydrometer Proof which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be distilled in Scotland and Ireland respectively, or be in the Stock, Custody, or Possession of any Distiller in Scotland or Ireland, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled in England, Scotland, or Ireland, shall on or after the said Day be in Warehouse in Scotland or Ireland, and be taken out of Warehouse	

	Duties. £ s. d.
for Consumption in Scotland or Ireland, or which, having been taken out of Warehouse in England for Removal to Scotland or Ireland, shall on or after the said Day be brought into Scotland or Ireland, the additional Duty following; that is to say,	
In Scotland, the additional Duty of - - - - - - -	0 1 10
In Ireland, the additional Duty of - - - - - - -	0 2 0
And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.	

Channel Islands.

For and upon every Gallon of Spirits of the Nature or Quality of plain British Spirits of the Strength of Hydrometer Proof, manufactured or distilled in the Islands of Guernsey, Jersey, Alderney, and Sark respectively, and imported from any of the said Islands into Scotland or Ireland, the following countervailing Duties to be charged and paid on and after the Twentieth Day of April One thousand eight hundred and fifty-five; that is to say,	
If imported into Scotland - - - - - - - -	0 9 0
If imported into Ireland - - - - - - - -	0 7 2
And so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits imported into Scotland and Ireland respectively,	
In lieu of the countervailing Duties of Excise now chargeable on such last-mentioned Spirits under any other Act or Acts in force.	

SPIRIT MIXTURES.

For and upon the several Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described, which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be removed from Ireland to England or Scotland, the several Sums of Money and Duties of Excise herein-after respectively inserted and set forth, in lieu of the respective Duties of Excise now payable thereon, under any other Act or Acts in force; that is to say,

Articles enumerated. For every Gallon thereof removed.	Countervailing Duties. From Ireland to England or Scotland. £ s. d.
Ether - - - - - - - - - -	0 4 7
Sweet Spirits of Nitre - - - - - - - -	0 2 9
Camphorated Spirits - - - - - - - -	
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients - - - - - - -	
Compound Spirits of Lavender - - - - - - -	
Spirits of Rosemary - - - - - - - -	
Spirits of Ammonia - - - - - - - -	
Sal Volatile - - - - - - - - -	
Friar's Balsam - - - - - - - - -	
Compound Tincture of Benzoin - - - - - - -	
Tincture of Assafœtida - - - - - - - -	
Tincture of Castor - - - - - - - - -	
Tincture of Kino - - - - - - - - -	
Tincture of Guiacum - - - - - - - -	
Tincture of Myrrh - - - - - - - -	
Tincture of Ginger - - - - - - - -	
Spirit Varnishes and Lacquers - - - - - - -	
Other Tinctures and Medicated Spirits - - - - - -	0 1 10
Made Wines - - - - - - - - -	0 0 2¾

SUGAR.

For and upon all Sugar made in the United Kingdom on or after the 21st Day of April 1855, the several Sums of Money and Duties of Excise herein-after inserted, described, and set forth; that is to say,

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
On Candy, Brown or White Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Hundredweight - - - - -	1 0 0	0 16 8	0 13 4
On White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined, for every Hundredweight - - - - - - -	0 17 6	0 14 7	0 11 8
On Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed, according to a Standard to be furnished by the Commissioners of Her Majesty's Treasury, for every Hundredweight - - - - -	0 15 0	0 12 9	0 10 6
On Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar, according to a Standard to be furnished by the said Commissioners, for every Hundredweight -	0 13 9	0 11 8	0 9 6
On Molasses, for every Hundredweight - - -	0 5 4	0 4 6	0 3 9
And so in proportion for any greater or less Quantity than a Hundredweight.			

In lieu of the Duties of Excise now payable on Sugar made in the United Kingdom.

And for and upon every Hundredweight, and so in proportion for any greater or less Quantity than a Hundredweight, of all Sugar which, on or after the Twenty-first Day of April One thousand eight hundred and fifty-five, shall be used by any Brewer of Beer for Sale in the brewing or making of Beer - - - - - - - - - - 0 3 9

And so in proportion, more or less, according to the Rates of the Duty of Excise on Malt, and of the Duty of Customs on Sugar respectively from Time to Time payable, so that the Aggregate of the Duties of Excise and Customs on Sugar used in Brewing may be at all Times an Equivalent for the Duty of Excise on the Malt for which such Sugar is substituted.

In lieu of the Duty of Excise chargeable on such Sugar under the Act passed in the last Session of Parliament, Chapter Thirty, but over and above all other Duties, whether of Excise or Customs.

SCHEDULE (B.)

ALLOWANCES AND DRAWBACKS.

	Allowance or Drawback.
	£ s. d.
For and upon every Gallon of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity or any greater or less Degree of Strength, distilled in England or Ireland from Malt only, which shall be mashed on or after the Twentieth Day of April One thousand eight hundred and fifty-five, and which Spirits shall be distilled at the Rate of Two Gallons of such Spirits for every Bushel of Barley Malt, or in Ireland One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, the Allowance of - - - - - - - - - - -	0 1 4

In lieu of all Allowances granted on such Spirits by any other Act or Acts now in force: Provided always, that if the Quantity of Malt mashed and used in the Production of such Spirits shall be less than after the Rate of One Bushel of Barley Malt, or One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, for every

	£	s.	d.
Two Gallons of Proof Spirits charged with Duty a Deduction from the Amount of such Allowance shall be made, after the Rate of Four Shillings for every Bushel of Barley Malt and every Bushel and Three Tenth Parts of a Bushel of Bear or Bigg Malt, which shall respectively be so deficient.			
And for and upon such Spirits distilled in England or Ireland from Malt only, and on which the Allowance aforesaid shall have been made, and which said Spirits shall be duly removed from Warehouse for Exportation or for Use as Ships Stores, and be duly exported or shipped as Stores, under and according to the Laws and Regulations of Customs in such respect, over and above the Allowance aforesaid, and in lieu of the Drawback granted and payable under any former Act, for every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of - - - - - - - -	0	0	8
And for and in respect of all Sugar and Molasses actually received and used on and after the Twenty-first Day of April One thousand eight hundred and fifty-five, in the brewing or making of Worts or Wash brewed or made from Sugar only, or from Molasses only, or from any Mixture of these Materials and Treacle, or Malt or Grain, and distilled into Spirits by any Distiller in England, Scotland, or Ireland, an Allowance after the Rate of Twelve Shillings and One Penny for every One hundred and twelve Pounds of Sugar so used, and after the Rate of Four Shillings and Threepence Halfpenny for every One hundred and twelve Pounds of Molasses so used; and so in proportion more or less according to the Rates of the Duty of Customs on Sugar and Molasses respectively and of the Duty of Excise on Malt from Time to Time payable in lieu of the Allowances in respect of such Sugar and Molasses respectively contained in Schedule D. annexed to the Act Seventeenth and Eighteenth Victoria, Chapter Twenty-seven.			

CAP. XXIII.

An Act to alter in certain respects the Law of Intestate Moveable Succession in *Scotland*.

[25th *May* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Issue of a predeceasing Next of Kin shall come in the Place of their Parent in the Succession to an Intestate.

I. In all Cases of Intestate Moveable Succession in *Scotland* accruing after the passing of this Act, where any Person who, had he survived the Intestate, would have been among his Next of Kin, shall have predeceased such Intestate, the lawful Child or Children of such Person so predeceasing shall come in the Place of such Person, and the Issue of any such Child or Children, or of any Descendant of such Child or Children, who may in like Manner have predeceased the Intestate, shall come in the Place of his or their Parent predeceasing, and shall respectively have Right to the Share of the Moveable Estate of the Intestate to which the Parent of such Child or Children or of such Issue, if he had survived the Intestate, would have been entitled: Provided always, that no Representation shall be admitted among Collaterals after Brothers and Sisters Descendants, and that the surviving Next of Kin of the Intestate claiming the Office of Executor shall have exclusive Right thereto, in preference to the Children or other Descendants of any predeceasing Next of Kin, but that such Children or Descendants shall be entitled to Confirmation when no Next of Kin shall compete for said Office.

Issue of predeceasing Heir succeeding to the Intestate's Heritage may collate, but other Issue not excluded by his not collating, &c.

II. Where the Person predeceasing would have been the Heir in Heritage of an Intestate leaving Heritable as well as Moveable Estate had he survived such Intestate, his Child, being the Heir in Heritage of such Intestate, shall be entitled to collate the Heritage to the Effect of claiming for himself alone, if there be no other Issue of the Predeceaser, or for himself and the other Issue of the Predeceaser, if there be such other Issue, the Share of the Moveable Estate of the Intestate which might have been claimed by the Predeceaser upon Collation if he had survived the Intestate; and Daughters of the Predeceaser, being Heirs Portioners of the Intestate, shall be entitled to collate to the like Effect; and where, in the Case aforesaid, the Heir shall not collate, his Brothers and Sisters, and their Descendants in their Place, shall have Right to a Share of the Moveable Estate equal in Amount to the Excess in Value over the Value of the Heritage of such Share of the whole Estate, Heritable and Moveable, as their predeceasing Parent had he survived the Intestate would have taken on Collation.

Extent of Father's Succession.

III. Where any Person dying intestate shall predecease his Father without leaving Issue, his Father shall have Right to One Half of his Moveable Estate, in preference to any Brothers or Sisters or their Descendants who may have survived such Intestate.

Extent of Mother's Succession.

IV. Where an Intestate dying without leaving Issue whose Father has predeceased him shall be survived by his Mother, she shall have Right to One Third of his Moveable Estate, in preference to his Brothers and Sisters or their Descendants, or other Next of Kin of such Intestate.

Succession by Brothers and Sisters uterine.

V. Where an Intestate dying without leaving Issue, whose Father and Mother have both predeceased him, shall not leave any Brother or Sister german or consanguinean, nor any Descendant of a Brother or Sister german or consanguinean, but shall leave Brothers and Sisters uterine, or a Brother or Sister uterine,

uterine, or any Descendant of a Brother or Sister uterine, such Brothers and Sisters uterine and such Descendants in place of their predeceasing Parent shall have Right to One Half of his Moveable Estate.

Representatives of Wife to have no Claim, &c.

VI. Where a Wife shall predecease her Husband, the Next of Kin, Executors, or other Representatives of such Wife, whether testate or intestate, shall have no Right to any Share of the Goods in Communion, nor shall any Legacy or Bequest or Testamentary Disposition thereof by such Wife affect or attach to the said Goods or any Portion thereof.

Dissolution of Marriage not to affect Rights, &c.

VII. Where a Marriage shall be dissolved before the Lapse of a Year and Day from its Date, by the Death of One of the Spouses, the whole Rights of the Survivor and of the Representatives of the Predeceaser shall be the same as if the Marriage had subsisted for the Period aforesaid.

Part of Act of Scotch Parliament, 1617, c. 14. repealed.

VIII. So much of an Act of the Parliament of *Scotland* passed in the Year One thousand six hundred and seventeen, and intituled *Anent Executors*, as allows Executors nominate to retain to their own Use a Third of the Dead's Part in accounting for the Moveable Estate of the Deceased, is hereby repealed, and Executors nominate shall, as such, have no Right to any Part of the said Estate.

Interpretation of Terms.

IX. The Words "Intestate Succession" shall mean and include Succession in Cases of partial as well as of total Intestacy; "Intestate" shall mean and include every Person deceased who has left undisposed of by Will the whole or any Portion of the Moveable Estate on which he might, if not subject to Incapacity, have tested; "Moveable Estate" shall mean and include the whole free Moveable Estate on which the Deceased, if not subject to Incapacity, might have tested, undisposed of by Will, and any Portion thereof so undisposed of.

CAP. XXIV.

An Act to amend an Act of the Second and Third Years of King *William* the Fourth, for amending the Representation of the People in *Scotland*, in so far as relates to the Procedure in County Elections in that Country. [25th *May* 1855.]

'WHEREAS it is expedient that the Time between the Receipt of the Writ by the Sheriff and the Day of Election of Members to serve in Parliament for Counties in *Scotland* should be shortened:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sheriff to endorse Day on which he received Writ and announce Time for Election. 2 & 3 W. 4. c. 65.

I. Each Sheriff to whom any Writ for the Election of a Member to serve for any County or combined Counties in *Scotland* (except *Orkney* and *Shetland*) shall be directed, under the Provisions of an Act passed in the Second and Third Years of the Reign of His late Majesty, intituled *An Act to amend the Representation of the People in* Scotland, shall endorse on the Writ the Day on which he received it, and shall within Two Days thereafter announce a Day for the Election, which Day shall be not less than Six nor more than Twelve Days in Counties or combined Counties after the Day on which the Writ was received, and shall give due Intimation thereof as is provided in the said Act.

Proviso as to Orkney and Shetland.

II. In the Case of *Orkney* and *Shetland* the Provisions of the said Act, in so far as they relate to the fixing and Announcement of the Day of Election, and the Interval to elapse between the Receipt of the Writ and the Day of Election, shall remain in full Force and Effect, anything in this Act contained notwithstanding.

Provisions of recited Act so far as inconsistent with this Act repealed.

III. In all Cases in which the Provisions of the said Act shall be inconsistent with this Act, and in as far as shall be necessary to give Effect to the true Intent and Meaning of this Act, but no further, the said Act shall be and the same is to such Extent hereby repealed; and the said Act shall in all other respects remain in full Force and Effect, and be as good and effectual to carry this Act into execution, as if the same were herein repeated and re-enacted.

CAP. XXV.

An Act to allow Affirmations or Declarations to be made instead of Oaths in certain Cases in *Scotland*. [25th *May* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Affirmation instead of Oath to be allowed in certain Cases.

I. If any Person called as a Witness in any Court of Civil Judicature in *Scotland*, or required or desiring to make an Affidavit or Deposition, shall refuse or be unwilling from alleged conscientious Motives to be sworn, it shall be lawful for the Court or Judge or other presiding Officer or Person qualified to take Affidavits or Depositions, on being satisfied of the Sincerity of such Objection, to permit such Person instead of being sworn to make his or her solemn Affirmation or Declaration in the Words following, *videlicet*,

'I *A.B.* do solemnly, sincerely, and truly affirm and declare that the taking of any Oath is, according to my Religious Belief, unlawful; and I do solemnly, sincerely, and truly affirm and declare,' *&c.*

Which

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form, and shall in like Manner infer the Pains of Perjury in case of Falsehood.

Her Majesty may, by Order in Council, direct Provisions of this Act to be applied to all Courts in Scotland.

II. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act shall apply to all or any Court or Courts in *Scotland;* and such Order shall be notified by the Secretary of State to the Clerk or other Officer of the Court or Courts therein named respectively, and shall be published in the *Edinburgh Gazette;* and within One Month after such Order shall have been so notified and published, such Provisions shall extend and apply in manner directed by such Order; and any such Order may be in like Manner from Time to Time altered and annulled.

CAP. XXVI.

An Act to continue an Act of the Thirteenth and Fourteenth Years of Her present Majesty, for enabling the Judges of the Courts of Common Law at *Westminster* to alter the Forms of Pleading. [25th *May* 1855.]

13 & 14 Vict. c. 16.

'WHEREAS by an Act of the Thirteenth and Fourteenth Years of Her present Majesty Queen 'Victoria, intituled *An Act to enable the Judges of the Courts of Common Law at* Westminster *to* 'alter the Forms of Pleading, Powers were given to the Judges of the Superior Courts of Common Law 'at *Westminster*, within Five Years from the passing of that Act, to make such Alterations in the Mode 'of Pleading in the said Courts, and in the Mode of entering and transcribing Pleadings, Judgments, 'and other Proceedings in Actions at Law, and in the Time and Manner of objecting to Errors in 'Pleadings and other Proceedings, and in the Mode of verifying Pleas and obtaining final Judgment, 'without Trial in certain Cases, and such Regulations as to the Payment of Costs, and otherwise for 'carrying into effect the said Alterations, as to them may seem expedient: And whereas the said 'Powers so by the said Act conferred are about to expire, and it is desirable that the same should be 'further prolonged:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Powers conferred by the said herein-before recited Act on the Judges of the said Superior Courts of Common Law at *Westminster* shall be continued for a Period of Five Years from the passing of this Act, subject always to the Provisions and Conditions in the said recited Act contained as to any Rules, Orders, and Regulations which may be made by the said Judges under and by virtue of the said Powers.

Powers conferred by the recited Act on Judges of Superior Courts continued.

CAP. XXVII.

An Act to amend the Laws relating to the Stamp Duties on Newspapers, and to provide for the Transmission by Post of printed periodical Publications. [15th *June* 1855.]

'WHEREAS it is expedient to amend the Laws relating to the Stamp Duties on Newspapers, and 'to provide for the Transmission by Post of printed periodical Publications:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Not to be compulsory to print Newspapers on Stamps.

I. From and after Fourteen Days after the passing of this Act it shall not be compulsory (except for the Purpose of free Transmission by the Post) to print any Newspaper on Paper stamped for denoting the Duties imposed by Law on Newspapers, and no Person shall be subject or liable to any Penalty or Forfeiture for printing, publishing, selling, or having in his Possession any unstamped Newspaper.

Periodical Publications printed on Stamps to be transmitted by Post free of Postage.

II. Every periodical Publication herein-after mentioned which shall be printed within the United Kingdom on Paper stamped for denoting the Rate of Duty now imposed by Law on Newspapers shall be entitled to the like Privileges of Transmission and Re-transmission by the Post between Places in the United Kingdom, either Postage-free or otherwise, on the same Terms and Conditions and under and subject to the like Rules and Regulations as Newspapers duly stamped are now entitled and subject to under any Act or Acts in force, but under and subject nevertheless to the Terms and Conditions in this Act contained.

Periodical Publications entitled to free Transmission by Post to be printed under certain Limitations and Conditions specified.

III. Every periodical Publication to be entitled to any such Privilege as aforesaid shall be printed and published at Intervals not exceeding Thirty-one Days between any Two consecutive Parts or Numbers of such Publication, and shall be subject to the same Limitations and Restrictions with respect to the Number of Sheets or Pieces of Paper whereon the same shall be printed, and with respect to the Superficies or Dimensions of the Letter-press thereof, as by any Act or Acts now in force are enacted or imposed with respect to Newspapers and Supplements thereto; and every such periodical Publication shall be entitled to such Privilege only on the Terms and Conditions following; (that is to say,) One of the Sheets or Pieces of Paper on which the same shall be printed shall be stamped with an appropriated Die, denoting the Stamp Duty imposed by Law on a Newspaper printed on the like Number of Sheets

or

or Pieces of Paper and of the like Dimensions with respect to the Superficies of the Letter-press thereof; and on the Top of every Page of such Publication there shall be printed the Title thereof, and the Date of publishing the same; and such periodical Publication at the Time when the same shall be posted shall be folded in such Manner that the whole of the Stamp denoting the said Duty shall be exposed to view, and be distinctly visible on the Outside thereof; also such periodical Publication shall not be printed on Pasteboard or Cardboard, or on Two or more Pieces or Thicknesses of Paper pasted together, nor shall any Pasteboard, Cardboard, or such pasted Paper be transmitted by Post with any such periodical Publication either as a Back or Cover thereto, or otherwise.

Paper to be stamped for such periodical Publications at the Request of the Proprietor or Printer.

IV. It shall be lawful for the Proprietor or Printer of any such periodical Publication to send to the Commissioners of Inland Revenue, or to such Officer as they shall appoint or direct in that Behalf, any Quantity of Paper to be stamped with an appropriated Die, to be provided in the Manner directed by the Third Section of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, for denoting the Rate of Stamp Duty chargeable on Newspapers; and upon Payment to the proper Officer of the full Amount of the Stamps required to be impressed on such Paper, the said Commissioners or their proper Officer shall cause the same to be stamped accordingly: Provided always, that there shall be allowed in *Ireland*, in respect of such appropriated Stamps as aforesaid for any periodical Publication which shall be printed and published only in *Ireland*, the same Rate of Discount as by the said last-mentioned Act is directed to be allowed on the Purchase of Stamps for the printing of Newspapers in *Ireland*.

Discount to be allowed on Stamps in Ireland.

Periodicals to be posted within 15 Days after being published.

V. Every periodical Publication, posted in the United Kingdom, to be entitled to the Privilege of Transmission by the Post between Places in the United Kingdom, under the Provisions of this Act, shall be put into a Post Office within Fifteen Days next after the Day on which the same shall be published; the Day of Publication to be determined by the Date of such Publication.

Questions as to periodical Publications, how determined.

VI. In all Cases in which a Question shall arise whether a printed Paper is entitled to the Privilege of a periodical Publication, so far as respects the Transmission thereof by the Post under the Provisions of this Act, the Question shall be referred to the Determination of the Postmaster General, whose Decision, with the Consent of the Commissioners of Her Majesty's Treasury, shall be final.

Newspapers may be registered at the General Post Office to entitle the same to the Privilege of Transmission abroad under Treaties with Foreign Powers.

VII. 'And whereas certain Treaties and Arrangements have been made and entered into, and other 'Treaties and Arrangements may hereafter be entered into, by and between Her Majesty's Government 'and certain Foreign and Colonial Governments, for regulating the Transmission of *British* Newspapers 'abroad; and it is expedient to make Provision for enabling Her Majesty's Postmaster General to secure 'for such Newspapers respectively the Privileges and Advantages of such Treaties and Arrangements:' Be it therefore enacted, That, upon the Postmaster General being satisfied that any printed Publication is a Newspaper, or entitled to the Privileges of a Newspaper, within the Meaning of such Treaties and Arrangements as aforesaid, it shall be lawful for the Proprietor or Printer of such Newspaper or Publication, if he shall think fit, to register the same at the General Post Office in *London*, in such Form and with such Particulars relating to the same, and subject to the Payment of such Fees, not exceeding Five Shillings respectively, as well on Registration as afterwards periodically for being continued on the Register, as the Postmaster General, with Consent of the Commissioners of the Treasury, shall from Time to Time direct or require in that Behalf; and thereupon such Newspaper or Publication, being printed on Paper duly stamped with an appropriated Die under the Provisions of this Act, shall be entitled to all the Privileges and Advantages secured to Newspapers by any such Treaties and Arrangements as aforesaid.

Transmission by Post of printed Papers to Foreign Countries.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to allow any printed Newspaper (*British*, Colonial, or Foreign) to be transmitted by the Post between Places in the United Kingdom and Her Majesty's Colonies or Foreign Countries, or between any Ports or Places beyond the Sea (whether through the United Kingdom or not), either free of Postage or subject to such Rates of Postage not exceeding Twopence for each Newspaper, irrespective of any Foreign or Colonial Postage, as the Commissioners of the Treasury, or the Postmaster General with their Consent, shall from Time to Time think fit; and as a Condition to any *British* Newspaper being transmitted by the Post to any Place out of the United Kingdom, the same shall be printed on Paper duly stamped with an appropriated Die under the Provisions of this Act, and the said last-mentioned Commissioners or the Postmaster General may require such Newspaper to be registered at the General Post Office in *London* in such Form and with such Particulars and subject to the Payment of such Fees as in the last preceding Section mentioned.

Power to the Postmaster General, with Consent of Treasury, to make Regulations for carrying the Act into effect.

IX. It shall be lawful for Her Majesty's Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, at any Time or Times hereafter to make and issue such Orders, Regulations, Conditions, and Restrictions as he shall deem to be necessary or expedient for the Purpose of regulating the Receipt, Transmission, and Delivery by Post of periodical Publications under the Provisions of this Act, or for preventing or detecting Frauds or Abuses in relation thereto, and for giving Effect to the Purposes of this Act; and it shall also be lawful for the said Postmaster General, with the like Consent, from Time to Time to rescind or revoke all or any such Orders, Regulations, Conditions, and Restrictions, and to make and issue any new ones in lieu thereof.

X. All

X. All periodical Publications sent by Post otherwise than in conformity with the Terms, Conditions, and Regulations established by or under the Authority of this Act may be detained by the Postmaster General, and any Officer of the Post Office; and after being opened, the same shall be either returned to the Senders thereof or forwarded to the Place of their Destination charged with the like Rates of Postage as if the same were Letters transmitted by the Post: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to authorize Her Majesty's Postmaster General to charge in any such Case any such less Rate of Postage as to him shall seem fit. Periodical Publications sent by Post not in conformity with this Act to be charged Letter Rates of Postage.

XI. Any printed Copy of the *London Gazette* in which any Warrant or Order issued or made under or by virtue of this Act, or purporting so to be, shall be published, shall be admitted as Evidence by all Courts, Judges, Justices, and others, of such Warrant or Order, and of the due making and issuing thereof, and of the Contents thereof, without any further or other Proof of such Warrant or Order, or of the Matters therein contained. London Gazette to be Evidence of the issuing of Warrants or Orders.

XII. The Term "periodical Publication" used in this Act shall be construed to mean and include a Newspaper as defined by the Acts in force relating to the Stamp Duties on Newspapers, and every printed literary Work or Paper, printed and published periodically, or in Parts or Numbers, at Intervals not exceeding Thirty-one Days between any Two consecutive Papers, Parts, or Numbers of such literary Work or Paper; and for all the Purposes of this Act the Islands of *Guernsey, Jersey, Alderney, Sark,* and the *Isle of Man* shall respectively be deemed to be Part of the United Kingdom. Interpretation of Terms.

CAP. XXVIII.

An Act to provide that the Property or Income Tax payable in respect of the Income from Ecclesiastical Property in *Ireland* shall be a Deduction in estimating the Value of such Property for the Purpose of Taxation by the Ecclesiastical Commissioners. [15th *June* 1855.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws relating to the Temporalities of the Church in* Ireland, the Ecclesiastical Commissioners therein directed to be appointed were authorized and empowered to make a Valuation of all Ecclesiastical Property, subject to the Deductions therein set forth, and to take, levy, and receive therefrom a yearly Tax, Rate, or Assessment, computed and imposed upon such Valuation according to a Scale, and for the Purposes recited in the said Act: And whereas by an Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her present Majesty's Reign, intituled *An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices,* and by Two other Acts passed in the Seventeenth Year of Her present Majesty's Reign, Chapter Ten and Chapter Twenty-four, for granting to Her Majesty additional and increased Duties on such Profits, Ecclesiastical Property, together with other Property in *Ireland* theretofore exempt, was rendered liable to the Duties therein enacted: And whereas it is expedient and just that the Amount payable as Property or Income Tax under the said Acts should be allowed as a Deduction by the said Ecclesiastical Commissioners, together with the Deductions authorized to be made under the said Act of the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, Chapter Thirty-seven, in forming their Valuations for the Tax, Rate, or Assessment therein directed to be levied:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Ecclesiastical Commissioners, in and from the Valuation made or to be made of any Ecclesiastical Property for the Purpose of imposing the Rate, Tax, or Assessment required by the said Act, in addition to the Charges specified as Deductions in the said Act, to deduct also such Amount or Sum as the said Commissioners shall ascertain as proper to be deducted from such Valuation for or on account of any Property or Income Tax paid or payable or deducted in respect of such Ecclesiastical Property.

3 & 4 W. 4. c. 37.

16 & 17 Vict. c. 34.

17 & 18 Vict. cc. 10. 24.

Property or Income Tax to be a Deduction in estimating the Value of Ecclesiastical Property in Ireland for the Purpose of Taxation by the Ecclesiastical Commissioners.

CAP. XXIX.

An Act to make further Provision for the Registration of Births, Deaths, and Marriages in *Scotland.* [15th *June* 1855.]

'WHEREAS it is expedient to amend the Act passed in the Seventeenth and Eighteenth Year of the Reign of Her present Majesty, intituled *An Act to provide for the better Registration of Births, Deaths, and Marriages in* Scotland:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

17 & 18 Vict. c. 80.

I. It shall be lawful for the Sheriff if he shall think it expedient, upon a joint Application of the Parochial Board of any Parish and of the Town Council of any Burgh situated within such Parish, or upon the Application of the Registrar General, to unite such Burgh or any Portion thereof to any Landward Portion of such Parish, and also to regulate any Questions which may arise as to the Assessment to

Landward and Burghal Parts of Parishes may be united.

to be levied upon such Burghs or Portions of Burghs, and upon such Landward Portions of such Parishes respectively.

Registrar General may apply for Dismissal of incompetent Registrars.

II. If any Parochial Board shall neglect or refuse to apply, under the Authority of the Fifteenth Section of the recited Act, to the Sheriff for the Removal of any incompetent Registrar, after being thereto required by the Registrar General, it shall be lawful for the Registrar General himself to apply to the Sheriff, and such and the like Procedure in all respects shall in such Case be had and take place as if the Application had been made by the Parochial Board.

Examination of Registers by Sheriff repealed, and Examiners appointed.

III. So much of the Fifty-third and Fifty-fourth Sections of the recited Act as requires the Examination of the Registers and the Authentication thereof by the Sheriff shall be and the same is hereby repealed; and no Penalty or Breach of Duty or other Consequence shall be deemed to be incurred or to arise from the Non-authentication heretofore of any of the said Registers or Duplicate Registers which shall have been sanctioned or acquiesced in by the Registrar General or the Sheriff, anything in the said Act to the contrary notwithstanding; and it shall be lawful for the Registrar General, with the Approbation of the Commissioners of the Treasury, from Time to Time to divide *Scotland* into such Districts as he may think fit, and with such Approbation to appoint for each District a fit and competent Person to be the Examiner thereof, who shall be paid such annual Allowance as shall be fixed by the said Commissioners of the Treasury, in such and the like Manner as the Expenses specified in the Fifth Section of the said Act are directed to be paid; and it shall be the Duty of such Examiners, at such Time or Times as shall be fixed by the Registrar General, to proceed to their respective Districts, and there, in such Manner as shall be prescribed by the Registrar General, carefully to examine and compare, along with the several Registrars within their respective Districts, the Registers and Duplicate Registers of such several Registrars, and authenticate and docquet the same, and all Alterations and Additions thereon or thereto, in such Form and Manner as the Registrar General shall direct; and it shall be lawful for the Registrar General, with the Approbation of the Secretary of State for the Home Department, to frame all such Rules and Regulations as shall be necessary and expedient for such Purposes in the Manner, as far as may be, directed by the Fifty-third Section of the said Act or otherwise; and it shall in like Manner be the Duty of such Examiners respectively to aid, under the Direction of the Sheriff within their respective Districts, in executing and carrying into effect the Purposes of the Eighteenth, Nineteenth, Twentieth, Fifty-third, and Fifty-fourth Sections of the said Act.

Where Registration District consists of Two Parishes.

IV. Where a Registration District, consisting of Portions of Two or more Parishes, has been erected by the Sheriff under the Provisions of the said recited Act, the Powers thereby and by this Act conferred on Parochial Boards, and the Duties imposed upon such Boards, shall respectively belong to and be discharged by the qualified Heritors of such Registration District, and all Meetings of such Heritors shall be called by the Registrar, or, in case of Vacancy in the Office of Registrar, by the Heritor of Lands of the highest Valuation therein; and at such Meetings the Heritor of the highest Valuation present shall preside, and shall be entitled to a casting as well as to a deliberative Vote, and Assessments under the said recited Act shall be laid on according to the Manner thereby prescribed for the Case of Parishes in which there is no Assessment for the Poor.

Decrees of Court fixing Status of Parties to be noted in Register.

V. In every Case in which the Status of any Person shall be altered by a Decree of any competent Court, the Clerk to the Process shall forthwith report such Decree to the Registrar General; and it shall be lawful for the Registrar General, and he is hereby required, to take all Measures necessary for having the Entries in the Duplicate Registers affected by such Decree rectified, by causing the Date of the Decree and the Import thereof to be noted upon the Margin of both Duplicates opposite to such Entries, as the Registrar General shall think fit and direct.

Register of corrected Entries to be kept in Duplicate.

VI. In reference to the Sixty-third Section of the recited Act, the Register of corrected Entries shall be kept in Duplicate; and One of the Duplicates shall be annually transmitted to the Registrar General along with the Duplicate Registers directed by the Fifty-third Section of the said Act to be annually so transmitted.

Penalties recovered to be paid into Exchequer.

VII. The Penalties imposed by the said Act, and by the Sixty-fifth Section thereof directed to be recovered by Prosecution by the Procurator Fiscal, and when recovered to go to the Registrar General, shall instead be paid to the Queen's and Lord Treasurer's Remembrancer of the Court of Exchequer in *Scotland;* and the Expense of all such Prosecutions, where not recovered from the Parties, shall be charged and paid in Exchequer, and the Recovery of such Penalties shall be a Part of the ordinary Duties of the Procurator Fiscal.

Sheriff Clerks to act in execution of Acts.

VIII. It shall in all Cases be lawful for the Sheriff Clerks in the several Counties, and they are hereby required, to act in aid of the Sheriff in the Execution of the Powers, Provisions, and Duties of the recited Act and of this Act, in all respects as the Sheriffs may direct.

Appointments to be exempt from Stamp Duty.

IX. The Appointments of the Examiners, and the other Clerks and Officers to be appointed under this Act, shall, in like Manner as the Appointments mentioned in the Sixteenth Section of the recited Act, be exempt from all Stamp Duties.

Act to be construed with recited Act.

X. This Act shall be deemed a Part of the recited Act, and shall be construed therewith as if the said Acts formed One Act.

CAP. XXX.

An Act to empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose. [15th *June* 1855.]

'WHEREAS it is of urgent Importance to the Health of the Metropolis that Powers of House Cleansing, Drainage, and Improvement should be forthwith actively exercised by the Metropolitan Commissioners of Sewers, for the Purpose of executing in Houses which may appear exposed to the Ravages of Zymotic Diseases such palliative and preventive Works, either temporary or permanent, as the Time admits of, to obviate the Outbreak and Spread of such Epidemic Disorders:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners may carry on Works, at Expense of Owners, &c.

I. That the Metropolitan Commissioners of Sewers be and they are hereby empowered to carry on forthwith such Works as aforesaid, and they are hereby authorized to employ on such Works a Sum not exceeding Twenty-five thousand Pounds out of the Monies in their Hands borrowed on the Security of the Rates, charging the Cost of such Works in each Case upon the Owner or Occupier, as herein-after provided.

Commissioners may simultaneously execute Works of Improvement common to several Messuages, and divide the Expense among the Owners or Occupiers.

II. To facilitate the Execution of such Works in Cases where it shall appear to the Commissioners, on the Presentment of One of their Engineers, that it is requisite or proper to execute such Works or any of them in several Messuages, Tenements, or Premises situate in the same Road, Street, or Place, or in contiguous or neighbouring Streets, Roads, or Places, as combined Works, or Works of Improvement common to several Messuages, Tenements, or Premises, and for that Purpose to construct, perform, or execute any Sewers, Drains, Waterclosets, Apparatus, or other Works of Improvement, whether temporary or permanent, simultaneously or in combination or conjunction, and that such Works can be executed for such a Sum as the Commissioners shall deem reasonable and proper in that Behalf, it shall be lawful in all such Cases for the Commissioners to give Notice to the Owners or Occupiers of such Messuages, Tenements, and Premises of their Intention to execute such Works, and to charge them or some of them with the Expenses thereof; and the Commissioners shall appoint a Time and Place for receiving Objections in Writing, which any Party interested in such Messuages, Tenements, or Premises, or any of them, may desire to offer, and at the appointed Time and Place the Commissioners shall receive and consider such Objections, if any, and may execute, abandon, or alter such intended Works, and if they shall execute such Works shall ascertain the Expenses incurred thereby, and shall divide such Expenses among the Owners or Occupiers of such Premises respectively, in such Proportions as they may deem equitable and reasonable; and the Amount imposed upon any such Owner or Occupier shall be paid by an Improvement Rate upon such Premises, or as Charges for Default, as the Commissioners shall in that Behalf direct and decree.

This Act and 11 & 12 Vict. c. 112. to be construed as One.

III. This Act shall be deemed to be incorporated with "The Metropolitan Sewers Act, 1848," and shall be construed and taken as if this Act and "The Metropolitan Sewers Act, 1848," were One Act.

CAP. XXXI.

An Act to confirm the Incorporation of the Borough of *Brighton*. [15th *June* 1855.]

'WHEREAS since the passing of an Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, a Charter of Incorporation has been granted to the Borough of *Brighton* in pursuance of the Provisions of the said Act, and of the Acts afterwards passed for amending the said Act: And whereas Doubts have arisen respecting the Validity of the said Charter, and the Right of the Mayor of the said Borough of *Brighton* to be the Returning Officer at the Elections of Members to serve in Parliament for the Borough of *Brighton*; and it is expedient that such Doubts be removed:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

5 & 6 W. 4. c. 76

Charter of Incorporation confirmed.

I. That the said Charter of Incorporation, and also the Grant of separate Courts of Sessions of the Peace, issued and granted to the said Borough, and all Acts and Proceedings done or had in pursuance thereof before the passing of this Act, shall be deemed good and lawful from the Time of the Grants, Acts, and Proceedings respectively.

The Mayor to be the Returning Officer.

II. The Mayor of *Brighton* shall be the Returning Officer for the Borough of *Brighton* at all Elections of Members to serve in Parliament for the Borough of *Brighton*: Provided, that in case the Mayor shall, at the Time when he shall be required to perform the Duties of such Returning Officer, be dead, absent, or otherwise incapable of acting, or in case there shall be no Mayor, the Town Council of *Brighton* shall forthwith elect One of the Aldermen to be the Returning Officer for the Borough in the Place of the Mayor being so dead, absent, or otherwise incapable of acting.

CAP. XXXII.

An Act to amend and extend the Jurisdiction of the Stannary Court. [15th *June* 1855.]

'WHEREAS it is desirable to explain and amend the Acts heretofore passed for the Administration of Justice in the Stannaries, and to make the Jurisdiction and Process of the Court of the Vice-Warden more efficient, and to regulate Appeals from the Vice-Warden:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Process in case of Mines of mixed Minerals.

I. Where any Mine or Sett within the Stannaries shall be worked by the same Adventurers not only for metallic Minerals within the Jurisdiction of the Court, but also for non-metallic Minerals found in the same Mine or Sett, or intermixed with metallic Minerals, the entire Mine and Works and Products thereof shall be taken to be within the Cognizance of the Vice-Warden as if the same had wholly consisted of metallic Minerals, and the Process of the Court shall extend to and be exercised over the same, and all the Machinery and Materials thereon, as in the Case of Mines of metallic Minerals, and the Mineral called Plumbago or Black Lead is hereby declared to be a metallic Mineral.

Interpretation of Terms.

II. The Words "Mine" and "Mineral" and "Miner," when used in this Act, or in any Pleadings, Process, or Proceedings in the said Court, shall, unless otherwise explained or qualified, be respectively presumed and taken to mean a metallic Mine or Mineral within the Jurisdiction of the said Court, and a Miner in some Mine, Work, or Adventure within the same Jurisdiction, and having Privilege to sue or be sued in the said Court; and the Words "County Court" shall in this Act mean any Court established under the Provisions of the Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, and also the Court held under the Provisions of "The *London* (City) Small Debts Extension Act, 1852."

As to Suits by Pursers, &c. for Contribution against non-resident Shareholders.

III. In Suits on the Equity Side of the Court of the Vice-Warden, prosecuted according to Custom by the Purser or other principal Agent of the Adventurers in a Mine in the Stannaries against an Adventurer or his personal Representatives for Contribution to Calls or to the Expenses of working such Mine or Adventure, it shall be lawful for the Vice-Warden, upon Special Application in that Behalf, to order that Service of Process on the Defendant in any Part of *England* or *Wales* to compel Appearance and Answer shall be sufficient Service, although he may not then be personally within the Jurisdiction of the said Court; and upon Proof of such Service and the Default of the Defendant to appear and answer the Petition within the Time prefixed by the Summons, it shall be lawful for the Plaintiff to enter an Appearance for the Defendant, and thereupon such Proceedings shall be had in the Suit, and such Orders and Decree made, as if the Process had been duly served on the Defendant within the Jurisdiction of the Court; and if upon Sale of the Shares or Interest of the Defendant in the Mine or Adventure according to Custom the Proceeds of the Sale shall be insufficient to satisfy the Debt of the Defendant, Costs of Suit, and Expenses of Sale, it shall be lawful to levy the same or the Residue thereof in the Manner herein-after provided for enforcing Decrees and Orders on the Equity Side of the Court; and after Appearance so entered, all Notices, Orders, Summonses, Warrants, and other Process in the Suit shall be deemed to be well served if served on the Defendant wheresoever he shall then be in *England* or *Wales*.

Plaintiff may join several Adventurers in One Petition, &c.

IV. In all such Suits against Adventurers for Contribution, it shall be lawful for the Plaintiff to join several Adventurers in One Petition for Recovery of their several Contributions, and for the Court to make One Decree for Payment and One Order for Sale of Shares, and to enforce Payment by separate Process of Execution against each Defendant, if need be; and where the Defendants or any of them shall put in separate Answers, it shall be lawful for the Court to direct that all or any of the Matters in issue be heard and tried at the same Time; provided that nothing herein contained shall be construed to abridge or affect the Right of the Plaintiff in such a Suit, as now exercised, to proceed against Adventurers residing or being out of the Jurisdiction of the Court upon a Service on the Mine itself, substituted by Order of the Vice-Warden for personal Service; but in such Case the Plaintiff shall not be entitled to any other or further Remedy for Recovery of the Arrears of Contribution in the Vice-Warden's Court from a Defendant so served than he had before the passing of this Act.

As to Suits by Creditors for Payment of Debts of Adventurers in a Mine.

V. In Suits on the Equity Side of the said Court by Creditors prosecuted according to Custom against the Purser or other principal Agent of the Adventurers, or against one or more of the Adventurers in a Mine in the Stannaries, to enforce Payment of their Demands by Sale of the Ores, Machinery, Materials, and Effects for the Time being belonging to the Adventurers, and being upon or about the Mine or fraudulently removed therefrom, it shall be lawful for the Vice-Warden, upon special Application in that Behalf, to order that Service of Process on the Defendant in any Part of *England* or *Wales* to compel Appearance and Answer shall be sufficient Service, although he may not then be personally within the Jurisdiction of the said Court; and upon Proof of such Service and of the Default of the Defendant to appear and answer the Petition within the Time prefixed by the Court, it shall be lawful for the Plaintiff to enter an Appearance for the Defendant, and thereupon such Proceedings shall be had in the Suit, and such Decrees and Orders made, as if the Process had been duly served on the Defendant within the Jurisdiction of the said Court; and any Adventurer shall, upon Application to the Vice-Warden or Registrar

Registrar, be let in to defend the Suit, either separately or jointly with the other Defendant, within Twenty Days after the filing of the Petition, or within such other Time as the Vice-Warden shall allow; and where several Creditors of the same Adventurers shall sue separately for Payment and Sale, the Vice-Warden shall have Power to consolidate the Suits in such Way as shall seem to him necessary or expedient for the convenient Trial of the Matters in issue in the said Causes and for the saving of Expense to the Suitors; and all further Notices, Orders, Summonses, Warrants, and other Process in the Cause or consolidated Causes shall be deemed to be well served if served on the Defendant in any Part of *England* or *Wales;* and if upon Sale of the Ores, Machinery, Materials, and Effects in any such Suit the Proceeds of the Sale shall be found insufficient to satisfy the Debts of the Plaintiff or Plaintiffs and of the other Creditors who shall be admitted according to Custom to prove their Debts before the Registrar of the Court and the Costs of Suit and Expenses of Sale, it shall be lawful for the Registrar, at the Instance of the Plaintiff in the Suit or of any Creditor so admitted to Proof, and by Permission of the Vice-Warden on an Application by the Plaintiff or Creditor stating the Amount of Debts remaining unsatisfied and the Number of Adventurers, whether within or out of the Jurisdiction, so far as they can be ascertained by the Applicant, to proceed to apportion the Amount of Debts, Costs, and Expenses remaining unsatisfied rateably among all the Adventurers or Persons liable to contribute to the Payment of the said Debts, whether they be within the Jurisdiction or elsewhere, according to the Number of Shares or the Interest of each in the said Mine or Adventure; and it shall be competent for the Registrar to call for, and by Summons and Attachment within the Stannaries or Subpœna under the Seal of the Court to enforce, Production before him of the Cost Book or Books, Lists of Shareholders, Accounts, Bills, Resolutions of the Adventurers or Committees thereof, and all other Books, Papers, and Documents of the Adventurers relating to the Mine or the Management thereof, and by like Summons and Attachment or Subpœna to call before him and to examine the Purser, Managers, or other principal Agents of the Adventurers, whether the several Documents above-mentioned or the Persons so called before him be within the Stannaries or elsewhere in any Part of *England* or *Wales*, and to make a List of all the Persons so liable to contribute at the Time of filing the Petition or their personal Representatives, with the Amount apportioned upon each; and when the Registrar shall have made such List and Apportionment, a Copy of the List shall be sent to the Account House of the Mine, or the principal Office or Place of Business of the Adventurers, and Notice shall be served on each Person named in the List of the Sum charged upon him, and a reasonable Time, to be fixed by the Registrar according to the Circumstances of each Case, shall be allowed to him to dispute the Apportionment before the Registrar, who shall hear and determine all Objections thereto; and when the List shall have been finally settled by the Registrar, he shall report thereon generally to the Vice-Warden, and if the Report shall be confirmed upon Exception or otherwise there shall be a Decree for Payment in conformity with the said Report, and the several Sums so apportioned and charged upon each Contributory shall in and by the said Decree be made payable to the Registrar, who shall forthwith demand Payment thereof, and thereupon it shall be lawful for the said Plaintiff or Creditor, at whose Instance the Apportionment shall have been made and Decree obtained, after such Demand and a Refusal of Payment, to proceed to levy from each Contributory in the said List the Sum therein charged upon him in the Manner herein-after provided for enforcing Decrees and Orders on the Equity Side of the said Court, and for this Purpose the said Plaintiff or Creditor shall be deemed to be a Party entitled to the Benefit of the said Decree within the Intent and Meaning of the said Provision, and the Sums received or levied shall be forthwith paid over by him to the Registrar, who shall deduct therefrom and allow to the Party who shall have so received or levied the same his reasonable Costs and Expenses in and about the said Apportionment and obtaining the said Decree and levying the Monies so payable under it, and shall distribute the Residue rateably among the several Creditors in the Proportion of the Debts remaining due to them respectively: Provided always, that all Notices and Demands required by this Act to be served on or made upon Adventurers and other Persons named in the Registrar's List as Contributories shall be deemed to be sufficiently served if sent by Post prepaid, addressed to the Party at his last known Address; unless the Registrar shall order that the same shall be served in some other Way, in which Case Service shall not be sufficient unless it be in conformity with such Order.

As to Suits for Account between Adventurers.

VI. In Suits on the Equity Side of the said Court for an Account as between Adventurers in Mines in the Stannaries, it shall be lawful for the Court, upon special Application in that Behalf, to order that Service of Process in any part of *England* and *Wales* to compel Appearance and Answer shall be good Service on any Adventurers or their personal Representatives, or others who may be necessary Parties to such Suit, although they may not then be personally within the Jurisdiction of the said Court; and upon Proof of such Service, and of the Default of any Person so served to appear and answer the Petition within the Time prefixed by the Summons, it shall be lawful for the Plaintiff or Plaintiffs to enter Appearances for the Persons so served, and thereupon such Proceedings shall be had in the Suit, and such Orders or Decrees made, as if the Process had been duly served within the Jurisdiction of the Court, and the Orders and Decrees so made shall be binding on all Adventurers and others so served; and if the final Decree shall be for Payment of Money or Costs, Payment thereof shall be enforced in the Manner herein-after provided; and after Appearance so entered all Notices, Orders, Summonses, Warrants, and other Process in the Suit shall be deemed to be well served if served in any Part of

England or *Wales*; and in all such Suits where any Adventurer holding a Share in a Mine or Adventure cannot be found, or is deceased and no one can be found who has administered to his Estate and Effects, then it shall be sufficient by Leave of the Court to substitute for regular Service a Service on the Mine in the usual Way, or at the principal Office or House of Business of the Adventurers, whether within the Stannaries or elsewhere in *England* or *Wales*, and Notice of such substituted Service shall be addressed by Post to the last known Address of the said Adventurer, except in case of his Decease, and thereupon Decrees or Orders of the Court in the Suit shall be binding on such Adventurer or his Representatives, and those claiming under him, as in case of regular Service.

Process in Suits against non-resident Defendants.

VII. In Suits commenced on the Equity Side of the said Court for Causes relating to Mines and Minerals in the Stannaries, or to Shares, Interests, or Adventures therein, whereof the said Court has cognizance, in which it may be necessary or expedient to sue or to join as Defendant a Person holding or claiming to hold any Share or Interest in an Adventure in Mines or Minerals worked within the Stannaries, or being an Agent of the said Adventurers, who cannot be found within the Jurisdiction of the said Court; and in all Cases where any Person who shall have commenced any Suit or entered an Appearance in any Suit in the said Court, or shall have come in as Creditor, Claimant, or Purchaser, or otherwise submitted to the Jurisdiction thereof, cannot, by reason of his Person or Goods being out of the said Jurisdiction, be made amenable to the Process of the Court; and in all Cases where any Party to such Suit shall have died or become bankrupt or insolvent, and his personal Representatives or Assignees, or any of them, who may be necessary Parties to the Continuance of the Suit, shall be out of the said Jurisdiction, it shall be lawful for the Court, upon special Application in that Behalf, to order that Service of any Notice, Order, Summons, Warrant, or other Process shall be deemed good Service on any such Person, Representative, or Assignee respectively in any Part of *England* or *Wales*, and, if need be, to order an Appearance to be entered for the Person served; and thereupon it shall be lawful to take such Proceedings and to make such Order or Decree as if the Service had been made within the said Jurisdiction.

Service of Process out of Stannaries.

VIII. Where Service of Notices, Orders, Summonses, Warrants, or other Process in Causes pending in the Vice-Warden's Court may, under this Act or otherwise, lawfully be made in a Place out of the Jurisdiction of the said Court, it shall be lawful for the said Court, or for Parties to Suits therein, to send the same to the High Bailiff of the County Court in the District of which such Place may be, together with the lawful Fees payable in like Cases for Service of similar Process in the County Court, and thereupon the High Bailiff shall serve or cause to be served the same, as if it had been issued out of a County Court, and such Service shall or may be proved as in case of County Court Process.

With respect to the Execution of Judgments and Decrees of the Court of the Vice-Warden, be it enacted as follows:

As to Execution of Judgments and Decrees of the Court of the Vice-Warden.

Where such Judgments cannot be conveniently enforced, Superior Courts may issue Process for Recovery of Amounts due on the same.

IX. In Actions commenced therein on the Common Law Side of the Court, where Judgment shall have been duly recovered in a Cause whereof the said Court has cognizance, but which cannot be conveniently or effectually enforced by the ordinary Process of that Court within the Jurisdiction thereof, it shall be lawful for any One of the Superior Courts of Common Law at *Westminster*, or for any Judge thereof, upon Application of the Party entitled to the Benefit of such Judgment, and Production of a Certificate from the Registrar of the Court of the Vice-Warden under the Seal of the Court of the Judgment so recovered, and a satisfactory Affidavit of the Ground of the Application, to cause Process to issue and Proceedings to be taken for the Recovery of the Amount due on the Judgment, including the Costs of the Certificate and of the Application, in the same Manner as upon a like Judgment recovered in an Action commenced in the Superior Court; and it shall not be necessary for this Purpose, or for any other Purpose, that the Record of any Judgment in the Vice-Warden's Court shall be engrossed on Parchment or enrolled; and where the Debt or Damages recovered by Judgment of the Court of the Vice-Warden, or sought to be recovered in Actions commenced either by Writ, Plaint, or other legal Procedure, according to the Practice of the said Court, shall not exceed Fifty Pounds, and the Judgment of the Court cannot be conveniently or effectually enforced within the Jurisdiction of the said Court, it shall be lawful for the Party entitled to the Benefit of the Judgment to sue out a Writ of Execution, and to send the same to the Clerk of any County Court within the District of which the Judgment Debtor or his Goods and Chattels shall then be or be believed to be, with a Warrant thereto annexed, under the Hand of the Registrar and Seal of the Court of the Vice-Warden, requiring Execution of the same, and with the Fees lawfully payable in like Cases for Execution of such a Writ in the County Court; and thereupon the said Clerk shall cause the same to be executed by the High Bailiff of the County Court in due Course of Law, as if the same had been issued by the Court of which he is High Bailiff, and the said Bailiff shall have the same Powers and Protection as if he were executing the Process of such County Court, and shall make his Return to the Clerk of the said Court, and pay over to him the Amount levied, if any; and the Clerk shall forthwith certify the said Return, and remit the Amount so paid, less the Costs of making such Levy according to the Practice of the County Courts, to the Party prosecuting the Writ; and the Judge of the said County Court shall have and exercise the same Power and Authority over the Clerk and High Bailiff, and shall have Power to adjudicate upon Summons of Interpleader in case of adverse Claims to Goods taken in Execution, as if the Execution had been under the Warrant of his own Court.

X. All

Execution of Decrees, &c. in Equity Suits in or out of Stannaries.

X. All Decrees and Orders made in Causes on the Equity Side of the Court of the Vice-Warden, whereof the said Court has cognizance, for Payment of any Sum or Sums of Money, Costs, Charges, or Expenses, shall and may be enforced by a Writ or Writs of Fieri facias or Capias, within the Limits of the Jurisdiction of the said Court, which Writs shall be in the Form, as near as may be, of the like Writs issued to enforce Decrees or Orders for Payment of Money made by the High Court of Chancery, and be executed in like Manner by the Bailiffs of the Vice-Warden's Court; and where any Decrees or Orders, whether for Payment of Money or otherwise, cannot be conveniently or effectually enforced by the ordinary Process of the Court of the Vice-Warden within the Jurisdiction thereof, it shall be lawful for the High Court of Chancery, or for any Judge thereof, sitting in Court or at Chambers, upon the Application of a Party entitled to the Benefit of such Decree or Order, and Production of a Certificate from the Registrar of the Court of the Vice-Warden under the Seal of the Court of the said Decree or Order, or of such Part thereof as cannot be so enforced as aforesaid, and a satisfactory Affidavit of the Ground of the Application, to make the said Decree or Order, or so much thereof as cannot be enforced, a Decree or Order of the High Court of Chancery; and thereupon such Decree or Order, or such Part thereof as aforesaid, shall and may be enforced by such Proceedings and Writs as would or might have been taken or issued if the same had been originally made by the High Court of Chancery, and all the reasonable Costs of and consequent upon such Certificate and Application shall and may be recovered as if the same had been and were Part of such Decree or Order; and where the said Decree or Order of the Vice-Warden is for Payment of a Sum or Sums of Money not exceeding in the whole the Sum of Fifty Pounds, it shall be lawful for the Party entitled to the Benefit of the said Decree or Order to enforce Payment thereof in the Manner herein-before provided in the Case of a Judgment on the Common Law Side of the Court for Recovery of a Debt or Damages not exceeding the said Sum of Fifty Pounds: Provided that nothing in this Act contained shall affect or prejudice the Power of the Vice-Warden to enforce Decrees or Orders by Process of Attachment within the Jurisdiction of his Court where the same may be now lawfully exercised, or to order the Sale of Shares or Interests in Mines or Adventures in Cases wherein such Sale may now be made by Order of the said Court.

Interpleader in Equity.

XI. When any Claim is made to or in respect of any Goods and Chattels, or the Proceeds or Value thereof, sold or intended to be sold under a customary Decree of Sale in a Mining Creditor's Suit by any Landlord for Rent or other distrainable Demand, or by any other Person not being a Party to the Suit, it shall be lawful for the Vice-Warden to call upon the Claimant by Rule or Order of the Court to appear in Person or by his Attorney or Agent in support of the same either before the Vice-Warden himself or before the Registrar, and to state the Nature and Particulars of his Claim, who shall thereupon hear the Allegations and receive the Proofs offered as well by the Claimant as by the Plaintiff in the Suit, and, if the Claimant and Plaintiff shall agree on the Facts of the Case, shall then adjudicate upon the Claim; and if the said Parties shall not so agree, then the disputed Facts shall be ascertained by an Action or Issue to be tried in the Vice-Warden's Court, in such Form as the Vice-Warden shall direct, and the Vice-Warden shall then adjudicate upon the Claim; or the Vice-Warden or Registrar shall have Power, with the Consent of the Parties so before him, their Counsel, Attornies, or Agents, to adjudicate upon and dispose of the Claim in a summary Manner: Provided that in all Cases, except in case of summary Adjudication by Consent, it shall be competent for the Registrar, at the Request of the said Parties, or either of them, to refer the Decision of the Case to the Vice-Warden; and the Vice-Warden shall in all Cases of such Interpleader make such other Rules and Orders in the Matter of the said Claim or Adjudication as between the said Parties in respect thereof, or of the Costs of the Proceedings, as to him shall seem fit and reasonable.

Adjudication to be final.

XII. The Adjudication of such Claim, either upon hearing or in default of the Appearance of the Claimant, shall be final and conclusive between the said Parties and all Persons claiming by, from, or under them; and the Adjudication, and all Rules and Orders made thereupon, shall have the Force and Effect of Judgments or Decrees of the Court, and be enforced accordingly.

Upon Application by Registrar, &c. Action may be stayed.

XIII. In Cases of Interpleader either on the Common Law or Equity Side of the Court, upon Application by the Registrar, Bailiff, or other Officer of the Court, or of the Plaintiff in the original Suit, and Certificate by the Registrar of the Proceedings in the Court of the Vice-Warden, and Proof of the Service on such Claimant of the Rule or Order calling upon him to appear in support of his Claim, any Action that shall have been or shall be brought in any Superior or Inferior Court in respect of such Claim against any Officer of the Court or Person acting under his Direction, or against the Plaintiff in the original Suit, may be stayed by the said Court, or any Judge thereof, who shall have Power to make such Rules and Orders touching the Costs of the Action so stayed as shall seem fit and reasonable.

Freehold, &c. not to be adjudicated upon without Consent.

XIV. Provided that nothing herein contained shall authorize the Vice-Warden or Registrar to adjudicate upon any Claim, either on the Common Law or Equity Side of the Court, touching the Freehold or Inheritance of any Person, except by Consent of the Parties before the Court, and as between and against themselves and those claiming under them.

Ejectment in the Stannaries.

XV. It shall be lawful for the Vice-Warden to entertain Jurisdiction in Suits for Recovery of the Possession of Mines within the Stannaries, and of Buildings, Machinery, Works, and Waters annexed thereto and occupied therewith, on the Ground of Breach of Condition, Determination of the Sett or Lease, or other lawful or customary Cause of Forfeiture, and also to prohibit the working of any Mine in

in a Manner contrary to Custom or Covenant by Injunction in Cases and under Circumstances in which the High Court of Chancery or the Courts of Common Law at *Westminster* may now by Law enjoin; and the Suit for Recovery of Possession shall be by Action of Ejectment on the Common Law Side of the Court, according to the Forms and Procedure established by the Common Law Procedure Act, 1852, so far as they are or can be made applicable to the Vice-Warden's Court; and it shall be lawful for the Vice-Warden to cause all necessary Writs to be served on the Persons in possession or entitled to defend, wheresoever they may then be in *England* or *Wales*, and to adopt any of the General Rules and Orders of the said Superior Courts promulgated from Time to Time and applicable to the Action of Ejectment with such Variations as the Nature and Constitution of the Court shall render necessary; and all Constables and Peace Officers within their several Jurisdictions shall be aiding the Bailiffs of the Court in the Execution of the Writ or Writs awarded for Recovery of the Possession and Costs, and in enforcing Process of Attachment in the Case of Breach of Injunction; provided that nothing herein contained shall authorize the Vice-Warden to entertain any Question touching the Freehold or Inheritance of any Person except by such Consent and as between and against such Parties as aforesaid.

Summary Suits for small Debts extended to Torts.

XVI. 'Whereas Actions for Debts not exceeding Fifty Pounds are now prosecuted summarily, and 'tried by Five Jurors only on the Common Law Side of the said Court, and it is expedient that the like 'Process and Trial be extended to other Actions, whether for Debt or Damages:' Be it therefore enacted, That all or any Actions for Debts or Damages not exceeding Fifty Pounds, whether founded on Tort or Contract, for Causes within the Jurisdiction and Cognizance of the said Court, shall be prosecuted in a summary Way by Plaint, and tried by a Jury of Five Jurors, as is now used in Actions for small Debts in the said Court, except in Cases where the Vice-Warden shall permit or direct such Action to be by Writ of Summons; and for the Purpose of improving the Procedure in such Actions by Plaint, it shall be lawful for the Vice-Warden to make and enforce Rules and Forms for Procedure, Practice, Pleading, and Taxation of Costs, and to adopt all or any of the Rules and Forms now or hereafter legally in force and use in the County Courts, with such Alterations as may be necessary to adapt them to the Jurisdiction of the Vice-Warden's Court.

Removal of certain Causes from the County Court.

XVII. Where any Cause touching the Usage or Customs of Mining or of Miners, or the Principles and Incidents of Cost Book Partnership or of Cost Book Mines, or the Privileges and Franchises of Tinners or Miners, or the Effect and Operation of Setts or Licences to mine or Contracts for the Sale or Transfer of Shares in Mines, or the Custom of Tin Bounds or the Nature and Incidents thereof, shall be pending before One of the Judges of the County Courts within the Stannaries, the said Judge shall, at the Request of either Party, have Power to remit the said Cause for Trial or Hearing before the Court of the Vice-Warden, who shall thereupon have all the same Powers and Jurisdiction with respect to the Cause as if it had been commenced by Plaint in the Court of the Vice-Warden, subject to the like Appeal as in other Causes so commenced.

Pleading to Jurisdiction.

XVIII. Demurrers for Matter of Form only shall not be permitted in the Court of the Vice-Warden, and on the Equity Side of the said Court no Demurrers or Pleas shall be permitted except Demurrers for that the Suit or Subject thereof is not within the Cognizance or Jurisdiction of the said Court; and if the Objection of Want of Jurisdiction shall not be raised by Demurrer or Plea within Ten Days after Appearance in a Suit on the Equity Side, or within Ten Days after Notice of Declaration or Service of a Copy of Plaint on the Common Law Side, no Question as to the Jurisdiction of the Court shall thereafter be raised, except in Cases where the Want of Jurisdiction will disable the Court from doing full and substantial Justice between the Parties to the Suit; and the Mode of filing or serving Demurrers or Pleas to the Jurisdiction shall be regulated by General Rules and Orders made as herein-after provided, and so much of Section Thirteen of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of *William* the Fourth, Chapter One hundred and six, as relates to Pleas and Demurrers to the Jurisdiction, and so much of the Act passed in the Sixteenth Year of the Reign of *Charles* the First, Chapter Fifteen, as relates to the Form and Manner of objecting to the Jurisdiction of the Stannary Courts, or is at variance with this Act, shall be and is hereby repealed, except as to Suits commenced before the passing of this Act.

Power of Registrar on Interlocutory Applications.

XIX. The Registrar of the Court of the Vice-Warden shall have Power at all Times before Hearing or Trial, either on the Common Law or Equity Side of the said Court, to make Orders for amending the Proceedings or Pleadings upon Terms or unconditionally, to hear and determine Applications for further Time, Objections for Defect of Form, or on the Ground of Uncertainty, Obscurity, Prolixity, or Multifariousness, and to make Rules and Orders in all such other interlocutory Matters as shall be submitted or referred to him by Consent of Parties, or which he may be directed or empowered to hear and determine or deal with, by any General Rules or Orders made under the Authority of this Act; and the said several Matters shall be heard and determined *ore tenus* in a summary Way, subject however to Appeal by Motion to the Vice-Warden, either *ore tenus* or on a written Statement agreed upon by the Parties or drawn up by the Registrar and submitted to the Vice-Warden.

Power for Vice-Warden, with Consent of Parties, to refer Cases to Arbitration.

XX. The Vice-Warden shall have Power, with the Consent of the Parties to any Suit, their Counsel, Attornies, or Solicitors at Law or in Equity, to order the same, with or without other Matters in dispute, to be referred to Arbitration, or to act as such Arbitrator himself, at the Request of the said Parties, in such Manner and on such Terms and Conditions as he shall think fit, with all the usual Powers of Arbitrators,

Arbitrators, under References by Order of the Superior Courts; and such Reference shall not be revocable by either Party except by Consent of the Court; and the Vice-Warden shall have Power to set aside the Award for Cause shown, or to refer the Case back again to the Arbitrator, and the final Award made in pursuance of such Reference shall, on the Motion of either Party, be entered as the Decree or Order of the Court, or Judgment shall be entered in pursuance of such Award, as the Case may be, and the Decree, Order, or Judgment so entered shall thereupon be enforced as if the same had been made or entered in the ordinary Course of Procedure at Law or in Equity, as the Case may be.

Vice-Warden may hold his Court at any Place within Stannaries.

XXI. It shall be lawful for the Vice-Warden, at the Request of one or some of the Parties to a Suit, and subject to such Terms as to Costs or otherwise as he may think fit and reasonable, to adjourn or hold his Court to or at any Place within the Stannaries for the Purpose of hearing Witnesses or taking Evidence; and in such Cases it shall not be necessary for the Registrar or Secretary of the Vice-Warden or Prothonotary of the Court to be in attendance at the Sittings of the Vice-Warden at such Place.

Production of Lists of Shareholders in Mines.

XXII. In all Cases of Mines in the Stannaries worked by Partnerships or Companies of Adventurers professing to adopt or to be constituted on the Cost Book System or Principle, it shall be lawful for the Vice-Warden, upon Application of any Adventurer or Shareholder in the Mine or Creditor of the Adventurers, founded on sufficient Grounds verified by Affidavit, although no Suit be pending touching the said Mine or Adventurers, to compel Production by Rule or Order of a List or Lists of all Adventurers or Shareholders for the Time being by the Purser or other principal Agent or Manager, Clerk, or Secretary of the Mine, and whether such Person be then within the Jurisdiction of the Court or elsewhere, for Inspection of the Applicant; and if such List shall not be produced, showing truly the Name, Address, and Number of Shares of each and every Adventurer or Shareholder, and the Time when each became an Adventurer or Shareholder, so far as the same are known or can be ascertained, then it shall be lawful for the Vice-Warden at his Discretion, after Fourteen Days previous Notice of his Intention served on the Person so ordered to produce, and also affixed to the Account House of the Mine, or left at the principal Office or House of Business of the Adventurers within the Stannaries or elsewhere, to declare that the Partnership or Company is not carried on or constituted on the Cost Book System or Principle; and the said Partnership or Company shall thereupon no longer be deemed or taken to be for any Purpose a Partnership, Association, or Company within the Exemption of Mining Partnerships contained in the Act passed in the present Reign, entitled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, or within the conditional Exemption contained in the Joint Stock Companies Winding-up Amendment Act, 1849; and in all Cases of like Mines and Partnerships, it shall be lawful for the Vice-Warden, upon Application of any Adventurer or Shareholder founded on sufficient Grounds and Affidavit, and although no Suit be then pending, to make a Rule or Order for Production of the Cost Books of the Mine, List of Adventurers, and such other Books and Documents relating to the Mine and Management thereof as the Vice-Warden shall think proper, for Inspection of such Applicant, and to enforce such Rule or Order by Attachment within the Stannaries, or by causing the same to be made a Rule or Order of one of the Superior Courts at *Westminster* under the Statute in such Case made and provided.

7 & 8 Vict. c. 110.

Power to make or adopt Rules, Orders, and Practice of Superior Courts of Law or Equity.

XXIII. 'Whereas the Power of the Vice-Warden to make General Rules or Orders of Court is 'insufficient, and it is doubtful whether it extends to the Adoption of Improvements in the Procedure of 'the Superior Courts recently made by Parliament, or of Rules and Orders made from Time to Time by 'the Superior Courts by the Authority of Parliament:' Be it therefore enacted, That it shall be lawful for the Vice-Warden to make from Time to Time new Rules and Orders touching the Procedure, Practice, Pleadings, Regulation of Court Fees, and Taxation of Costs, both on the Common Law and Equity Side of the said Court, and all other Business of the said Court, and to prescribe Forms for carrying into effect such new Rules and Orders, and also existing Rules and Orders not varied or repealed, and also to adopt all or any of the Provisions contained in the Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-six, and in the Common Law Procedure Act, 1852, and in the Common Law Procedure Act, 1854, and all or any of the Rules and Orders from Time to Time made and promulgated by the Superior Courts by and under the Authority of the said Acts or otherwise, with such Modifications as may be necessary to adapt them to the Jurisdiction of the Vice-Warden's Court; provided that no such Rules, Orders, Forms, or Provisions shall be made, prescribed, or adopted without the Consent and Approval of One of the Judges of the Superior Courts of Common Law at *Westminster* in the Case of Rules, Forms, and Provisions applicable to the Common Law Side of the said Court, or of the Lord Chancellor or One of the Judges of the High Court of Chancery in the Case of Orders, Forms, and Provisions applicable to the Equity Side of the said Court; provided also, that nothing herein contained shall be construed to abridge or restrain any existing Power of the Vice-Warden to make Rules or Orders in Cases not requiring the Consent or Approval of any Judge of the Superior Courts.

Provision for Illness or accidental Absence of Vice-Warden.

XXIV. When the Vice-Warden shall be prevented by Illness or Accident from attending and sitting on the Day appointed for such Sitting, it shall not be necessary to send any Statement to the Lord Warden of the Cause of his Non-attendance or of the Adjournment of the Court, unless the Vice-Warden shall be, or it shall appear to him probable that he will be, thereby prevented from sitting within the Period

Period required by Law; and if, for the Reason aforesaid, it shall be necessary to appoint a Deputy, it shall be lawful for the Vice-Warden to appoint such Deputy, qualified as now required by Law, for the then next Sittings only, provided the Cause alleged in such Statement be allowed by the Lord Warden to be sufficient and the Person so named as Deputy be approved by him; and whenever it may be desirable to alter the Time fixed for holding the Court, it shall be lawful for the Vice-Warden to accelerate or postpone the holding thereof, provided that such Alteration be duly notified and published in the usual Way, and the holding be not postponed beyond the Third Calendar Month next after the Calendar Month in which the last preceding Sittings were held, and no Irregularity in the Time of holding any Court or Sitting shall vitiate or avoid the Proceedings at such Court or Sitting.

Allowances to be made on auditing the Registrar's Accounts.

XXV. 'And, because Doubts may arise as to the Allowance of certain Disbursements and Payment of 'Arrears of Salaries on the auditing of the Registrar's Accounts,' be it enacted, That upon such Audit there shall be allowed annually, in respect of the Expenses of advertising and holding Courts in *Cornwall*, summoning Jurors, enforcing Payment of Assessments, lighting, warming, cleaning, watching, and keeping the Court and Offices there, providing Furniture, Books, Stationery, and Printing, and such additional Accommodation or occasional Assistance in the Office as the Vice-Warden shall consider reasonable or necessary, a Sum not exceeding the Sum of One hundred and Twenty Pounds; provided that if hereafter the Expenses of the Sittings and Court shall become larger by reason of increased Business, more frequent Sittings, or other Causes, it shall be competent for the Council of the Prince of *Wales*, or Special Commissioners for managing the Affairs of the Duchy for the Time being, to authorize a larger Allowance, not exceeding in the whole Two Third Parts of the Fees of Court that shall come into the Hands of the Registrar during each Year: 'And whereas it has happened, and may again happen, 'that the Monies arising from Fees and Assessments, and available for the Payment of the official Salaries 'charged on them, have been, or may be insufficient to pay the current Salaries when the same become 'due:' Therefore, when the Registrar shall account to the Vice-Warden for such Monies, there shall be allowed to him thereout not only the Portion of Salaries due in respect of the Half Year then last past but also all or any Arrears of Salaries remaining unpaid on preceding Accounts.

Regulation of Appeals.

XXVI. The Provisions contained in the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and six, and in the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Fifty-eight, touching Appeals to the Lord Warden, shall be repealed, and henceforth from all Decrees and Orders of the Vice-Warden on the Equity Side of his Court, and from all Judgments of the Vice-Warden on the Common Law Side thereof, there shall lie an Appeal to the Lord Warden, who shall have Power to affirm, vary, or reverse the Decree, Order, or Judgment wholly or in part, or to dismiss the Appeal, or to direct a Re-hearing or a new Trial in the Court below, and to make such Order or Orders touching the Costs in the Cause as to him shall seem fit, and the Decree, Order, or Judgment of the Lord Warden on such Appeal shall be remitted to the Vice-Warden, to be by him carried into effect and enforced, if need be, according to the Course and Practice of the Court; and upon hearing such Appeal it shall not be competent for the Parties to produce fresh Evidence in the Cause, or to call upon the Lord Warden to hear any Witnesses in the Cause, unless he shall in his Discretion think fit to do so; but the Decree, Order, or Judgment of the Lord Warden may proceed on the State of Facts appearing on the Notes of the Trial below certified by the Vice-Warden or agreed upon by the Parties; and the Vice-Warden shall certify such Notes accordingly, and transmit to the Lord Warden a Record of the Proceedings in his Court, and all Documents and Papers in the Cause in the Custody of the Court; and the Parties before the Lord Warden shall produce all the Documents and Papers produced on the Trial below: On the Hearing and Decision of the Appeal the Lord Warden shall be assisted by Two or more Assessors, who shall be Members of the Judicial Committee of the Privy Council or Judges of the High Court of Chancery or Courts of Common Law at *Westminster;* and the Decree, Order, or Judgment of the Lord Warden in the Court of Appeal so constituted shall be subject to a final Appeal to the Judicial Committee of the Privy Council, who shall have Power to hear and determine the same: And it shall be lawful for the Lord Warden to remit a Cause pending before him on Appeal at once for the Determination of the said Judicial Committee, without pronouncing any previous Judgment thereon: Provided that no Appeal shall be allowed in any Case where the Debt or Damages sought to be recovered shall not exceed Twenty Pounds and where no Question of Jurisdiction or of the Custom of Mining or Miners shall have arisen in the Court below, nor shall any Appeal operate to stay Proceeding or be allowed, unless the Party appellant shall notify in Writing to the Registrar, within Thirty Days after Notice of the Decree, Order, or Judgment appealed against, his Intention to prosecute an Appeal, and shall then give or offer to give Security by Bond to the Registrar to prosecute the same within a Time prefixed by the Court, and to abide by and perform the final Order and Award of the Court of Appeal, which Bond shall not require to be stamped; and it shall be lawful for the Lord Warden, with the Approval of Two or more Members of the Judicial Committee of the Privy Council or Judges of the High Court of Chancery or of the Superior Courts of Common Law, from Time to Time, to make any General Rules and Orders for regulating the Practice, Fees, and Costs on Appeals pending before him, not inconsistent with the Provisions of this Act.

XXVII. The

As to levying and Application of Fines.

XXVII. The Penalties incurred by the Head Manager of any Mine by reason of his Omission to make such Returns of Metals and Minerals, or the Value thereof, or such Payments in respect thereof as he is now required by Law to make, shall be assessed and imposed by the Vice-Warden; and such Penalties and all Fines and Penalties lawfully imposed and levied by Authority of the Vice-Warden for any Default or Non-attendance of Jurors, Misdemeanor of Bailiffs or other Officers, Contempt of Court, or other Cause whatsoever, shall be paid to the Registrar of the Court, and form Part of the Fund for Payment of Expenses and Salaries, and such Fines and Penalties shall be levied within the Stannaries by Fieri facias issued by Order of the Vice-Warden, on Complaint of the Registrar, and Summons, and Hearing in a summary Way; and if the Offender be not found within the Stannaries, shall be levied on like Summons and Hearing, or Default of Appearance, in the Manner herein-before provided for enforcing Execution of Judgments on the Common Law Side of the Court.

Punishment of Frauds by Miners in Devonshire.

XXVIII. 'And whereas by the Tenth Section of an Act passed in the Parliament holden in the 'Second and Third Years of the Reign of Her present Majesty, Chapter Fifty-eight, it was enacted, that 'certain Frauds committed by Workmen in Mines in the County of *Cornwall* should be deemed Felonies, 'and should be punished as in Cases of Simple Larceny: And whereas it is desirable that that Enact-'ment should be extended to the County of *Devon*:' Be it therefore enacted, That for the Prosecution and Punishment of Frauds in Mines by idle and dishonest Workmen removing or concealing Ore for the Purpose of obtaining more Wages than are of Right due to them, and thereby defrauding the Adventurers in or Proprietors of such Mines, or the honest and industrious Workmen therein, if any Person or Persons employed in or about any Mine within the County of *Devon* shall take, remove, or conceal the Ore of any Metal, or any Lapis Calaminaris, Manganese, Mundick, or other Mineral found or being in such Mine, with Intent to defraud the Proprietor or Proprietors of or Adventurer or Adventurers in such Mine, or any One or more of them respectively, or any Workman or Miner employed therein, then and in every such Case respectively such Person or Persons so offending shall be deemed and taken to be guilty of Felony, and being convicted thereof shall be liable to be punished in the same Manner as in the Case of Simple Larceny.

Vice-Warden to be qualified to act as a Justice of the Peace in the County.

XXIX. The Vice-Warden of the Stannaries for the Time being whose Name shall or may be inserted in any Commission of the Peace for the County of *Cornwall* shall be qualified to act in the Execution of the Office of Justice of the Peace for the said County, although he may not have such Qualification by Estate or Interest in Lands, Tenements, or Hereditaments as is now enjoined by Law in the Case of other like Justices; provided that he be not disqualified to act for any other Cause or upon any other Occasion than in respect of the Want of such Estate or Interest.

Parts of Acts repealed.

XXX. The following Parts and Provisions of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and six, shall be and the same are hereby repealed; that is to say, Sections Five, Eleven, and Fourteen, and so much of Section Seven as relates to Appeals, and the Words "Nisi prius" shall be considered as struck and omitted out of Section Eight: The following Parts and Provisions of the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, Chapter Fifty-eight, shall also be and the same are hereby repealed; that is to say, Sections Three, Four, and Nine, and the Proviso in Section Two; but no Acts done or Rules or Orders made by Authority of the Provisions so repealed shall be thereby affected or made void.

Law Clerk of the Duchy of Cornwall to act as Attorney or Solicitor in all Courts.

XXXI. 'Whereas it will be convenient that the Office of the Duchy of *Cornwall* should be put on the 'same Footing as certain Public Offices in the Transaction of Law Business:' Be it enacted, That whenever any Person shall be appointed by His Royal Highness the Prince of *Wales*, or other the Personage for the Time being entitled to the Possessions of the Duchy of *Cornwall*, to act as Attorney or Solicitor in the Affairs of the said Duchy, it shall be lawful for such Person to act and practise as such Attorney or Solicitor in such Affairs in all and every Court, Jurisdiction, and Place in any and every Part of the United Kingdom, any Statute, Order, Rule, Usage, or Custom relating to Attornies or Solicitors, or the Admission, Inrolment, or Practice of Attornies or Solicitors, to the contrary notwithstanding.

Stannaries of Cornwall and Devon to be united as to Jurisdiction.

XXXII. 'And whereas it has been represented that the Adventurers, Miners, and others interested 'in Mines in the County of *Devon* would be benefited by the Extension of the Stannary Court Jurisdiction 'into that County, and are willing to be contributory to the Expenses of such Extension, in the Manner 'herein-after provided:' Be it therefore enacted as follows:—The Jurisdiction of the Court of the Vice-Warden shall henceforth be extended and exercised over the County of *Devon*, and over the Mines and Miners therein, and the Process of the said Court, both at Common Law and in Equity, shall run in and be executory throughout the Counties of *Devon* and *Cornwall*, and the Forms and Customs of Procedure as now lawfully used and exercised in the Stannaries of *Cornwall* (subject nevertheless to such Amendments or Provisions as are contained in or may be authorized by this Act, and to all other lawful Rules and Orders of the Court,) shall henceforth be adopted, used, and enforced in and throughout the Stannaries and County of *Devon*, and the Stannaries of the said Two Counties shall be and become, for the Purposes of Stannary Jurisdiction, One entire District, and the present and all future Vice-Wardens of the Stannaries shall be Vice-Wardens of the Stannaries of and for both Counties, and shall have therein all the like Powers, Privileges, Authority, and Jurisdiction over and in respect of Mines and

Miners, and Causes touching the same, in *Devon* as in *Cornwall*, and all Miners and others interested in Mines in *Devon* shall have the Privilege to sue and be sued at Law and in Equity in the Court of the Vice-Warden, and be amenable to the said Court and Vice-Warden, as well by reason of the Person as of the Cause, in like Cases and for like Causes in and for which the Miners and others interested in Mines in *Cornwall* now have such Privilege or are amenable to the said Court and Vice-Warden: Provided always, that the Common Law Jurisdiction of the Vice-Warden in respect of Causes of Action arising in *Devon* shall not extend to or be exercised in the County of *Devon* or to or over Miners therein, except in Causes and in respect of Matters relating to Mines or the Products thereof or Work connected therewith, or to the Working or Management thereof, or the Supply of Materials, Money, or Necessaries, or Performance of Work and Labour to, for, or in respect of such Mines or Works, or relating to the Customs of Mining or Miners, or to Shares or Interests in any Mine or Adventure in Mines.

The Vice-Warden to sit in Devonshire when sufficient Funds shall be provided for such Sitting.

XXXIII. 'And whereas it will be convenient that Provision should be made for periodical Sittings 'of the Court in *Devonshire* as well as in *Cornwall:*' Be it enacted, That if and when it shall appear to the Council of His Royal Highness the Prince of *Wales*, or the Special Commissioners for managing the Affairs of the Duchy for the Time being, that the Revenue annually arising from the Assessment hereinafter authorized on Mines in *Devonshire* will amount to the Sum of Three hundred and twenty Pounds at the least, over and above the Expense of Collection, the said Council or Commissioners shall have Power to direct that Sittings be held by the Vice-Warden in *Devonshire*, and thereupon the Vice-Warden shall so sit, either by Adjournment from *Truro* or otherwise, at least Four Times in each Year, as he has heretofore been accustomed to do in *Cornwall*, and he shall hold his Sittings either at *Plymouth*, *Devonport*, or *Stonehouse*, in the said County, as to him shall seem fit, subject to the Power of Adjournment in certain Cases, as herein-before provided, and for that Purpose shall have Authority to use and occupy the Public Halls of the said Boroughs, or some other convenient Building provided for such Sittings, at such convenient Times and in such Way as may not interfere with other necessary public Business usually transacted therein, and in that event the said Council or Commissioners shall direct in what Manner, and on what Conditions, Terms, and Tenure, Monies arising from such Assessment, or any Part thereof, shall be appropriated, either among the present Officers of the Court and their Successors, or to the Deputies who (with the Assent and Approval of the Vice-Warden) may be employed by such Officers to execute their Duties or any Part of their Duties, when the Court shall be sitting in *Devonshire*, or to new or additional Officers and Clerks, or towards the general Expenses of the Court, so as best to secure the due Performance of the additional Duties and increased Business occasioned by the Extension of the Jurisdiction, and to indemnify the present Officers of the Court for any Expenses to which they may be put by Attendance elsewhere than at *Truro*, and Payment shall be made according to such Appropriation, and it shall be competent for the Council or Commissioners, at the Recommendation of the Vice-Warden, to vary such Appropriation, having due Regard to the Exigencies of Business in the said Court, and the Amount of Funds applicable to the Expenses thereof.

Collector in Devonshire.

XXXIV. There shall be a Collector of the Assessments in the County of *Devon*, to be appointed by the Vice-Warden, with like Duties and Liabilities as in *Cornwall*, who shall receive for such Collection, out of the Monies so collected, an annual Sum not exceeding Thirty Pounds, and shall hold his Office at Will, and it shall be lawful for the Vice-Warden to appoint the same Person to be Collector in both Counties, and to appoint Bailiffs for Service and Execution of Process throughout the whole District of both Stannaries.

Jurors to be qualified as at Assizes.

XXXV. All Jury Trials, whether in Actions, Suits, or Plaints, on the Common Law Side of the Court, arising in the County of *Devon*, or in Issues from the Equity Side, shall be by Persons qualified to serve as Jurors before the Justices of Assize and Nisi Prius in the said County; and for making out Lists of such Jurors, and summoning them, the Vice-Warden shall have and execute the like Powers as in *Cornwall;* and the Persons so qualified to serve shall be liable to challenge, and amenable to the Process of the said Court, and enjoy the same Exemptions in respect of their Attendance and Service as in the Stannaries of *Cornwall:* Provided nevertheless, that until the Vice-Warden shall receive the Directions of the said Council or Commissioners, as above provided, to hold Sittings in the County of *Devon*, it shall not be obligatory on him to hold any Sittings there, nor shall it be obligatory on Persons qualified to serve as Jurors in the Vice-Warden's Court in *Devonshire* to give their Attendance as such at any Court held by him in that County or elsewhere, nor shall any Cause arising in *Devonshire*, and pending before any County Court Judge there, be remitted for Trial or Hearing before the Vice-Warden, as herein-before provided; and in the meantime the said Council or Commissioners shall direct in what Manner and in what Proportions the Revenue arising from Fees and Assessments in respect of Causes and Mines in the County of *Devon* shall be applied towards Court or Office Expenses, or Payment of the present or additional Official Salaries.

No Sittings in Devon till Duchy Council or Commissioners shall direct.

Assessment of Mines and Minerals in Devon.

XXXVI. And for the Purpose of providing for the Expenses attendant upon the Extension of the Jurisdiction of the Court into *Devon*, there shall be an Assessment of a Farthing in the Pound on the Value of all Metals and Minerals in that County, as in *Cornwall*, and all the Enactments contained in this and any other Act of Parliament for obtaining and enforcing Returns, and levying and collecting the said Assessment, in *Cornwall*, shall be taken to apply to the like Assessment in *Devon*, and the Collector thereof shall account for all Monies received by him as in *Cornwall*, and such Assessment shall begin

begin at the passing of this Act, and be collected for the First Time at the End of Three Calendar Months next after the passing of this Act; provided, that whenever it shall appear to the Vice-Warden, on auditing the Registrar's Accounts, that there is a Balance in hand sufficient to meet all authorized Payments for the next Half Year, the like Notice thereof and Suspension of Assessment shall take place as in the Assessment in *Cornwall;* and the Registrar of the Court shall keep a separate Account of all Fees and Monies coming into his Hands in respect of Causes and Matters arising in the County of *Devon*, and in respect of the Assessment of Metals and Minerals in that County, and shall render Accounts to the Vice-Warden as in *Cornwall*, and shall be allowed in his half-yearly Account, as well the additional Salaries and Sums lawfully chargeable thereon, as herein-before provided, as the reasonable and needful Expenses of advertising and holding Courts and summoning Jurors in the County of *Devon* (if any be held), and of lighting, warming, cleaning, watching, and keeping the Court, and an Office there (if any), and other like petty Expenses, as allowed in the County of *Cornwall*, and the Amounts so audited shall be filed, and be open for Inspection, as is now used in the said Court.

Commitment of Prisoners in Devonshire.

XXXVII. Persons committed to Prison by the Vice-Warden in respect of Causes or Contempts in the County of *Devon* shall be committed and taken either to the County Gaol at *Exeter* or the Borough Gaol of *Plymouth* or *Devonport*, as shall appear to the Vice-Warden most expedient in each Case, and shall be received, dealt with, maintained, supported, and provided for as if they had been committed to those Prisons by like Process out of the Superior Courts of Law or Equity at *Westminster*, or by any Court of Civil Jurisdiction held in or for the Borough of *Plymouth* or *Devonport*.

Provision for the eventual Establishment of a separate Court in Devonshire.

XXXVIII. Whenever it shall hereafter appear that a sufficient Fund shall be provided in the Stannaries of *Devon* for the Establishment of a permanent separate Court and a separate Office and Officers in and for a Vice-Warden's Court in the County of *Devon*, it shall be lawful for Her Majesty, by Order in Council, issued at the Instance of the said Council of His Royal Highness, or the Special Commissioners, as aforesaid, to direct that such Court and Office shall be erected and established on the Model of the Vice-Warden's Court as now constituted in *Cornwall*, and to declare that all Provisions of the present Act, and of the several Acts for the Establishment of the said Court in *Cornwall*, so far as they shall be applicable to such new Court in the County of *Devon*, shall be deemed and taken to be in force in the last-mentioned County, and to assign Salaries to the several Officers of the said Court, not exceeding the Salaries appointed before or at the passing of this Act for the like Officers in the County of *Cornwall*, and to declare what Proportion of the Salary now payable to the Vice-Warden of the Stannaries shall thenceforth be contributed out of the Revenue arising in the County of *Devon* if the same Vice-Warden shall be appointed for both Courts, and to make such other Regulations as shall be necessary or expedient for effectually establishing and providing for such separate Court and Office; and thereupon, on the Promulgation of the said Order in Council, the said separate Court and Office shall be and become permanently established in the County of *Devon*, as fully and effectually as if the same had been established and confirmed by Act of Parliament; and all Provisions made by this Act, or by the Council of His Royal Highness, or the said Special Commissioners, under the Authority of this Act, for the Extension of the Jurisdiction of the present Court into the County of *Devon*, shall cease, save only that the Process of the Court in each County in Causes arising in that County shall be executory and executed in and throughout both Counties.

CAP. XXXIII.

An Act to prevent Doubts as to the Validity of certain Proceedings in the House of Commons.

[15th *June* 1855.]

'WHEREAS the House of Commons on the Fourth Day of *August* One thousand eight hundred and fifty-three, Her Majesty having previously signified Her Consent that the House might do therein as they should think fit, resolved as follows: "That whenever the House shall be informed of "the unavoidable Absence of Mr. Speaker, the Chairman of the Committee of Ways and Means do "take the Chair for that Day only, and in the event of Mr. Speaker's Absence continuing for more "than One Day do, if the House shall think fit and shall so order it, take the Chair in like Manner on "any subsequent Day during such Absence:" And whereas on the Fourth Day of this present Month of *June*, Mr. Speaker being unavoidably absent by reason of Indisposition, the Right Honourable *Henry FitzRoy*, being the Chairman of the Committee of Ways and Means, took the Chair in pursuance of the said Resolutions: And whereas the House on the same Day further resolved as follows; *viz.*: "That in the event of Mr. Speaker's Absence continuing for more than this Day, Mr. *FitzRoy* do take "the Chair on each subsequent Day during the present Week:" And whereas the said Right Honourable *Henry FitzRoy* did, in consequence of the continued Absence of Mr. Speaker, on each subsequent Day during the said Week take the Chair, and perform therein certain Duties appertaining to the Office of Speaker: And whereas Doubts may arise as to the Validity of Acts done or Proceedings taken by or in the House during the Time aforesaid in relation to certain Matters regulated by Statute:'

For Removal of Doubts as to the Validity of

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Acts and Proceedings which according to the Provisions of any Statute are required

certain Proceedings in the House of Commons during the Absence of Mr. Speaker.

required to be done or taken in the House of Commons with their Speaker in the Chair, and which have been done or taken by or in the House while the said Right Honourable *Henry FitzRoy* was in the Chair as aforesaid, shall be and shall be deemed to have been as valid and effectual for all Purposes as if Mr. Speaker himself had been in the Chair during the Time when such Acts and Proceedings respectively were done and taken.

CAP. XXXIV.

An Act to provide for the Education of Children in the Receipt of Out-door Relief. [26th *June* 1855.]

'WHEREAS it is expedient that Means should be taken to provide Education for the young 'Children of poor Persons who are relieved out of the Workhouse:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Guardians may grant Relief to enable poor Persons to educate their Children.

I. That the Guardians of any Union or any Parish in *England* wherein the Relief to the Poor is administered by a Board of Guardians may, if they deem proper, grant Relief for the Purpose of enabling any poor Person lawfully relieved out of the Workhouse to provide Education for any Child of such Person between the Ages of Four and Sixteen in any School to be approved of by the said Guardians, for such Time and under such Conditions as the said Guardians shall see fit.

Poor Law Board may regulate Proceedings, &c.

II. Provided, That the Poor Law Board may at any Time issue their Order to regulate the Proceedings of the Guardians with reference to the Mode, Time, or Place in or at which such Relief shall be given or such Education received.

Education not a Condition of Relief.

III. Provided also, That it shall not be lawful for the Guardians to impose as a Condition of Relief that such Education shall be given to any Child of the Person requiring Relief.

Cost of Relief how to be charged.

IV. The Cost of the Relief so given for the Education of any such Child shall be charged to the same Account as the other Relief granted by the said Guardians to the same poor Person, and may be given by the said Guardians and recovered by them as a Loan, under the same Circumstances and in like Manner as such other Relief.

Orphans and deserted Children may be relieved.

V. In the Case of any Child of such Age as aforesaid relieved out of the Workhouse, which Child has been deserted by its Parents or surviving Parent, or both whose Parents are dead, it shall be lawful for such Guardians in their Discretion, and with the like Power of Regulation on the Part of the Poor Law Board as aforesaid, to grant Relief for the Purpose of providing Education for such Child in any such School as aforesaid.

Act to be construed with 5 W. 4. c. 76.

VI. The Words used in this Act shall be construed in like Manner as the Words contained in the Act of the Fifth of *William* the Fourth, Chapter Seventy-six, and the several Acts incorporated therewith.

CAP. XXXV.

An Act to continue the Act for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives. [26th *June* 1855.]

16 & 17 Vict. c. 91.

'WHEREAS by an Act passed in the Session of Parliament holden in the Sixteenth and Seven-'teenth Years of the Reign of Her present Majesty, intituled *An Act to extend for a limited Time 'the Provision for Abatement of Income Tax in respect of Insurance on Lives*, which Act was limited to 'continue in force until the Fifth Day of *July* One thousand eight hundred and fifty-four: And whereas 'by an Act passed in the last Session of Parliament the said first-mentioned Act was continued until 'the Fifth Day of *July* One thousand eight hundred and fifty-five: And whereas it is expedient to 'extend the Benefit of the recited Provisions to Persons insuring or contracting with such Friendly 'Societies as herein-after mentioned, and to continue the said first-recited Act for such Period as herein-'after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons insured with Friendly Societies to be entitled to Benefits of recited Acts.

I. Any Person or Persons who shall have made any such Insurance or contracted for any such Deferred Annuity as in the said recited Acts mentioned, in or with any Friendly Society legally established under any Act of Parliament relating to Friendly Societies, shall be entitled to all the Benefits and Advantages conferred by the said recited Acts; provided that the Premiums payable in respect of such Insurances shall not be made for shorter Periods than Three Months.

16 & 17 Vict. c. 91. to continue in force and be applicable to Duties granted by 17 & 18 Vict. c. 24. and 18 & 19 Vict. c. 20.

II. The said Act shall continue in force until the Fifth Day of *July* One thousand eight hundred and fifty-six, and shall be applicable, with respect to the Rate of Duty of One Shilling and Twopence for every Twenty Shillings granted by the Act of the last Session of Parliament, Chapter Twenty-four, and to the additional Rate of Duty of Twopence for every Twenty Shillings granted by the Act of the present Session of Parliament, Chapter Twenty, in like Manner as to the Rate or Duty of Sevenpence for every Twenty Shillings granted by the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Thirty-four.

CAP. XXXVI.

An Act to repeal the Stamp Duties payable on Matriculation and Degrees in the University of *Oxford*. [26th *June* 1855.]

'WHEREAS by an Act passed in the last Session of Parliament (Chapter Eighty-one) "to make "further Provision for the good Government and Extension of the University of *Oxford*, of the "Colleges therein, and of the College of *Saint Mary Winchester*," it was enacted, that the Stamp Duties then payable on Matriculations and Degrees should be abolished so soon as Provision should have been made by the University, to the Satisfaction of the Commissioners of Her Majesty's Treasury, in lieu of the Monies theretofore voted annually by Parliament: And whereas by a Statute of the said University, adopted by Convocation on the Thirty-first Day of *May* One thousand eight hundred and fifty-five, Provision has been made for the Payment out of the University Chest of the Salaries and Allowances to certain Professors of the said University, mentioned in the Schedule to this Act (being the same Salaries and Allowances as were theretofore annually voted by Parliament to the same Professors), and the Commissioners of Her Majesty's Treasury are satisfied that such Statute is a due Provision in lieu of the Monies theretofore voted annually by Parliament, as intended by said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 81.

I. All Stamp Duties payable under the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and eighty-four, or under any other Act of Parliament, on the Admission or Matriculation of any Person in the said University of *Oxford*, and on the Admission of any Person to any Degree in the said University (whether conferred in the ordinary Course of the University or otherwise), or for the Registry or Entry of any such Admission, shall from and after the said Thirty-first Day of *May* cease to be payable. Stamp Duties on Matriculation and Degrees in Oxford repealed.

II. No Salary or Allowance payable under the said Statute of the said University to any Professor mentioned in the Schedule to this Act shall be discontinued or reduced without the Consent of the Commissioners of Her Majesty's Treasury. Salaries payable under University Statute not to be discontinued without Consent of Treasury.

SCHEDULE.

	£
To the Professor of Mineralogy	100
To the Professor of Geology	100
To the Professor of Experimental Philosophy	100
To the Professor of Chemistry	100
To the Professor of Modern History	371
To the Professor of Botany	182

CAP. XXXVII.

An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-five. [26th *June* 1855.]

CAP. XXXVIII.

An Act to allow Spirit of Wine to be used Duty-free in the Arts and Manufactures of the United Kingdom. [26th *June* 1855.]

'WHEREAS it is expedient, with a view to promote the Advancement of the Arts and Manufactures of the United Kingdom, to allow Spirit of Wine to be used Duty-free in the various Processes thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Commissioners of Inland Revenue to permit and authorize any Distiller or Rectifier of Spirits, or other Person specially licensed in that Behalf, to mix, under the Conditions and Regulations herein-after mentioned, Spirit of Wine of not less Degree of Strength than Fifty *per Cent.* over Proof, and in a Quantity of not less than Four hundred and fifty Gallons at One Time, with not less than One Ninth of its Bulk Measure of Wood Naphtha or Methylic Alcohol, or to mix Spirit of Wine of such other Degree of Strength and in such other Quantity or Proportion with Wood Naphtha or Methylic Alcohol, or with such other Article or Substance as the said Commissioners shall from Time to Time approve, order, and direct, and as to the Satisfaction of the said Commissioners shall render such Spirit unfit for Use as a Beverage, and incapable of being converted to that Purpose, and thereupon such Mixture shall be allowed Duty-free for Use in such Branches of the Arts and Manufactures of the United Kingdom as the said Commissioners shall sanction or approve in that Behalf, or if such Mixture shall be made A Mixture of Spirit of Wine and Methylic Alcohol may be allowed Duty-free for Use in the Arts or Manufactures.

made by a Rectifier with Duty-paid Spirit of Wine, he shall be allowed a Drawback of the Duty on such Spirit of Wine at the Rate chargeable on Spirits of the like Strength distilled in that Part of the United Kingdom where such Mixture shall be made.

The Mixture to be termed Methylated Spirit.

II. The said Mixture of Spirit of Wine with Wood Naphtha or Methylic Alcohol shall be denominated Methylated Spirit, and the Mixture of Spirit of Wine with any other Substance appointed or approved by the said Commissioners for the Purpose aforesaid shall be designated by such Term as they shall from Time to Time direct; and wherever in this Act the Term Methylated Spirit is used the same shall be deemed to include any and every such other Mixture as last mentioned, and the several Provisions of this Act shall be deemed to apply to any and every such last-mentioned Mixture as if the Term by which the said Commissioners shall direct the same to be designated had been substituted in this Act for and in lieu of the Term Methylated Spirit.

Persons (other than Distillers or Rectifiers) authorized to make Methylated Spirit to pay for a Licence for that Purpose.

III. Every Person who shall be authorized by the Commissioners of Inland Revenue to make or mix Methylated Spirit (other than a Distiller or Rectifier of Spirits) shall take out a Licence for that Purpose, and shall pay the Sum of Ten Pounds and Ten Shillings for the Duty thereon; and such Licence and Payment of Duty thereon shall be renewed annually on the First Day of *October* in every Year, so long as such Person shall continue to be authorized as aforesaid to make or mix Methylated Spirit; and every such Licence shall be granted and renewed in like Manner as other Excise Licences are granted and renewed, and under and subject to the Provisions and Regulations of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one.

Places of mixing to be approved and entered, and Removal of Articles for mixing, &c. to be made under Regulations of Commissioners.

IV. The mixing of Spirit of Wine with Wood Naphtha or Methylic Alcohol or any such Article or Substance as aforesaid shall be made only in such Warehouses, Buildings, and Rooms as the said Commissioners shall from Time to Time approve, and of which the Distiller or Rectifier or Person specially licensed as aforesaid, proposing to make such Mixture, shall specially make Entry for that Purpose with the proper Officer of Excise; and the Removal of such Spirit of Wine, and of any such Article or Substance as aforesaid, to any such entered Place of mixing, and the Time and Mode of mixing the same, and the Sale, Delivery, and Removal of the Methylated Spirit therefrom, shall be under and subject to such Rules, Regulations, and Restrictions, and with and under such Securities, as the said Commissioners may from Time to Time make, direct, or require in that Behalf.

Wood Naphtha, &c. to be inspected by Officer before mixing, &c.

V. All Wood Naphtha or Methylic Alcohol, or other such Article or Substance as aforesaid, to be mixed with such Spirit of Wine, shall before the mixing thereof be examined by and subject to the Approval of an Officer of Excise appointed in that Behalf; and it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to provide the Wood Naphtha, Methylic Alcohol, or other such Article or Substance, as aforesaid, for and at the Expense of the Person proposing to make such Mixture.

Commissioners may provide Warehouses, &c. for mixing and storing Methylated Spirit.

VI. It shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to provide Warehouses for the making, mixing, and storing of Methylated Spirit, and also to provide Workmen requisite in that Behalf, and to charge in respect of all Methylated Spirit made, mixed, or stored in any such Warehouse the Rate of One Penny *per* Gallon *per* Month, and the like Rate for any fractional Part of a Month, as a Compensation for Warehouse Rent and such Labour as aforesaid.

A Stock Account to be kept of Methylated Spirit in the Possession of every Maker.

VII. The proper Officer of Excise shall keep a Stock Account, by Way of Debtor and Creditor, of all Methylated Spirit made by every Maker of such Spirit, and shall in such Account debit the Stock with the Quantity of such Spirit from Time to Time made or added thereto, and shall credit the same with the Quantity from Time to Time duly and legally sent out therefrom; and in the keeping and taking of every such Account all such Methylated Spirit shall be calculated to Proof Gallons and Fractions thereof, and for this Purpose the Strength of such Methylated Spirit as indicated by Sykes's Hydrometer shall be deemed to be the true Strength thereof; and if at any Time the Quantity of Methylated Spirit found in the Stock or Possession of any such Maker shall exceed by a greater Rate than One *per Centum* the Quantity thereof which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Maker, computing such Rate of One *per Centum* on the Quantity of Methylated Spirit formed by the Balance left on the last Stock-taking and the Quantity thereof since made and duly added to such Stock, all such excess Quantity of Methylated Spirit shall be forfeited, and may be seized by any Officer of Excise; and if at any Time the Quantity of Methylated Spirit found in the Stock or Possession of any such Maker shall be deficient by a greater Rate than Two *per Centum*, calculated as aforesaid, of the Quantity thereof which by such Stock Account ought to be in the Stock or Possession of such Maker, he shall be charged with and shall pay for all such deficient Quantity the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where such Stock shall be kept.

Excess of Stock to be forfeited, and Deficiency to be charged with Duty.

Methylated Spirit to be delivered only from an entered Place and with Permit.

Penalty of 50*l.*, and Forfeiture of the Spirit.

VIII. No Methylated Spirit shall be sold, sent out, or delivered from any Place other than a Warehouse, Building, or Store-room approved and duly entered as aforesaid for the mixing or storing of such Spirit, or otherwise than in Vessels containing not less than Ten Gallons, each distinctly labelled with the Words "Methylated Spirit," and accompanied by a proper Permit or other such Document as the said Commissioners may order or direct to be used to accompany such Spirit on the Removal thereof; and if any Person shall unlawfully or improperly sell, send out, deliver, or remove any Methylated Spirit, contrary to any of the Provisions of this Act, or the Regulations of the said Commissioners to be made in this Behalf, he shall forfeit the Sum of Fifty Pounds, and such Methylated Spirit shall be forfeited, and may be seized by any Officer of Excise.

IX. The

Spirit of Wine.

Persons to be authorized by the Commissioners to receive Duty-free Methylated Spirit for Use in the Arts or Manufactures.

IX. The Commissioners of Inland Revenue shall, by themselves or their Officers, license or authorize such Persons as the said Commissioners shall think fit to receive Methylated Spirit Duty-free, to be used in the several Branches of the Arts or Manufactures carried on by them respectively, and shall provide and deliver to such Persons Forms of Requisition to be used by them in procuring Methylated Spirit from the Makers thereof, and Counterfoils of such Requisitions to be filled up and retained by such licensed or authorized Persons for the Inspection of the Officers of Excise; and every such Requisition shall be accompanied by a Certificate signed by an Officer of Excise to be authorized by the said Commissioners in that Behalf, certifying that the Applicant is a Person so licensed or authorized as aforesaid; and no Methylated Spirit shall be sold or delivered to any Person except upon his delivering to the Maker thereof a Requisition for the same in such Form as shall be supplied to him for that Purpose, together with such Certificate as aforesaid.

Persons authorized to receive Duty-free Methylated Spirit to give Security for the proper Use of it in their Manufactures.

X. Every Person who may be licensed or authorized as aforesaid to receive Duty-free Methylated Spirit under the Provisions of this Act shall enter into a Bond to Her Majesty, with Sureties to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum and with a Condition in such Form as they shall think fit, as a Security that such licensed or authorized Person will use such Methylated Spirit wholly in the Art or Manufacture specified in such Condition which such Person carries on, and that he will not use the same or any Portion of it for any other Purpose, or sell or dispose of it in any other Manner, and further, that such licensed or authorized Person will with respect to all such Methylated Spirit observe, comply with, and fulfil all the Provisions, Terms, and Conditions of this Act, and the Rules and Regulations which the said Commissioners shall make and issue under the Authority hereof.

Enactments in former Acts as to Permits and Certificates to be applied to Permits, Certificates, &c. under this Act.

XI. All Permits, Certificates, Forms of Requisition, and other Documents to be used under the Provisions of this Act shall be provided in the Manner directed by the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixteen, as to Permits, and by the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her present Majesty's Reign, Chapter One hundred and twenty-one, as to Certificates, Forms of Requisition, and other such Documents as aforesaid; and all Clauses, Regulations, Pains, Penalties, and Forfeitures contained in or enacted by the said several Acts in relation to Permits and Certificates respectively shall be applied and enforced with respect to the Permits, Certificates, Forms of Requisition, and other Documents to be used under the Provisions of this Act, for the Purpose of preventing, detecting, and punishing all Frauds, Forgeries, and other Offences committed in relation to such last-mentioned Permits and Certificates, and to such Forms of Requisition and other Documents respectively, and for all other Purposes incident to the Use thereof.

Persons ordering Methylated Spirit to fill up Requisition and Counterfoil, and produce the latter to Officer when required.

XII. Every Person so licensed or authorized as aforesaid to receive Methylated Spirit shall, on ordering the same from the Maker thereof, correctly fill up the Form of Requisition with the proper Quantity to be ordered and other Particulars which may be required by any Regulation of the said Commissioners to be inserted in such Requisition; and he shall also correctly fill up the Counterfoil of such Requisition with all such Particulars as aforesaid, and retain such Counterfoil, and produce and deliver the same to any Officer of Excise who may require to inspect the same, under the Penalty of Fifty Pounds for any Neglect, Omission, or Refusal in respect of any Matter or Thing in this Clause enjoined or required to be done.

Officers of Excise may enter Premises where Methylated Spirit is used, and inspect and take Samples.

XIII. It shall be lawful for any Officer of Excise, in the Daytime, to enter and inspect the Premises where Methylated Spirit is or may be used by any Person licensed or authorized as aforesaid to use the same; and it shall also be lawful for any such Officer to inspect, examine, and take Samples from all such Methylated Spirit as he may there find, paying a reasonable Compensation for such Samples; and if any Person shall refuse to allow such Officer to enter any such Premises, or to make such Inspection or Examination, or to take any such Sample as aforesaid, such Person so refusing shall forfeit the Sum of Fifty Pounds.

Commissioners may revoke Authority to make or use Methylated Spirit, &c.

XIV. Provided always, That it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, at any Time, to revoke their Licence or Authority granted to any Person to make or to receive or use Duty-free Methylated Spirit, under the Provisions of this Act, and also to revoke their Approval of any Warehouse, Building, or Room as a Place for mixing, making, or storing any such Spirit.

Makers not to supply Methylated Spirit to Persons whose Authority to use the same is revoked.

XV. Provided always, That no Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to any Person respecting whom Notice in Writing shall have been given to such Maker by any Supervisor or other Superior Officer of Excise, that the Licence or Authority granted to such Person to receive or use Methylated Spirit has been revoked, or that such Person is otherwise disqualified to receive or use such Spirit, notwithstanding that such Person may produce and deliver to such Maker of Methylated Spirit a proper Form of Requisition for such Spirit, accompanied by such Certificate as herein-before mentioned; and if any Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to or for the Use of any Person respecting whom he shall have received any such Notice as aforesaid, such Maker shall be charged with and shall pay for and upon such Spirit the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where he shall make Methylated Spirit.

Methylated Spirit in the Possession of an unauthorized

XVI. No Person, other than a Distiller or Rectifier or licensed Person authorized respectively to make Methylated Spirit, or a Person licensed or authorized, under the Provisions of this Act, to receive and use Methylated Spirit, shall have any such Spirit in his Possession; and if any Methylated Spirit shall be

Person, or in an unentered Place, forfeited, and Penalty incurred.

be found in the Possession of any Distiller or Rectifier or Person licensed to make such Spirit, otherwise than in a Room or Place duly entered for making, mixing, or storing such Spirit, or if any Methylated Spirit shall be found in the Possession of any Person not licensed or authorized as aforesaid, except on the Removal thereof, accompanied by a proper Permit or Certificate in that Behalf, all such Methylated Spirit so found as aforesaid shall be forfeited, and may be seized by any Officer of Excise, and the Person in whose Possession the same shall be found shall forfeit the Sum of One hundred Pounds.

Commencement of Act.

XVII. This Act shall commence and take effect on the First Day of *October* One thousand eight hundred and fifty-five.

CAP. XXXIX.

An Act to facilitate Grants of Lands and Tenements for the Purpose of Religious Worship and other Purposes connected therewith. [26th *June* 1855.]

'WHEREAS many Congregations of Persons not belonging to the Established Church in *Ireland* 'have been and are in many Cases prevented from erecting suitable Buildings for Religious 'Worship, and for the Residence of their Clergymen, Ministers, and Pastors, and Schoolhouses for the 'Education of their Children, and from providing suitable Burial Grounds, by the Difficulty of 'obtaining Leases of Land of sufficient Duration for such Purposes, and in many Cases have been 'obliged to use for the Purposes aforesaid Lands granted or demised for Terms of short or uncertain 'Duration, and it is expedient that Tenants for Life and other Persons having limited Interests in Lands 'should be enabled for the Purposes aforesaid to make Grants or Leases for any Period not exceeding 'the Estate or Interest out of which such limited Interest is created, and to accept Surrenders of and 'convert into Leases for such extended Period any Leases of short or uncertain Duration already made 'for such Purposes or any of them:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. In the Construction of this Act the Words "Grantor" or "Lessor" shall extend to a Body Politic, Corporate, or Collegiate, making Grants or Leases:

The Word "Lessee" shall include the personal Representatives of any Lessee and his lawful Assigns:

The Word "Person" shall include any Body Politic, Corporate, or Collegiate:

The Expression "Perpetual Interest" shall comprehend, in addition to any greater Interest, any Estate for One or more than One Life, with or without a Term for Years, or for Years, whether absolute or determinable on One or more than One Life, with a Covenant or Agreement by a Party competent thereto for perpetual Renewal:

The Expression "Successors in Estate" shall extend to and include the Persons entitled for the Time being after the Lessor to the actual Receipt of the Rents and Profits of the Lands comprised in the Lease, under the same Title, Settlement, or Will with the Lessor, or under the Exercise of any Power affecting such Title or continued in such Settlement or Will, and who but for the making of the said Lease would be entitled to Possession of the Lands, or to the Possession subject to any other existing Lease or Tenancy:

The Word "entitled" shall mean entitled either legally or equitably:

The Word "Settlement" shall include every Assurance or connected Set or Series of Assurances, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be limited in a Course of Settlement, or agreed so to be.

Short Title.

II. In citing this Act in any Instrument, Document, Proceeding, or Act of Parliament, it shall be sufficient Designation to use the Expression "The Leasing Powers Act for Religious Worship in (*Ireland*), 1855."

With respect to the Persons hereby empowered to make Leases:

Power to make Leases of Land of not more than Five Acres for religious Purposes.

III. Every Person herein-after described entitled in possession to any Estate or Interest herein-after named in Lands in *Ireland*, or to the Receipt of any Rents and Profits thereof, whether or not such Estate shall be subject to any Mortgage or other Incumbrance (provided the Incumbrancer shall not be in possession), shall have Power to make Leases of any Part of the said Lands, (other than the Mansion House and Demesne Lands or Parks, Plantations, Gardens, Orchards, or Pleasure Grounds and Appurtenances belonging to or usually occupied with such Mansion House,) and not exceeding in the whole Five Acres, for the Purposes and Periods of Time, and subject to the Rents, Rights of Apportionment of Rent, Covenants, and Conditions herein stated; (that is to say,)

(1.) Her Majesty the Queen and Her Successors; the Commissioners of Her Majesty's Woods and Forests in respect of Lands situate in the Kingdom of *Ireland:*

(2.) Tenants in Fee Simple or Fee Farm or seised of any other perpetual Estate subject to any Mortgage or Incumbrance:

(3.) Tenants in Tail or Quasi-Entail of an Estate of Inheritance or perpetual Interest:

(4.) Tenants for the Term of their own Lives, not being Jointresses, or for the Life or Lives of any other Person or Persons, or for so many Years as they may live, or any partial Owner, for an unexpired Term of Years not being less than Sixty Years in its Inception, and whether absolute

or

or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by any Settlement, and not in consideration of or subject to any Rent reserved thereby:

(5.) Married Women entitled to any Estate specified in Numbers (2.), (3.), or (4.) for their separate Use, and whether restrained or not from Anticipation:

(6.) Tenants by the Courtesy of *England:*

(7.) Husbands seised in right of their Wives, or by Entireties with their Wives, provided that the Wife is entitled to any such Estate as is specified in Number (2.), but whether subject to any Incumbrance or not, or in Numbers (3.) or (4.), and shall be a consenting and executing Party to the Lease, not being under Age:

(9.) Corporations Lay, Eleemosynary, and Collegiate, whether aggregate or sole: Provided, that no Lease made by any Municipal Corporation or Board of Guardians of the Poor shall be valid without the Licence in Writing in the Case of a Municipal Corporation of the Commissioners of Her Majesty's Treasury, and in the Case of such Board of Guardians of the Poor of the Poor Law Commissioners for *Ireland*, such Licence to be written on or annexed to the said Lease:

(10.) Trustees and Feoffees of Charitable Uses of a public Nature, and seised or possessed of an Estate in Fee Simple, Fee Farm, or other perpetual Interest:

(11.) Trustees under any Will or Settlement entitled in Fee Simple or for a perpetual Interest or to any Estate specified in Number (4.), and having a Power to sell the same: Provided, however, that when such Power is to be exercised with the Consent of any Person no such Lease shall be valid without such Consent.

And with respect to Cases of Disability of Parties otherwise entitled to make Leases:

In Cases of Disability of Parties, Guardians, &c. may make Leases.

IV. In case any Person (not being a Trustee or Feoffee of charitable Uses of a public Nature) who would be entitled to make Leases under this Act or otherwise shall happen to be under any of the following Disabilities or Incapacities, the Power shall be exercised in his or her Name and on his or her Behalf in the following Manner: If under the Age of Twenty-one Years, by his or her Guardian appointed by Will or Settlement, or by the Court of Chancery; and if such Person have no Guardian, it shall be lawful for the Court of Chancery in *Ireland*, on Petition in a summary Way, to appoint a Guardian of such Person under Age, for the Purpose of executing any Lease under this Act, in the Manner aforesaid, and to change him from Time to Time, and the Power shall be executed by the Guardian so appointed: If lunatic or idiot, or *non compos mentis*, by the Committee of the Estate; and if there shall be no Committee of the Estate, or no Inquisition finding such Person idiot or lunatic, it shall be lawful for the Court of Chancery in *Ireland*, by Petition in a summary Way, to appoint a Guardian of such Person, for the Purpose of executing any Lease under this Act, and to change such Guardian from Time to Time, and the Power shall be executed as aforesaid by the Guardian so appointed: Provided always, that no Lease made under this Act of the Estate of any Person under Age or of unsound Mind or *non compos mentis* shall be valid without the Consent of the Court of Chancery, to be obtained in a summary Manner by Petition to the said Court of Chancery by any Party interested thereon.

The Purposes and Periods of Time for which Leases may be made under this Act shall be as follows:

Forms of Leases under this Act.

V. A Lease made by a Person empowered by this Act may be made of any Quantity of Land, not exceeding in the whole Five Acres, for a Site for a Place of Worship for such Congregation, and for the Residence of their Clergymen, Ministers, or Pastors, and for the Erection of a School or Schools and School Accommodation in connexion therewith, and for a Burial Ground for the Interment of its deceased Members, or for any One or more of such Purposes, and such Leases may be made in Fee Farm, or for any Term not exceeding Nine hundred and ninety-nine Years.

Provisions as to Leases made previous to the Act.

VI. Where any Lease or Grant shall have been made before the passing of this Act for any of the Purposes aforesaid, and for a Period less than the Term for which a Lease may be made under this Act, it shall be lawful for the Person enabled to make a Lease of such Land under this Act to accept a Surrender of such existing Lease or Grant, and make a new Lease under this Act of the same Land, or of the same Land and any other Land in conjunction therewith, provided that the entire Quantity comprised in such new Lease shall not exceed Five Acres.

Rent reserved in any Lease to be the best improved Rent.

VII. The Rent reserved in any Lease made under this Act shall be the best improved Rent that at the Time of making such Lease can be obtained or reasonably expected from a solvent Tenant without Fine or Consideration of any Kind: Provided always, that in case of the Surrender of an existing Lease, and the Grant of a new Lease, of the same Land, under Section Six, the Value of any Buildings, Erections, or Improvements on said Lands theretofore made for any of the Purposes aforesaid shall not be taken into account in estimating the Rent to be reserved in such new Lease.

Conditions, &c. of Leases to be specified.

VIII. Every Lease made under this Act shall specify the Purposes for which it shall be made, and shall imply the following Covenants, Conditions, and Agreements on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor, his Executors, Administrators, and Successors in Estate, and the same shall be as effectual and binding as if they were expressly inserted in such Lease:

That the Lessee shall pay, when due, the Rent reserved, and all Taxes and Impositions payable by the Tenant:

That the Lessee shall repair, maintain, and keep the demised Premises during the Term in good and substantial Repair, with all Buildings, Fixtures, and Improvements:

That the demised Premises shall be applied for no other Purposes than those expressed in the Lease, or of the like Nature, and in default thereof it shall be lawful for the Lessor and his Successors in Estate to re-enter:

That in case the said Lands shall not be used for any of the Purposes expressed in said Lease for a Period of Three Years, it shall be lawful for the Lessor and his Successors in Estate to re-enter:

That it shall be lawful for the Landlord and his Agent at all reasonable Times to enter on and inspect the Premises:

Also to re-enter in case of any unlawful Assignment or Subletting.

Reserved Rent, &c. to enure to proper Owner.

IX. The Rents reserved and the Covenants and Conditions contained or implied in any Lease made under this Act shall enure to the Persons who for the Time being would, if such Lease had not been made, be entitled to the actual Possession of the Lands comprised in the said Lease, or to the Receipt of the Rents and Profits thereof, according to their Estates and Interests therein.

Lease to be by Indenture.

X. Every Lease made under this Act shall be by Indenture sealed and delivered by or on behalf of the Lessor in the Presence of One or more than One Witness, and a Counterpart of every such Lease shall be executed by the Lessee thereof.

And with respect to the Force and Efficacy of Leases to be made pursuant to this Act, be it enacted as follows:

Lease to be binding on Lessor, his Heirs and Successors in Estate.

XI. Every Lease made pursuant to the Provisions of this Act shall be valid and effectual to bind the Lessor, his Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor derives, and notwithstanding any Entail, Law, or Custom to the contrary, and whether there be any leasing Power annexed or belonging to the Estate of such Lessor, but so as not to prejudice or interfere with any other Power of leasing to him belonging.

Informality in Proceedings not to affect the Lease.

XII. Where any Lease made in the intended Exercise of any supposed leasing Power conferred by this or any other Act of Parliament, or by any Settlement, shall be invalid by reason of the Lessor not having at the Time Power to make such Lease, and the Estate of such Lessor in the Lands comprised in such Lease shall have continued or shall have accrued and continued until after such Lease might have been lawfully granted, such Lease shall take effect out of such Estate, and be as valid as if it had been granted at such last-mentioned Time, provided such Lease had not been then already surrendered or relinquished.

Lease, in virtue of Power, valid though not expressed.

XIII. Where any Lease shall be made by a Lessor having a Power of leasing the Lands comprised in such Lease, and such Lease cannot take effect or have Continuance independently of such leasing Power, every such Lease shall take effect and be as valid as if the same were intended and had been expressed to have been granted in exercise of the said Power, although such Power be not referred to.

CAP. XL.

An Act for further promoting the Establishment of free Public Libraries and Museums in *Ireland*. [26th *June* 1855.]

'WHEREAS it is expedient to amend the Act of the Sixteenth and Seventeenth Years of Her present 'Majesty, Chapter One hundred and one, and to give greater Facilities for the Establishment in '*Ireland* of free Public Libraries and Museums or Schools of Science and Art:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 101. and Sec. 99. of 17 & 18 Vict. c. 103. repealed.

I. The said Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and one, and Section Ninety-nine of the Towns Improvement Act (*Ireland*), 1854, are hereby repealed; but such Repeal shall not invalidate or affect anything already done in pursuance of either of such Acts; and all Public Libraries and Museums established in *Ireland* under either of those Acts shall be considered as having been established under this Act.

Short Title.

II. In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The Public Libraries Act (*Ireland*), 1855."

Interpretation of Terms.

III. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say, "Town" shall mean and include any City, Borough, Town, or Place in which Commissioners, Trustees, or other Persons have been or shall be elected or appointed under the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, or the "Towns Improvement Act (*Ireland*), 1854," or any Local or other Act or Acts for paving, flagging, lighting, watching, cleansing, or otherwise improving any City, Borough, Town, or Place, for the Execution of any such Act or Acts, or superintending the Execution thereof, and in which there shall not be a Town Council or other such Body elected under the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight,

or

or any other Charter granted in pursuance of such Act, or any Act passed for the Amendment thereof; "Town Commissioners" shall mean the Commissioners, Trustees, or other Persons for the Time being elected or appointed under any such first-mentioned Acts as aforesaid; "Town Fund" shall mean the Town Fund, or the Rates or Property vested in and under the Control and Direction of any Town Commissioners, and applicable to the Purposes of any such Acts; "Town Rate" shall mean the Rate or Rates authorized to be levied by any such Town Commissioners; "Mayor" shall include Lord Mayor; "Clerk" shall mean, as regards an incorporated Borough, the Town Clerk of such Borough, and as regards a Town in which there shall be Town Commissioners the Clerk appointed by the Town Commissioners; "Householder" shall mean a Male Occupier of a Dwelling House, or of any Lands, Tenements, or Hereditaments within any Town or incorporated Borough, and entitled for the Time being to vote at Elections of Commissioners, Aldermen, or Councillors in such Town or Borough.

Act may be adopted in any incorporated Borough or any Town.

IV. The Council or Board of Municipal Commissioners of any incorporated Borough in *Ireland* regulated under the said Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, or any Charter granted in pursuance of such Act, or any Act passed for the Amendment thereof, the Population of which according to the then last Census thereof, shall exceed Five thousand Persons, or the Town Commissioners of any Town in *Ireland* having such a Population as aforesaid, may, if they think fit, appoint a Time for a Public Meeting of the Householders of the Borough or Town, as the Case may be, in order to determine whether this Act shall be adopted for the Borough or Town, and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Borough or Town, and also by advertising the same in One or more of the Newspapers published or circulated within the Borough or Town Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid then present shall determine that this Act ought to be adopted for the Borough or Town, the same shall thenceforth take effect and come into operation in such Borough or Town, as the Case may be, and shall be carried into execution, in accordance with the Laws for the Time being in force relating to the Municipal Corporation of such Borough, or relating to such Town.

Expenses of carrying Act into execution to be paid out of the Fund of the Borough or Town.

V. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in such Borough, shall be paid out of the Borough Fund, and in such Town out of the Town Fund; and the Council or Board of Municipal Commissioners, or Town Commissioners, may levy as Part of the Borough Rate or Town Rate, as the Case may be, or by a separate Rate to be assessed and recovered in like Manner as the Borough Rate or Town Rate, all Monies from Time to Time necessary for defraying such Expenses; and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the Council with reference to the Execution of this Act.

Accounts to be audited, and sent to Lord Lieutenant, &c.; to be deposited, and open to Inspection.

VI. Such Accounts shall be audited in the same Way as all other Accounts of such Borough or Town respectively are audited, and the said Council or Board or Town Commissioners shall, within One Month after the same shall have been audited, transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being a true and correct Copy of such Accounts; and shall also within the Time aforesaid cause a Copy of such Accounts to be deposited in the Office of the Clerk; and the said Accounts shall be open to the Inspection of all Householders of such Borough or Town respectively, and Copies thereof shall be delivered to any such Householder applying for the same, upon Payment of a reasonable Charge for the same, to be fixed by the Council or Board or Town Commissioners, as the Case may be.

Incorporation of Commissioners of Towns for Purposes of this Act.

VII. The Town Commissioners of every Town adopting this Act shall for the Purposes thereof be a Body Corporate, with perpetual Succession, by the Name of "The Commissioners for Public Libraries "and Museums for the Town of in the County of ," and by that Name may sue and be sued, and hold and dispose of Lands, and use a Common Seal.

Rate not to exceed One Penny in the Pound, &c.

VIII. The Amount of the Rate to be levied in any Borough or Town in any One Year for the Purposes of this Act shall not exceed the Sum of One Penny in the Pound, and in any such Borough shall be assessed, raised, collected, and levied in the same Manner as the Borough Rate, and in any such Town shall be assessed, raised, collected, and levied in the same Manner as the Town Rate.

Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.

IX. The Council or Board of any Borough and the Town Commissioners of any Town respectively may from Time to Time, with the Approval of Her Majesty's Treasury, appropriate for the Purposes of this Act any Lands vested, as the Case may be, in a Borough in the Mayor, Aldermen, and Burgesses, and in a Town in the Town Commissioners, and may also, with such Approval, purchase or rent any Lands or any suitable Buildings, and the Council or Board and Town Commissioners respectively may, upon any Lands so appropriated, purchased, or rented respectively, erect any Buildings suitable for Public Libraries or Museums or Schools of Science and Art, or both, and may apply, take down, alter, and extend any Buildings for such Purposes, and rebuild, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Provisions of 8 & 9 Vict. c. 18 incorporated.

X. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act; but the Council or Board, and Commissioners respectively shall not purchase or take any Lands otherwise than by Agreement.

Lands, &c. may be sold or exchanged.

XI. The Council or Board and Commissioners aforesaid respectively may, with the like Approval as is required for the Purchase of Lands, sell any Lands vested in the Mayor, Aldermen, and Burgesses, or Board, or Town Commissioners respectively, for the Purposes of this Act, or exchange the same for any Lands better adapted for the Purposes; and the Monies to arise from such Sale, or to be received for Equality of Exchange, or a sufficient Part thereof, shall be applied in or towards the Purchase of other Lands better adapted for such Purposes.

General Management to be vested in Council or Board, or Town Commissioners.

XII. The general Management, Regulation, and Control of such Libraries and Museums or Schools of Science and Art shall be, as to any Borough, vested in and exercised by the Council or Board, and as to any Town, in and by the Town Commissioners, or such Committee as they respectively may from Time to Time appoint, who may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Newspapers, Maps, and Specimens of Art and Science, for the Use of the Library or Museum, and cause the same to be bound or repaired, when necessary, and appoint salaried Officers and Servants, and dismiss the same, and make Rules and Regulations for the Safety and Use of the Libraries and Museums or Schools of Science and Art, and for the Admission of Visitors.

In whom Property of Library, &c. to be vested.

XIII. The Lands and Buildings so to be appropriated, purchased, or rented as aforesaid, and all other Real and Personal Property whatever presented to or purchased for any Library or Museum or School of Science and Art established under this Act, shall be vested, in the Case of a Borough, in the Mayor, Aldermen, and Burgesses, and in the Case of a Town in the Town Commissioners.

In case First Meeting decide not to adopt Act.

XIV. If any Meeting called as herein-before provided to consider as to the Adoption of this Act for any Borough or Town shall determine against such Adoption, no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting.

Museums to be free.

XV. The Admission to all Libraries and Museums established under this Act shall be open to the Public free of all Charge.

This Act to be incorporated with Local Acts in force in Borough or Town.

XVI. Upon the coming into operation of this Act in any Borough it shall, as regards such Borough, be incorporated with the said Act of the Third and Fourth *Victoria*, Chapter One hundred and eight, and upon the coming into operation of this Act in any Town it shall, as regards such Town, be incorporated with the Act or Acts in force therein relating to the Powers and Duties of the Town Commissioners.

CAP. XLI.

An Act for abolishing the Jurisdiction of the Ecclesiastical Courts of *England* and *Wales* in Suits for Defamation. [26th *June* 1855.]

'WHEREAS the Jurisdiction of the Ecclesiastical Courts in Suits for Defamation has ceased to be 'the Means of enforcing the Spiritual Discipline of the Church, and has become grievous and 'oppressive to the Subjects of this Realm:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Jurisdiction of Ecclesiastical Courts in Suits for Defamation abolished.

I. From and after the passing of this Act it shall not be lawful for any Ecclesiastical Court in *England* or *Wales* to entertain or adjudicate upon any Suit for or Cause of Defamation, any Statute, Law, Canon, Custom, or Usage to the contrary notwithstanding.

Persons in Custody for Defamation under Order of Ecclesiastical Courts to be discharged, but such Order not to be made until Costs are paid, or One Month's Imprisonment suffered.

II. In the Case of every Person committed to Gaol before the passing of this Act under any Writ De contumace capiendo, issued in consequence of any Proceedings before any Ecclesiastical Court, in any Cause or Suit for Defamation of Character, the Judge of the Ecclesiastical Court before whom such Proceedings shall have been had shall make an Order upon the Officer in whose Custody such Person is for discharging such Person out of Custody, and such Officer shall, on the Receipt of such Order, forthwith discharge such Person; and it shall not be necessary for such Person to take any Oath of future Obedience to his or her Ordinary: Provided always, that such Order shall not be made unless the Costs lawfully incurred in any such Suit shall have been previously paid into the Registry of such Ecclesiastical Court, or unless the Person against whom such Costs shall have been decreed shall have already suffered Imprisonment for One Month in consequence of Nonpayment thereof.

CAP. XLII.

An Act to enable *British* Diplomatic and Consular Agents abroad to administer Oaths and do Notarial Acts. [2d *July* 1855.]

6 G. 4. c. 87.

'WHEREAS by an Act of the Sixth Year of King *George* the Fourth, Chapter Eighty-seven, 'Powers are given to *British* Consuls General and Consuls to administer Oaths and do Notarial 'Acts in the Foreign Places to which they are appointed; and it is expedient that the like Powers 'should be given to Ambassadors and other Diplomatic Agents and to Vice-Consuls and Consular 'Agents abroad:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From

Oaths may be administered by Ambassadors and other British Ministers abroad.

I. From and after the passing of this Act, it shall and may be lawful for every *British* Ambassador, Envoy, Minister, Chargé d'Affaires, or Secretary of Embassy or of Legation exercising his Functions in any Foreign Country, and for every *British* Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent (as well as every Consul General or Consul) exercising his Functions in any Foreign Place, whenever he shall be thereto required, and whenever he shall see necessary, to administer in such Foreign Country or Place any Oath or to take any Affidavit or Affirmation from any Person whomsoever, and also to do and perform in such Foreign Country or Place all and every Notarial Acts or Act which any Notary Public could or might be required and is by Law empowered to do within the United Kingdom of *Great Britain* and *Ireland;* and every such Oath, Affidavit, or Affirmation, and every such Notarial Act, administered, sworn, affirmed, had, or done by or before such Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or of Legation, Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent, shall be as good, valid, and effectual, and shall be of like Force and Effect, to all Intents and Purposes, as if such Oath, Affidavit, or Affirmation, or Notarial Act, respectively, had been administered, sworn, affirmed, had, or done before any Justice of the Peace or Notary Public in any Part of the United Kingdom of *Great Britain* or *Ireland*, or before any other legal or competent Authority of the like Nature.

Affidavits taken before Ambassadors, &c. abroad may be used in Courts in the United Kingdom.

II. Affidavits and Affirmations so taken as aforesaid under the said Act of King *George* the Fourth or this Act shall and may be received, read, and made use of in and before any Court of Law or Equity, or other Judicature whatever in any Part of the United Kingdom, and the Judges and Officers thereof, in or in relation to any Action, Suit, Cause, Matter, or Proceeding in or before any such Court or Judicature, in like Manner, and shall be of the same Force and Effect, as Affidavits and Affirmations taken in or before such Court or Judicature, or by any Person duly commissioned or authorized by such Court or Judicature to take such Affidavits or Affirmations, and shall be filed and dealt with accordingly.

Documents to be Evidence without Proof of Seal or Signature of Ambassador or other official Person.

III. Any Document purporting to have affixed, impressed, or subscribed thereon or thereto the Seal and Signature of any *British* Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or of Legation, Consul General, Consul, Vice-Consul, Acting Consul, Pro-Consul, or Consular Agent, in testimony of any such Oath, Affidavit, Affirmation, or Act having been administered, sworn, affirmed, had, or done by or before him, shall be admitted in Evidence, without Proof of any such Seal and Signature being the Seal and Signature of the Person whose Seal and Signature the same purport to be, or of the official Character of such Person.

Persons swearing or affirming falsely guilty of Perjury.

IV. Any Person knowingly and wilfully making any false Oath, Affidavit, or Affirmation before any Person having Authority to administer such Oath or take such Affidavit or Affirmation under the said Act of King *George* the Fourth or this Act, shall be deemed guilty of Perjury, and such Offender may be charged, proceeded against, tried, and dealt with in any County or Place in the United Kingdom in the same Manner in all respects as if the Offence had been committed in such County or Place.

Persons forging Seal or Signature guilty of Felony.

V. If any Person shall forge any such Seal or Signature as aforesaid, or shall tender in Evidence any such Document as aforesaid with a false or counterfeit Seal or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for the Term of Four Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Years nor less than One Year; and whenever any such Document has been admitted in Evidence by virtue of this Act, the Court or the Person who has admitted the same may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded and be kept in the Custody of some Officer of the Court or other proper Person for such Period, and subject to such Conditions, as to the said Court or Person shall seem meet; and every Person charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County, District, or Place in which he may be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County, District, or Place in which the principal Offender may be tried.

C A P. XLIII.

An Act to enable Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. [2d *July* 1855.]

'WHEREAS great Inconveniences and Disadvantages arise in consequence of Persons who marry during Minority being incapable of making binding Settlements of their Property:' For Remedy whereof be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Infants may, with Approbation of Court of Chancery, make

I. From and after the passing of this Act it shall be lawful for every Infant upon or in contemplation of his or her Marriage, with the Sanction of the Court of Chancery, to make a valid and binding Settlement or Contract for a Settlement of all or any Part of his or her Property, or Property over which he or

valid Settlements or Contracts for Settlements of their Estate upon Marriage.

or she has any Power of Appointment, whether Real or Personal, and whether in possession, reversion, remainder, or expectancy; and every Conveyance, Appointment, and Assignment of such Real or Personal Estate, or Contract to make a Conveyance, Appointment, or Assignment thereof, executed by such Infant, with the Approbation of the said Court, for the Purpose of giving Effect to such Settlement, shall be as valid and effectual as if the Person executing the same were of the full Age of Twenty-one Years: Provided always, that this Enactment shall not extend to Powers of which it is expressly declared that they shall not be exercised by an Infant.

In case Infant die under Age, Appointment, &c. to be void.

II. Provided always, That in case any Appointment under a Power of Appointment, or any disentailing Assurance, shall have been executed by any Infant Tenant in Tail under the Provisions of this Act, and such Infant shall afterwards die under Age, such Appointment or disentailing Assurance shall thereupon become absolutely void.

The Sanction of the Court of Chancery to be given upon Petition.

III. The Sanction of the Court of Chancery to any such Settlement or Contract for a Settlement may be given, upon Petition presented by the Infant or his or her Guardian, in a summary Way, without the Institution of a Suit; and if there be no Guardian, the Court may require a Guardian to be appointed or not, as it shall think fit; and the Court also may, if it shall think fit, require that any Persons interested or appearing to be interested in the Property should be served with Notice of such Petition.

Not to apply to Males under 20, or Females under 17 Years of Age.

IV. Provided always, That nothing in this Act contained shall apply to any Male Infant under the Age of Twenty Years, or to any Female Infant under the Age of Seventeen Years.

CAP. XLIV.

An Act to amend an Act of last Session, to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in *Dublin*. [2d *July* 1855.]

17 & 18 Vict. c. 99.

'WHEREAS an Act was passed in the last Session of Parliament, to provide, amongst other things, for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts in *Ireland*, and it is expedient to amend the said Act as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Donors of 10*l.* to vote at Election of Governors.

I. So much of the Twelfth Section of the said recited Act as enables Persons who shall have made a Donation to the Governors and Guardians of the National Gallery of *Ireland*, for the Purposes of their Trust, of not less than Two Guineas in Money, to vote at the Election and Nomination of Persons to fill Vacancies in such Governors and Guardians, shall be and the same is hereby repealed; and the Privilege of voting at such Election and Nomination shall extend and apply only to every Donor of Money to the said Governors and Guardians of a Sum not less than Ten Pounds in Money: Provided always, that the Provisions of the said Act for the Election and Nomination of Governors and Guardians of the said Gallery shall not hereby be affected (except as herein-after mentioned), further or otherwise than by substituting Donors of not less than Ten Pounds in Money for Donors of not less than Two Guineas in Money, as aforesaid.

Donors of 10*l.* to any Fund transferred to Governors of National Gallery to vote at Election of Governors.

II. Every Person who shall have been a Subscriber of a Sum not less than Ten Pounds in Money to any Fund raised by public Subscription, and appropriated for the Purposes of the said National Gallery by the Subscribers to such Fund or the Trustees thereof (by and with the Consent of the Governors and Guardians of the said Gallery, or of the Building Trustees created by the said Act of last Session for the Purposes of their Trust respectively), shall be deemed a Donor of the like Sum to the Governors and Guardians of the National Gallery of *Ireland*, and shall be entitled to vote and take part at such Elections of Governors and Guardians to the said Gallery, as in the said Act and herein-before mentioned.

Joint Donors entitled to vote at Elections of Governors, &c.

III. In every Case where a Subscription exceeding Ten Pounds in Money to the said Governors and Guardians, or to any Fund appropriated as aforesaid, shall have been or shall hereafter be made jointly by Two or more Donors, each of such joint Donors shall be entitled to vote at such Elections of Governors and Guardians, as herein-before mentioned, in case the Amount of such joint Subscription when divided by the Number of such joint Donors shall give a net Subscription of Ten Pounds or upwards for each of such Donors, but not otherwise.

Five to be a Quorum of the Board of Governors, &c.

IV. At all Meetings of the Body Corporate of the Governors and Guardians of the said National Gallery Five shall be a Quorum for the Transaction of Business: Provided nevertheless, that no Painting, Statue, or other Work of Art shall be purchased for the said Gallery, or out of the Funds of the said Body Corporate, unless such Purchase shall be authorized by a Resolution of the said Governors and Guardians passed at a Meeting at which at least Nine Members of the said Body Corporate shall be present.

Power to Public Bodies to deposit Works of Art in the National Gallery of Ireland.

V. It shall be lawful for the Governors, Directors, or Trustees of every public Institution, and for the Governing Body of every Corporation, having or which shall have or be possessed, in trust or otherwise, of any Statue, Painting, or other Work of Art, and they and every of them are hereby empowered, by and with the Consent of the said Governors and Guardians of the National Gallery of *Ireland*, from Time to Time to deposit the same in the Custody and Charge of the last-mentioned Governors and Guardians, for Exhibition, for and during such Time and Times, and subject to such Conditions for

securing

securing the proper Care and Preservation of such Works of Art, as may be agreed upon; and it shall be lawful for the said Governors and Guardians of the National Gallery of *Ireland*, out of the Funds of the said Body Corporate, from Time to Time to expend such Sums of Money as they may think proper in defraying the Expense of the Transmission to and from their Gallery and of the Insurance of any Works of Art as may from Time to Time be lent to or deposited with the said Governors and Guardians by any public Bodies, Trustees, or private Individuals.

17 & 18 Vict. c. 99. s. 11. repealed as far as regards Number of outgoing Governors.

VI. The Eleventh Section of the said Act of last Session shall be and the same is hereby repealed; and each of the Governors and Guardians of the National Gallery of *Ireland*, save and except the First Five of them mentioned in the Seventh Section of the said Act, shall continue to hold Office, subject to the Provisions of the said Act, for the Term of Five Years at a Time from the Time of his becoming such Governor and Guardian, and not longer, but at the Expiration of such Five Years he shall be eligible to be re-appointed or re-elected as such Governor and Guardian.

This Act and 17 & 18 Vict. c. 99. as One. Short Title.

VII. This Act shall be construed with the said Act of last Session as One Act; and in all Acts, Deeds, Documents, Proceedings, Suits, and Prosecutions this Act and the said Act of last Session may be cited and described by the Name of "The National Gallery of *Ireland* Acts, 1854–55."

CAP. XLV.

An Act for further assimilating the Practice in the County Palatine of *Lancaster* to that of other Counties with respect to the Trial of Issues from the Superior Courts at *Westminster*. [16th *July* 1855.]

'WHEREAS by the Common Law Procedure Act, 1852, Section One hundred and three, it was enacted, that Records of the Superior Courts at Common Law should be brought to Trial and entered and disposed of in the Counties Palatine in the same Manner as in other Counties: And whereas it was provided by the Fifth Section of the Twenty-fourth Chapter of an Act passed in the Twenty-seventh Year of the Reign of King *Henry* the Eighth, that Justices of Assize to be made and assigned within the County Palatine of *Lancaster* should be made and ordained by Commission under the King's usual Seal of *Lancaster*, and in pursuance of the said Proviso One Chief Justice and One other Justice, being respectively Judges of the Superior Courts at *Westminster*, have been from Time to Time constituted and ordained, by Grants contained in separate Letters Patent under the Seal of the County Palatine of *Lancaster*: And whereas it is expedient to make further Provision for assimilating the Practice of the said County Palatine of *Lancaster* to that of other Counties, with respect to the Trial of Issues from the Superior Courts of Common Law at *Westminster*:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: It shall be lawful for Her Majesty, Her Heirs and Successors, hereafter to issue Commissions of Assize under the Seal of the County Palatine of *Lancaster* directed to the Judges appointed for the Time being to the respective Offices of Chief Justice and Justice of Common Pleas within the said County Palatine of *Lancaster*, and to such of Her Majesty's Counsel learned in the Law, Serjeants and Barristers-at-Law, having Patents of Precedence, or Precedence within the Bar, of the County Palatine of *Lancaster*, and other Serjeants-at-Law to be from Time to Time selected for that Purpose, authorizing and commanding them to take all the Assizes, Juries, and Certificates, before whatever Justices arraigned, in the said County of *Lancaster*, in like Manner and with the like Effect as such Commissions are issued into other Counties, together with the like Writs or Commissions of Association, and other Writs and Proceedings, as in other Counties, and that every Person so authorized shall have the like Power to be and act as a Judge or Commissioner of Assize for the Trial of Issues from the Superior Courts of Law at *Westminster* and other Issues in the said County Palatine of *Lancaster* as any Person so authorized has in any other County, and shall also be deemed to be authorized by such Commission, and shall thereby have full Authority to act as a Judge for the Trial of any Issues of Fact in any Causes depending in the said Court of Common Pleas at *Lancaster*: Provided, and it is declared, that nothing herein contained shall deprive the Chief Justice or Justice appointed or so ordained as aforesaid by Grant contained in Letters Patent of any Authority or Jurisdiction to try Issues from the Superior Courts at *Westminster* and other Issues in the said County Palatine of *Lancaster*, and that all Trials of such Issues heretofore had or to be had before such Chief Justice or Justice constituted or ordained as aforesaid shall be deemed to have been and to be tried by competent Authority, and that the acting Prothonotary for the Time being of the Court of Common Pleas at *Lancaster* shall continue to officiate as Associate in the said County Palatine of *Lancaster*, as heretofore, and shall accordingly be named in such Commissions of Association and other Writs and Proceedings.

Her Majesty may issue Commissions to Chief Justice, &c. of Common Pleas in the County Palatine of Lancaster, &c. authorizing them to take all the Assizes, Juries, &c. in the said County in like Manner as in other Counties.

CAP. XLVI.

An Act for disafforesting the Forest of *Woolmer*. [16th *July* 1855.]

'WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her Heirs and Successors, of and in *Woolmer Forest* in the County of *Southampton*, and of and in the Soil thereof, and the Timber and other Trees, Bushes, and Underwood standing and growing thereon,

'thereon, subject to divers Claims of Rights of Common and other Rights and Interests of Her Majesty 'and of divers of Her Majesty's Subjects in and over the same or some Portions thereof: And whereas 'by an Act passed in the Session of Parliament held in the Fifty-second Year of the Reign of His late 52 G. 3. c. 71. 'Majesty King *George* the Third, intituled *An Act for the better Cultivation of Navy Timber in the* '*Forest of* Woolmer *in the County of* Southampton, it was enacted, that it should be lawful for His 'Majesty, His Heirs and Successors, from Time to Time to inclose, sever, and improve, within and out 'of the Waste Lands of the said Forest, any Quantity of the said Lands not exceeding in the whole 'Two thousand Acres, to be inclosed and held in Severalty at One and the same Time, and that such 'Inclosure should remain in Severalty in the actual Possession of His Majesty, His Heirs and Successors, 'freed and discharged of and from all manner of Rights, Titles, Pretences, and Privileges or Claims 'whatsoever, (other than and except as therein stated,) during the Period of the same remaining so 'inclosed for the Growth and Preservation of Timber, and until the same or any Part thereof should 'be laid open, under the Provisions of the now reciting Act: And whereas, in pursuance of the Powers 'in the said Act contained, certain Parts of the Waste Lands of the said Forest, containing in all One 'thousand seven hundred Acres or thereabouts, were inclosed for the Purposes of the said Act, and 'continue inclosed: And whereas the Lands in the said Forest might be made more valuable and pro- 'ductive if the said Forest were disafforested: And whereas Her Majesty has been graciously pleased 'to signify Her Consent that the said Forest should be disafforested, and that the Officers of Her 'Majesty of or for the said Forest should be discharged, and that such Allotment should be made to 'Her Majesty in respect of Her Estate, Rights, and Interests in and over the said Forest, and that 'such Compensation should be made to the Officers of the said Forest, as herein-after provided:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Act (in part) repealed.

I. So much of the said recited Act as is inconsistent with any Part of this Act shall be and the same is hereby repealed.

Appointment of Commissioners for ascertaining Boundaries of the Forest, and for carrying this Act into execution.

II. The Provisions of this Act shall be carried into execution by Commissioners to be appointed as herein-after mentioned; and for the Purpose of ascertaining the Boundaries of the said Forest, the Commissioners for carrying this Act into execution shall be Three in Number, One of whom shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for *England* and *Wales* for the Time being, and the Third shall be appointed by the Lord Chief Justice of the Court of Queen's Bench for the Time being; and for carrying all the other Requirements of this Act into execution there shall be but One Commissioner, to be appointed as aforesaid, who shall be the Commissioner appointed by the Inclosure Commissioners for *England* and *Wales;* and so often as any Vacancy shall occur, by Death, Resignation, or Incapacity, a new Commissioner shall be appointed, in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners, or such sole Commissioner, when appointed respectively, shall be the Commissioners or the sole Commissioner for carrying this Act into execution respectively, and all Acts and Powers to be performed by or given to the said Three Commissioners under the Provisions herein contained may be performed or exercised by any Two of such Three Commissioners.

Commissioners to make and subscribe Declaration before entering upon Execution of Office.

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

'I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my 'Skill and Judgment, execute the Powers and Duties of a Commissioner under an Act passed in 'the Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth* '*the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

Commissioners to employ Surveyor, &c.

IV. It shall be lawful for the said Commissioners and sole Commissioner from Time to Time to employ a Land Surveyor and Valuer in such Manner as they respectively shall think necessary.

Land Surveyor and Valuer to make and subscribe Declaration of Fidelity.

V. Every Land Surveyor and Valuer so to be employed shall, before entering upon the Duties of his Office, make and subscribe, before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

'I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my 'Skill and Judgment, perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," *&c.* [*here set forth the Title of this Act*].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

VI. The

The Commissioners of Woods to pay the Commissioners of this Act the Expenses incurred in the Performance of their Duties.

VI. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, pay and allow to the Commissioners and sole Commissioner of this Act such Sum not exceeding the Sum of Seven hundred and fifty Pounds as shall be thought sufficient and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be conclusively determined by the Commissioners of Her Majesty's Treasury), and shall also allow to the said Commissioners and sole Commissioner of this Act respectively all Costs and Expenses of employing any such Land Surveyor and Valuer as aforesaid, and all other reasonable Expenses incurred by them respectively in the Performance of their respective Duties under this Act.

Boundaries of Forest, when ascertained by Commissioners, to be true Boundaries for Purposes of Act.

VII. The said Three Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for that Purpose shall or may make use of any existing Maps, Plans, or Surveys, at their Discretion; and the said Commissioners shall by their Award in Writing, executed in Duplicate within One Year from the passing of this Act, certify and determine the Boundaries of the said Forest, and the Boundaries as ascertained and determined by the said Commissioners shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

All Lodges and Lands held therewith, and all Inclosures made under Authority of 52 G. 3. c. 71. to be vested in Her Majesty.

VIII. So soon as the Boundaries of the said Forest shall have been ascertained as aforesaid, all and every Parts and Part of the said Forest of which Her Majesty is seised in right of Her Crown, discharged of all Common and other Rights, and also all and every the Lodges and Lands inclosed and held therewith by the Keepers or other Officers of Her Majesty (being certain Parts of the said Forest of which Her Majesty is also seised in right of Her Crown, to Herself, Her Heirs and Successors, discharged of all Common and other Rights), and also all the said Pieces of Land, amounting in the whole to One thousand seven hundred Acres, so inclosed under the Authority of the said recited Act, shall become and be vested in Her Majesty, Her Heirs and Successors, as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights of Common and other Rights, and from all Claims and Demands whatsoever.

Allotment to Her Majesty in satisfaction of Her Rights.

IX. The said sole Commissioner shall thereupon proceed to set out and allot to Her Majesty, Her Heirs and Successors, such Part or Parts of the remaining Part of the said Forest as, with the said Pieces of Land amounting together to One thousand seven hundred Acres, and so inclosed as aforesaid, he shall think a full, fair, and sufficient Compensation to Her Majesty for all Her forestal and other Rights in and over the said Forest, and also for all the Rights which Her Majesty, Her Heirs or Successors, is or may be entitled to exercise and enjoy in and over the said Forest or any Part or Parts thereof, under the Authority of the said recited Act, or otherwise howsoever; and such Allotment or Allotments, when made, shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne as of Fee and as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights and Claims of Common and all other Rights and Claims whatsoever.

Allotment to be made where most convenient to other Crown Lands.

X. In making such Allotment or Allotments as aforesaid, the said sole Commissioner shall and he is hereby required to set out and allot such Part or Parts of the said Forest as shall be conveniently situated for Occupation with the said Pieces of Land amounting to One thousand seven hundred Acres, hereby vested in Severalty in Her Majesty, Her Heirs and Successors, as aforesaid.

On the making of Award, Forest to be disafforested.

XI. On the making of such Award by the sole Commissioner as herein-after directed, the said Forest of *Woolmer* shall be for ever disafforested, and the Residue of the said Forest shall thereupon become and be the Property of the several Persons entitled to Rights of Common in and over the said Forest, as they are now entitled to the same, freed and discharged of and from all Right of Soil or other Right or Claim of Her Majesty, Her Heirs and Successors, in, to, or over the said Residue of the said Forest.

Commissioners of Woods to produce Evidence in support of the Rights of the Crown.

XII. And for enabling the said sole Commissioner to make his Award, it shall be lawful for the said Commissioners of Woods, on behalf of Her Majesty, to produce and give to and before the said sole Commissioner Evidence in support of Her Majesty's Rights or any of them, and of the Value thereof; and it shall be lawful for any Person or Persons who, in the Opinion of the said sole Commissioner, shall be interested in the Premises, to appear before the said sole Commissioner, and to adduce such Evidence as in the Opinion of the said sole Commissioner shall be admissible, for the Purpose of controverting any Statement or Evidence made or offered to the said sole Commissioner in support of the Claims or Rights of Her Majesty, or of the Value thereof respectively.

Award of Commissioner to be made within Two Years.

XIII. The said sole Commissioner shall make his Award in Writing within Two Years from the passing of this Act; and such Award shall be executed in Duplicate, and One Part (together with One Part of the Award determining the Boundaries of the said Forest) shall be deposited in the Office of Land Revenue Records and Inrolments, and the other Part thereof (together with the other Part of the said Award determining the Boundaries) shall be deposited with the Clerk of the Peace for the said County of *Southampton*, there to remain, and to be examined by all Persons, at all reasonable Times, on Payment of a Fee of One Shilling for each Examination.

Powers of Commissioners of Woods over Lodges, &c.

XIV. It shall be lawful for the Commissioners of Woods to exercise all the same Powers over and in respect of the Lands, Lodges, and other the Hereditaments respectively hereby vested in or to be allotted to Her Majesty as aforesaid as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

Commissioner may make Roads proper for Enjoyment of Forest over any Part of Forest, &c.

XV. The sole Commissioner of this Act may, if he shall think fit, set out and allot such Roads and Ways through and over the said Forest as he shall consider proper and necessary, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as the said Commissioner shall think fit, and may agree to make Compensation to such Owners or Owner for making such Roads or Ways over such adjoining Lands; and such Roads shall become and be public Highways, and be kept and maintained as such, without any Notice or other Proceeding whatsoever; and, after setting out the same, all other Roads or Ways over the said Forest shall be shut up and discontinued.

The Expenses of such Roads to be defrayed by the Sale of Parts of the Forest.

XVI. The sole Commissioner of this Act shall cause such of the said Roads to be made as he in his sole Discretion shall think necessary, and shall for the Purpose of defraying the Expenses thereof, and also for the Purpose of making such Compensation (if any) as he may agree to give to any such Owner or Owners of the adjoining inclosed Lands as aforesaid, sell so much of the Waste Lands of the said Forest not hereby vested or directed to be vested in Her Majesty as he shall find necessary for these Purposes, for which Purposes his Conveyance shall vest an indefeasible Estate of Inheritance in Fee Simple in the Purchaser or Purchasers, and the Receipt of the said Commissioner shall be a sufficient Discharge for the Purchase Money; and if there shall be any Surplus of any Monies which arose from any such Sale after answering the aforesaid Purposes, the said Commissioner shall apply the same towards defraying any of the Expenses by this Act directed to be paid.

After Award, all Letters Patent, &c. to cease, and Compensation made therefor out of the Land Revenues of the Crown.

XVII. Immediately after the Award of such sole Commissioner shall have been made as herein-before directed all and every Letters Patent, Grants, Appointments, and Warrants of any Offices, Bailiwicks, Walks, or Lodges in or for the said Forest of *Woolmer*, and all Salaries, Gratuities, and Fees lawfully payable or allowed in respect of the same, shall thenceforth cease, and Compensation shall be made by the Commissioners of Her Majesty's Woods out of the Land Revenues of the Crown to the several Officers of the said Forest of *Woolmer* (whether holding Lodges and Land within the said Forest by virtue of the several Offices, or not), in consideration of the Cessation of the said several Offices, and on their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto under any Grant, Letters Patent, Appointment, or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and ascertained by the Commissioners of Her Majesty's Treasury, or by such Person as they shall for that Purpose appoint, on the Part of Her Majesty, and by such indifferent Person as shall be appointed on the Part of each and every Officer of the said Forest interested or concerned in the Premises, and which said Commissioners of Her Majesty's Treasury, or other the Person or Persons so to be appointed as aforesaid, are hereby empowered to send for Persons and Papers, and to examine the Parties and Witnesses upon Oath, if necessary (which Oath any One of the said Commissioners of the Treasury, or the Person or Persons so to be appointed as aforesaid, is hereby authorized and empowered to administer); provided that, in case any Difference of Opinion shall arise on any Matter or Question touching or concerning such Compensation, then the said Referees shall from Time to Time forthwith appoint any proper and competent Person or Persons to act as an Umpire or Umpires concerning the Premises, to whom all and every such Differences shall be referred, and whose Judgment shall be binding to all Intents and Purposes whatsoever.

Provision as to Costs.

XVIII. All the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and all other Costs, Charges, and Expenses incurred by the Commissioners of Woods in and about the Execution of this Act, shall be borne and paid by them as Part of the Costs of Management of the Land Revenues of Her Majesty.

Commissioners may, if they think fit, examine Witnesses upon Declaration.

XIX. The Commissioners or sole Commissioner of this Act may examine upon Declaration all such Persons as they or he may think fit, who attend before them or him for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form:

'I *A.B.* do solemnly declare, That the Evidence I shall give before you touching the Matter in question shall be the Truth, the whole Truth, and nothing but the Truth.'

Persons giving false Evidence guilty of Misdemeanor.

XX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor.

CAP. XLVII.

An Act to continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund. [16th *July* 1855.]

[17 & 18 *Vict. c.* 43. *continued until* 30*th September* 1856, *and to the End of the then next Session of Parliament.*]

CAP.

CAP. XLVIII.

An Act for the better Administration of Justice in the Cinque Ports. [16th *July* 1855.]

'WHEREAS it would conduce to the better Administration of Justice in the Cinque Ports if the 'Jurisdiction and Authority of the Lord Warden of the Cinque Ports and Constable of *Dover* 'Castle in relation to Civil Suits and Proceedings were abolished; and it is expedient that the Parishes 'or Places of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle*, *Birchington*, *Acol* other- 'wise the *Ville of Wood*, *Beakesbourne*, and *Grange* otherwise *Grench* which are Members or Liberties 'of *Dover*, or some other of the said Cinque Ports, should be severed therefrom:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Jurisdiction of Lord Warden in Civil Proceedings abolished.

I. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five all Jurisdiction and Authority of the Lord Warden of the Cinque Ports and Constable of *Dover Castle* in or in relation to the Administration of Justice in Actions, Suits, or other Civil Proceedings at Law or in Equity, or the Execution of Judgments, Writs, and Process therein or connected therewith, shall cease and determine: Provided always, that the said Lord Warden and Constable shall have and retain Jurisdiction, Power, and Authority to execute all Writs of Fieri facias directed to and received by him on or before the said Thirtieth Day of *September* One thousand eight hundred and fifty-five, as fully, to all Intents and Purposes, as if this Act had not passed.

Writs and Judgments to be directed and executed in the Cinque Ports as in other Places.

II. From and after the Thirtieth Day of *September* One thousand eight hundred and fifty-five Her Majesty's Writs in or in relation to all Actions, Suits, and Civil Proceedings shall be directed and obeyed, and the Jurisdiction of Her Majesty's Courts of Law and Equity, and of the Judges thereof, and the Judgments and Process thereof in relation to such Actions, Suits, and Proceedings, shall extend and be exercised and executed in respect of, over, and within the Cinque Ports, the Two ancient Towns of *Winchelsea* and *Rye*, and their several Members and Liberties, in like Manner and to the same Extent to and for all Intents and Purposes as such Writs, Jurisdiction, Judgments, and Process respectively are now directed, obeyed, exercised, and executed in respect of, over, and within other Places in *England*; and the Sheriff and other Ministers of Counties shall, in the Execution of such Judgments, Writs, and Process, and for all other Purposes of Civil Justice, have such and the like Powers and Authorities within the Cinque Ports, the said Two ancient Towns, and their several Members and Liberties, as they respectively have in other Parts of their Counties.

On Petition of Inhabitants of Parishes within the Thanet Division, Her Majesty may order such Parishes to be Part of said County;

III. If the Persons rated to the Relief of the Poor within the District or Division called the *Thanet* Division of *Dover*, which comprises the Parishes or Places of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle*, *Birchington*, *Acol* otherwise the *Ville of Wood*, or within the Parishes of *Beakesbourne* and *Grange* otherwise *Grench*, or the Persons so rated within any One or more of such Parishes or Places, shall petition Her Majesty, stating that the Justices of the County of *Kent*, at their Annual General Session, or at any Adjournment thereof, have resolved that the Parishes or Places aforesaid or any One or more of them may be permitted to belong to the County of *Kent*, on Payment by the said Parishes or Places to the County of a Sum of Money to be named in such Resolution, in respect of the Expenditure made by the said Justices in Gaols, Houses of Correction, Courts of Justice, Lunatic Asylums, and other Buildings, and praying that the Parishes or Places aforesaid or any One or more of them may be deemed to be Part of the said County, it shall be lawful for Her Majesty, if She shall think fit, by the Advice of Her Privy Council, to order that the said Parishes or Places or such One or more of them as shall so petition shall, from a Date to be fixed in such Order, be deemed to be Part of the said County; and from and after that Period the Justices for the Time being assigned to keep the Peace in and for such County shall exercise the Jurisdiction of Justices of the Peace in and for the Parishes or Places named in such Order as fully as by Law they and each of them can or ought to do in and for other Places in such County.

and County Justices to have Jurisdiction.

Justices of Kent empowered to levy County Rates in the Parishes and Places which may be severed from Dover.

IV. It shall be lawful for the Justices of the said County of *Kent* at their Annual General Session, or at any Adjournment thereof to be holden after such Order, to levy and raise upon and from the rateable Property of the Inhabitants of the Parishes or Places comprised in the said Order the Sum or Sums of Money mentioned in such Resolution, by such annual or other Instalments as may in such Resolution have been stipulated and agreed by fair and equal Rates in the Nature of County Rates to be paid to the Treasurer of the said County, and applied in aid of the County Rate, and the said Justices of the said County shall have the same Powers and Remedies for making, levying, and recovering the said Rates as they now or for the Time being may by Law have for making, levying, and recovering the County Rates from Parishes lying partly within the Jurisdiction of the Justices of the said County, subject to all Rights and Remedies of Appeal and otherwise to which County Rates are or may be liable.

51 G. 3. c. 36. 5 & 6 W. 4. c. 76. s. 135. and Section 11. and Part of Section 10. of

V. From and after the Day fixed in such Order, or from and after the granting of a Charter of Incorporation to the said Parishes or Places or any One of them, or any Part or Parts thereof, the Act of the Fifty-first Year of King *George* the Third, Chapter Thirty-six, and Section One hundred and thirty-five of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter

6 & 7 W. 4. c. 105. repealed as to Places severed from Dover.

Chapter Seventy-six, and Section Eleven of the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and Five, and so much of Section Ten of the same Act as enacts that the Noncorporate Members and Liberties of the Towns and Ports of *Hastings*, *Sandwich*, *Dover*, and *Hythe*, and ancient Town of *Rye*, shall and may be chargeable and charged by the Courts of General or Quarter Sessions of the Peace holden for the same respectively with a due Proportion of the Expenses of such Towns and Ports and ancient Town respectively, and the Noncorporate Members and Liberties thereof, to the Payment of which Expenses Rates in the Nature of County Rates are applicable, and that the same shall and may be assessed and levied in the Manner in which Rates of that Description were assessed and levied before the passing of the said Act of the Fifth and Sixth Years of King *William* the Fourth, and that a due Proportion of Inhabitant Householders to serve as Grand Jurors and Jurors at the Courts of General or Quarter Sessions of the Peace of the said Towns and Ports of *Hastings*, *Sandwich*, *Dover*, and *Hythe*, and of the said ancient Town of *Rye*, shall be summoned by the Clerks of the Peace of the said Towns and Ports and ancient Town from the Noncorporate Members and Liberties thereof respectively, and that the Attendance of such Jurors shall be enforced and their Defaults punished in the Manner by the said last-mentioned Act directed with respect to Jurors in Boroughs, shall be repealed so far as the same concern or affect the Parishes or Places named in such Order, or in case of a Charter of Incorporation the Part thereof comprised in such Charter, and from and after the Day fixed in such Order, or from and after the Date of such Charter of Incorporation, no Court of Sessions to be holden for the Town and Port of *Dover*, nor any Justices thereof, shall have any Jurisdiction or Authority over or in respect of the Parishes or Places comprised in the said Order, or the District comprised in any such Charter, as the Case may be, and no such Parish, Place, or District shall be liable to any Rate, Cess, or Impost to which the same or the Inhabitants thereof would but for this Act be liable as such Member or Liberty, save as herein-after otherwise provided; provided always, that all Persons who have exercised the Office of Mayor, Aldermen, or Guardians of the Poor in the said Cinque Ports, or any of them, shall be eligible for Re-election, and if elected shall have all the Powers they previously possessed.

Places severed from Dover to continue liable to existing Debt.

VI. 'And whereas the said Parishes or Places are now liable to contribute towards the Payment of 'Monies which have been borrowed on the Security of the Rates raised within the said Town and Port 'and the Limbs and Precincts of the same, under the Description of Rates in the Nature of County Rates, 'and the Interest of such Monies: And whereas Parts of the Monies so borrowed have been from Time 'to Time paid off, and the Council of the said Town and Port have from Time to Time determined what 'Portion of such Monies shall be paid off in each Year, and reported to the Recorder of *Dover* the rate-'able Proportion of such Sum and Interest to be assessed and levied upon each of the said Places, and 'the same has been assessed and levied accordingly:' The said Parishes of *Saint John the Baptist* (called *Margate*), *Saint Peter the Apostle* and *Birchington*, and *Acol* otherwise the *Ville of Wood*, shall, notwithstanding any such Order or Charter, continue liable to contribute towards the Satisfaction or Payment of the Debt now charged upon the said Rates; and it shall be lawful for the Council of *Dover*, and they are hereby required, to declare and determine from Time to Time what Portion of such Debt shall be paid off during any One Year, and to report to the Recorder of *Dover* the Sum required to be raised in such Year for paying off such Portion of the said Debt, and the Interest due in such Year in respect of such Debt; and the said Recorder from Time to Time, at the Quarter Sessions of the Peace for the said Borough of *Dover* which shall be held next after any such Report of the said Council, shall have been made to him as aforesaid, shall ascertain the proportionate Part of such Sum which will be required to be paid by each of the Places severed from *Dover* by such Order or Charter as aforesaid, such proportionate Part to be ascertained and regulated by the respective rateable Values of all the Places jointly liable to the said Debt, and shall make a Rate in the Nature of a County Rate upon each of the said Places, severed as aforesaid, sufficient to raise such proportionate Part as aforesaid, with the Costs and Expenses of collecting, levying, and enforcing Payment thereof; and it shall be lawful for the Overseers or other Persons charged with the Collection of Rates made for the Relief of the Poor in each such Place, and they are hereby required to pay to the Treasurer of *Dover* the Amount to which the same shall be so rated, by and out of the Monies from Time to Time raised upon such Place by any Rate or Rates made for the Relief of the Poor of such Place; and on Nonpayment thereof to the said Treasurer within Thirty Days after Delivery to such Overseers or other Persons as aforesaid of a Copy of the Rate so to be made by the said Recorder as aforesaid, the same shall be recoverable, by the Warrant of any Two Justices of the Peace for the said County of *Kent*, by Distress and Sale of the Offender's Goods, in like Manner in every respect as any Rate in the Nature of a County Rate may be recovered and enforced by virtue of any Law now in force.

Saving as to Persons committed or held to Bail in Places separate from Dover.

VII. This Act shall not extend to deprive the Court of General or Quarter Sessions of *Dover* of Jurisdiction in the Case of any Person who before such Order or Charter as aforesaid may have been committed or holden to Bail for Trial at such Court of General or Quarter Sessions from any Place severed from *Dover* by this Act, but all Proceedings upon and in relation to such Trial, or preliminary thereto or consequent thereupon, or otherwise consequent upon such Committal or Holding to Bail, shall be continued or had in like Manner in all respects as if such Order or Charter had not been made or obtained; and all Expenses incurred by the Town and Port of *Dover* in any such Case (the Amount of such

such Expenses to be ascertained and determined from Time to Time by the Recorder of *Dover*) shall be added to the Amount to be raised under the Provision herein-before contained by Rates to be levied upon the Place from which the Person may have been committed or holden to Bail.

Compensations.

VIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to award to any Persons who may sustain by reason of the passing of this Act, or of any such Order or Charter, any Loss of Fees, Emoluments, or Advantages accruing from Offices holden by them such Compensation as, having regard to the Tenure and Nature of such respective Offices, such Commissioners deem just and proper; and all Compensation so to be awarded, except such as may be awarded in respect of any such Loss occasioned by the Severance from *Dover* of the Places severed from that Town and Port by such Order or Charter, shall be paid out of such Monies as shall be provided by Parliament for this Purpose; and all Compensation so to be awarded in respect of any Loss occasioned by such Order or Charter shall be certified by the said Commissioners of the Treasury to the Recorder of *Dover*, and shall be levied rateably upon the Places to which such Order or Charter shall relate by means of an Addition to the Rates to be made on the said Places for the Payment of the said Debt; and in case any such Compensation as last aforesaid shall continue payable after such Debt is paid off, Rates shall nevertheless continue to be made and levied in like Manner for the Payment of such Compensation until the same is fully paid, and such Compensation shall be paid thereout by the Treasurer of *Dover* to the Persons entitled thereto.

Prisoners in Gaol of Dover Castle to be removed to County Gaol.

IX. Every Person who on the said Thirtieth Day of *September* One thousand eight hundred and fifty-five may be in the Custody of the said Lord Warden, under or by virtue of any Jurisdiction or Authority hereby abolished, shall, as soon as conveniently may be thereafter, without Writ of Habeas corpus or other Writ for that Purpose be removed by the Gaoler or Keeper of the Gaol in *Dover Castle* to the Common Gaol of the County in which he may have been arrested under the Writ or other Process for his Arrest and Imprisonment, and shall be by such Gaoler or Keeper delivered into the Custody of the Gaoler or Keeper of such Common Goal, together with the Writ or other Process by virtue of which such Person was arrested and imprisoned, and all Writs or other Process lodged with such first-mentioned Gaoler or Keeper by virtue of which such Person is or might be detained in the Custody of the said Lord Warden; and the Gaoler or Keeper of the said Common Gaol shall give a Receipt in Writing for every Person so removed to such Common Gaol; and the reasonable Expenses of such Removal shall be paid by the Commissioners of Her Majesty's Treasury; and all Persons who may be in the lawful Custody of the said Lord Warden on the said Thirtieth Day of *September* One thousand eight hundred and fifty-five shall, until removed as aforesaid, and for and during the Time of such Removal, notwithstanding anything herein-before contained, be to all Intents and Purposes deemed and considered to be in the proper legal Custody, unless and until they respectively be sooner discharged in due Course of Law; and all Persons so removed shall, after being delivered into the Custody of the Gaoler or Keeper of the Common Gaol of such County as aforesaid, be deemed to be in the legal Custody of the Sheriff and of such Gaoler or Keeper, in like Manner as if all such Writs and Process as aforesaid had been originally directed to and to be executed by such Sheriff.

Saving Rights of Lord Warden, &c.

X. Nothing in this Act shall affect any Jurisdiction, Power, or Authority of the said Lord Warden, or of any of the Officers of the Cinque Ports or other Persons, under any Act relating to the Adjustment of Salvage, or any Jurisdiction, Power, or Authority of the Court of Admiralty of the Cinque Ports, or of any of the Officers of such Court, or the Rights of the said Lord Warden to or in respect of Flotsam, Jetsam, and Lagan.

CAP. XLIX.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [16th *July* 1855.]

[*This Act is the same, except as to Dates, as* 17 & 18 *Vict. c.* 39.]

CAP. L.

An Act to amend the Provisions of the Court of Exchequer (*Ireland*) Act, 1850. [16th *July* 1855.]

13 & 14 Vict. c. 51.

'WHEREAS by an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act for the Transfer of the Equitable Jurisdiction of the Court of Exchequer to the Court of Chancery in* Ireland, it is amongst other Things enacted, that on the First Day of *August* One thousand eight hundred and fifty the Power, Authority, and Jurisdiction of the Court of Exchequer in *Ireland* as a Court of Equity should be transferred to the Court of Chancery in *Ireland:* And whereas Doubts have arisen as to the Powers of the said Court of Chancery with respect to Monies since directed by Parliament to be paid into the Bank of *Ireland* as Compensation to the Credit of the Accountant General of the Court of Exchequer in *Ireland*, and it is expedient to remove such Doubts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That

Power to pass certain Monies into the Bank of Ireland to the Credit of the Accountant General of the Court of Chancery.

I. That where by any Act heretofore passed, whether Public General or Local and Personal, any Amount or Sum of Money is authorized or required to be paid into the Bank in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, as Compensation, under any such Act or any Act incorporated therewith, it shall be lawful to pay such Money into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account there, and to be dealt with in like Manner as authorized by the recited Act with respect to Accounts transferred thereunder from the Court of Exchequer in *Ireland* to the Court of Chancery, and as fully and in all respects, and with like Powers in relation thereto, as if the said Court of Chancery had in any such Public General or Local and Personal Act as aforesaid been named therein instead of the Court of Exchequer in *Ireland*.

Monies already paid into the Court of Chancery to be dealt with by that Court.

II. Where any Amount or Sum of Money so authorized or required to be paid into the Bank in the Name and with the Privity of the Accountant General of the Court of Exchequer in *Ireland*, as Compensation, under any such Act, has already been paid into the Bank in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, such Payment shall be deemed to have been a good Payment, and shall be deemed to have had and shall have the same Effect, and the Court of Chancery shall have the like Powers in relation thereto, as if the said Court of Chancery had been named in such Act instead of the Court of Exchequer, and as well with respect to any Right, Interest, or Claim of Her Majesty, Her Heirs and Successors, as of all other Bodies and Persons whatsoever.

CAP. LI.

An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. [16th *July* 1855.]

[3 & 4 *Vict. c.* 89. *continued until* 1*st October* 1856.]

CAP. LII.

An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. [16th *July* 1855.]

[16 & 17 *Vict. c.* 124. *continued for Two Years.*]

CAP. LIII.

An Act to relieve the *East India* Company from the Obligation to maintain the College at *Haileybury*. [16th *July* 1855.]

'WHEREAS, in consequence of the Regulations made or which may hereafter be made by the 'Board of Commissioners for the Affairs of *India* for the Admission of Persons to the Civil 'Service of the *East India* Company, under the Provisions of an Act of the Sixteenth and Seven- 16 & 17 Vict. c. 95. 'teenth *Victoria*, intituled *An Act to provide for the Government of* India, the Maintenance of the said 'Company's College at *Haileybury* will after a limited Period be no longer necessary:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

College to be discontinued.

I. From and after the Thirty-first Day of *January* of the Year One thousand eight hundred and fifty-eight the said College shall be discontinued and closed.

No Student to be admitted after 25 Jan. 1856.

II. No Person shall be admitted as a Student into the said College after the Twenty-fifth Day of *January* in the Year One thousand eight hundred and fifty-six.

Students certified at last Examination in 1857 qualified for Service of Company.

III. Every Student of the said College at the Period of the last Examination in the Year One thousand eight hundred and fifty-seven shall be examined in the usual Manner for Admission to the said Company's Service, and all those who shall be certified by the Principal of the said College to be duly qualified in other respects may be admitted to the Service of the said Company, notwithstanding such Students may not have resided Four Terms at the said College.

Commissioners to determine Questions of Priority of Rank.

IV. It shall be lawful for the said Commissioners to determine any Question of Priority of Rank which may arise between Persons appointed to the said Service in respect of Vacancies which occurred prior to the Thirtieth Day of *April* One thousand eight hundred and fifty-four, and Persons appointed in respect of Vacancies which occurred on or after that Day.

Power to Company to sell College, &c.

V. The said Company shall, with the Approval of the said Commissioners, as soon as may be after the Discontinuance of the said College, sell and dispose thereof and of all Lands and Hereditaments attached thereto, or, with the like Approval, may, at any Time after the passing of this Act, contract for the Sale and Disposal of the said Premises from the Thirty-first Day of *January* One thousand eight hundred and fifty-eight; and the Proceeds of such Sale shall be received and held by the said Company in trust for Her Majesty, Her Heirs and Successors, for the Use of the Government of *India*.

VI. At

VI. At any Time within Six Months before the closing of the said College, it shall be lawful for the said Company to take into consideration the Claims of the Officers and Servants of the said College whose Interests may be prejudicially affected by the Abolition of the said College, and, under the Control of the said Commissioners, to grant such Compensations, Superannuations, or Allowances as shall appear reasonable, the Charge whereof shall be defrayed by the said Company out of the Revenues of *India*. As to Compensations to Officers, &c.

CAP. LIV.

An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of *New South Wales*, "to confer a Constitution on *New South Wales*, and to grant a Civil List to Her "Majesty." [16th *July* 1855.]

'WHEREAS the Legislative Council of the Colony of *New South Wales*, constituted and assembled 'by virtue of and under the Authority of an Act of Parliament passed in the Fourteenth Year of 'Her Majesty, Chapter Fifty-nine, intituled *An Act for the better Government of Her Majesty's* Australian 'Colonies, did, in the Year One thousand eight hundred and fifty-three, pass a Bill, intituled *An Act to* 'confer a Constitution on New South Wales, *and to grant a Civil List to Her Majesty*; of which Bill, 'amended as herein-after provided, a Copy is contained in Schedule (A.) to this present Act annexed: 'And whereas the said Bill was presented for Her Majesty's Assent to the then Governor of the said 'Colony of *New South Wales*, and the said Governor did thereupon declare that he reserved the said 'Bill for the Signification of Her Majesty's Pleasure thereon: And whereas it is by the said reserved 'Bill provided, that the Provisions thereof shall have no Force or Effect until so much and such Parts 'of certain Acts of Parliament in the said Bill specified as relate to the said Colony, and are repugnant 'to the said reserved Bill, shall have been repealed, and the entire Management and Control of the Waste 'Land belonging to the Crown in the said Colony, and also the Appropriation of the gross Proceeds of 'the Sales of any such Lands, and of all other Proceeds and Revenues of the same, from whatever Source 'arising within the said Colony, including all Royalties, Mines, and Minerals, shall be vested in the 'Legislature of the said Colony: And whereas it is not competent to Her Majesty to assent to the said 'reserved Bill without the Authority of Parliament for that Purpose: And whereas it is expedient that 'Her Majesty should be authorized to assent to the said reserved Bill, amended by the Omission of certain 'Provisions thereof, respecting the Assent of the Governor to the Bills which may be passed by the 'Legislative Councils and Assemblies of the said Colony, and Her Majesty's Power to disallow the same, 'and respecting the Boundaries of the *Australian* Colonies, and that so much and such Parts as aforesaid 'of the said specified Acts of Parliament should thereupon be repealed, and that the entire Management 'and Control of the said Waste Lands and Proceeds should be vested in the Legislature of the said Colony: 'And whereas a Copy of the said Bill, as amended as aforesaid, is set forth in the Schedule (1.) to this 'Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 59.

I. It shall be lawful for Her Majesty in Council to assent to the said reserved Bill, as amended as aforesaid, and contained in Schedule (1.) to this present Act annexed, anything in the said specified Acts of Parliament, or any other Act, Law, Statute, or Usage, to the contrary in anywise notwithstanding. Power to Her Majesty to assent to Bill in Schedule (1.)

II. From the Day of the Proclamation of this Act in the said Colony of *New South Wales* (the said reserved Bill, as amended as aforesaid, having been previously assented to by Her Majesty in Council as aforesaid,) so much and such Parts of the several Acts of Parliament mentioned in the Schedule (2.) of this Act as severally relate to the said Colony of *New South Wales*, and are repugnant to the said reserved Bill, amended as aforesaid, shall be repealed; and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony, and also the Appropriation of the gross Proceeds of the Sales of any such Lands, and of all other Proceeds and Revenues of the same, from whatever Source, arising within the said Colony, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the Acts of the Thirteenth and Fourteenth Years of Her Majesty, Chapter Fifty-nine, and Fifth and Sixth Years of Her Majesty, Chapter Seventy-six, mentioned in the said Schedule, as relates to the Constitution, Appointment, and Powers of the Legislative Council of the said Colony of *New South Wales* shall continue in force until the First Writs shall have issued for the Election of Members to serve in the House of Assembly, in pursuance of the Provisions of the said reserved Bill, amended and assented to as aforesaid, but no longer: Provided, that nothing herein contained shall affect or be construed to affect any Contract or to prevent the Fulfilment of any Promise or Engagement made by or on behalf of Her Majesty, with respect to any Lands situate in the said Colony, in Cases where such Contracts, Promises, or Engagements shall have been lawfully made before the Time at which this Act shall take effect within the said Colony, nor to disturb or in any way interfere with or prejudice any vested or other Rights which have accrued or belong to the licensed Occupants or Lessees of any Crown Lands within or without the settled Districts, under and by virtue of the Provisions of any of the Acts of Parliament so repealed as aforesaid, or of any Order or Orders of Her Majesty in Council issued in pursuance thereof. So much of the Acts in Schedule (2.) to this Act as relates to the Colony of New South Wales repealed.

III. The

Provisions of former Acts respecting the Allowance and Disallowance of Bills preserved.

III. The Provisions of the before-mentioned Act of the Fourteenth Year of Her Majesty, Chapter Fifty-nine, and of the Act of the Sixth Year of Her Majesty, Chapter Seventy-six, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, which relate to the giving and withholding of Her Majesty's Assent to Bills, and the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon, and the Instructions to be conveyed to Governors for their Guidance in relation to the Matters aforesaid, and the Disallowance of Bills by Her Majesty, shall apply to Bills to be passed by the Legislative Council and Assembly constituted under the said reserved Bill and this Act, and by any other Legislative Body or Bodies which may at any Time hereafter be substituted for the present Legislative Council and Assembly.

Power to repeal and alter the Provisions of the reserved Bill.

IV. It shall be lawful for the Legislature of *New South Wales* to make Laws altering or repealing all or any of the Provisions of the said reserved Bill, in the same Manner as any other Laws for the good Government of the said Colony, subject, however, to the Conditions imposed by the said reserved Bill on the Alteration of the Provisions thereof in certain Particulars, until and unless the said Conditions shall be repealed or altered by the Authority of the said Legislature.

Boundaries of the Colonies of New South Wales and Victoria along the River Murray defined.

V. 'And whereas by the before-mentioned Act of the Fourteenth Year of Her Majesty, Chapter 'Fifty-nine, it is amongst other things enacted, that the Territories therein described as bounded on the 'North and North-east by a straight Line drawn from *Cape Howe* to the nearest Source of the River '*Murray*, and thence by the Course of that River to the Eastern Boundary of the Colony of *South* '*Australia*, should be erected into a separate Colony to be known and designated as the Colony of '*Victoria:* And whereas Doubts have been entertained as to the true Meaning of the said Description 'of the Boundary of the said Colony:' It is hereby declared and enacted, That the whole Watercourse of the said River *Murray*, from its Source therein described to the Eastern Boundary of the Colony of *South Australia*, is and shall be within the Territory of *New South Wales:* Provided nevertheless, that it shall be lawful for the Legislatures and for the proper Officers of Customs of both the said Colonies of *New South Wales* and *Victoria* to make Regulations for the levying of Customs Duties on Articles imported into the said Two Colonies respectively by way of the River *Murray*, and for the Punishment of Offences against the Customs Laws of the said Two Colonies respectively committed on the said River, and for the Regulation of the Navigation of the said River by Vessels belonging to the said Two Colonies respectively: Provided also, that it shall be competent for the Legislatures of the said Two Colonies, by Laws passed in Concurrence with each other, to define in any different Manner the Boundary Line of the said Two Colonies along the Course of the River *Murray*, and to alter the other Provisions of this Section.

Provision for the Separation of Portions of the Territory of New South Wales.

VI. If Her Majesty shall at any Time exercise the Power given to Her by the said reserved Bill of altering the Northern Boundary of *New South Wales*, and if She shall in the Exercise of such Power separate from the said Colony any entire Electoral Districts, the Electoral Districts so separated shall cease to return Members to the Assembly of *New South Wales;* and if She shall, in the Exercise of such Power as aforesaid, separate from the said Colony any Portions of Electoral Districts, the remaining Portions not separated shall continue to return to the said Assembly the same Number of Members as if no such Separation had taken place, until the Legislature of *New South Wales* shall otherwise provide; and the said Assembly shall retain, so far as concerns the Colony of *New South Wales* as constituted after such Separation, all the Powers and Functions vested in it, though it may not thereafter consist of the same Number of Members as before.

Portions so separated may be erected into separate Colonies.

VII. It shall be lawful for Her Majesty, by Letters Patent to be from Time to Time issued under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to erect into a separate Colony or Colonies any Territories which may be separated from *New South Wales* by such Alteration as aforesaid of the Northern Boundary thereof; and in and by such Letters Patent or by Order in Council to make Provision for the Government of any such Colony, and for the Establishment of a Legislature therein, in manner as nearly resembling the Form of Government and Legislature which shall be at such Time established in *New South Wales* as the Circumstances of such Colony will allow; and full Power shall be given in and by such Letters Patent or Order in Council to the Legislature of the said Colony to make further Provision in that Behalf.

Commencement of the Act.

VIII. This Act shall be proclaimed in *New South Wales* by the Governor thereof, within One Month after a Copy thereof shall have been received by such Governor, and this Act and the said reserved Bill, as amended as aforesaid (such Bill being first assented to by Her Majesty in Council), shall take effect in the said Colony from the Day of such Proclamation.

Interpretation of Terms.

IX. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of *New South Wales;* and the Word "Legislature" shall include as well the Legislature to be constituted under the said reserved Bill and this Act, as any future Legislature which may be established in the said Colony under the Powers in the said reserved Bill and this Act contained.

SCHEDULES to which this Act refers.

SCHEDULE (1.)

ANNO DECIMO SEPTIMO VICTORIÆ REGINÆ.

By His Excellency Sir Charles Augustus Fitzroy, Knight Companion of the Royal Hanoverian Guelphic Order, Governor General of all Her Majesty's Australian Possessions, and Captain General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the Advice and Consent of the Legislative Council.

No. XLI.

An Act to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty.

Recital of 32d Clause of 13 & 14 Vict. c. 39.

WHEREAS by the Thirty-second Clause of the Imperial Act passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the better "Government of Her Majesty's Australian Colonies," it was among other things enacted, that, notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of this Colony, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under the said Imperial Act or otherwise, concerning the Election of the Elective Members of such Legislative Council, and the Qualification of Electors and Elective Members, or to establish in the said Colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist of such Members, to be appointed or elected by such Person and in such Manner, as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the Powers and Functions of the Legislative Council for which the same may be substituted: And whereas it is expedient that the Powers vested by the said Act in the said Governor and Legislative Council should be exercised, and that a Legislative Council and a Legislative Assembly, as constituted by this Act, should be substituted for the present Legislative Council, with the increased Powers and Functions herein-after contained: Be it therefore enacted by His Excellency the Governor of New South Wales, with the Advice and Consent of the Legislative Council thereof, as follows:

Parliament of New South Wales. General Powers of the Parliament. Assent to Bills. Taxation and Appropriation Bills to originate in Assembly.

I. There shall be, in place of the Legislative Council now subsisting, One Legislative Council and One Legislative Assembly, to be severally constituted and composed in the Manner herein-after prescribed; and within the said Colony of New South Wales Her Majesty shall have Power, by and with the Advice and Consent of the said Council and Assembly, to make Laws for the Peace, Welfare, and good Government of the said Colony in all Cases whatsoever: Provided, that all Bills for appropriating any Part of the Public Revenue, for imposing any new Rate, Tax, or Impost, subject always to the Limitation contained in Clause Sixty-two of this Act, shall originate in the Legislative Assembly of the said Colony.

Appointment of Legislative Councillors.

II. For the Purpose of composing the Legislative Council of New South Wales, it shall be lawful for Her Majesty, before the Time to be appointed for the First Meeting of the said Legislative Council and Assembly, by an Instrument under the Sign Manual, to authorize the Governor, with the Advice of the Executive Council, in Her Majesty's Name, by an Instrument or Instruments under the Great Seal of the said Colony, to summon to the said Legislative Council of the said Colony such Persons, being not fewer than Twenty-one, as the said Governor and Executive Council shall think fit; and it shall also be lawful for Her Majesty from Time to Time to authorize the Governor in like Manner to summon to the said Legislative Council such other Person or Persons as the said Governor and Executive Council shall think fit, and every Person who shall be so summoned shall thereby become a Member of the Legislative Council of the said Colony: Provided always, that no Person shall be summoned to the said Legislative Council who shall not be of the full Age of Twenty-one Years, and a natural-born Subject of Her Majesty, or naturalized by an Act of the Imperial Parliament, or by an Act of the Legislature of the said Colony: Provided also, that not less than Four Fifths of the Members so summoned to the Legislative Council shall consist of Persons not holding any Office of Emolument under the Crown, except Officers of Her Majesty's Sea and Land Forces on Full or Half Pay, or retired Officers on Pensions.

Tenure of Office of Councillors.

III. The Members of the First Legislative Council of the said Colony who shall be so summoned by the Governor, with the Advice of the Executive Council, shall hold their respective Seats therein for Five Years from the Date of the First Summonses to the said Legislative Council; but all future Members of the said Legislative Council who shall be summoned thereto, after the Expiration of the said Five Years, by the Governor, with the Advice of the Executive Council as aforesaid, shall hold their Seats therein for the Term of their natural Lives, subject, nevertheless, to the Provisions herein-after contained for vacating the same, and for altering and amending the future Constitution of the said Colony as established by this Act.

Resignation of Councillors.

IV. It shall be lawful for any Member of the Legislative Council to resign his Seat therein by a Letter to the Governor, and upon the Receipt of any such Letter by the Governor the Seat of such Legislative Councillor shall become vacant.

Vacating Seat by Absence.

V. If any Legislative Councillor shall, for Two successive Sessions of the Legislature of the said Colony, fail to give his Attendance in the said Legislative Council, without the Permission of Her Majesty or of the Governor of the Colony, signified by the said Governor to the Legislative Council, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or shall do, concur in, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or whereby he may become entitled to the Rights, Privileges, or Immunities of a Subject or Citizen of any Foreign State or Power, or shall become bankrupt, or take the Benefit of any Law relating to Insolvent Debtors, or become a Public Contractor or Defaulter, or be attainted of Treason, or be convicted of Felony or of any infamous Crime, his Seat in such Council shall thereby become vacant.

Trial of Questions of Vacancy.

VI. Any Question which shall arise respecting any Vacancy in the Legislative Council, on occasion of any of the Matters aforesaid, shall be referred by the Governor to the said Legislative Council, to be by the said Legislative Council heard and determined: Provided always, that it shall be lawful either for the Person respecting whose Seat such Question shall have arisen, or for Her Majesty's Attorney General for the said Colony, on Her Majesty's Behalf, to appeal from the Determination of the said Council in such Case to Her Majesty, and that the Judgment of Her Majesty, given with the Advice of Her Privy Council, thereon shall be final and conclusive to all Intents and Purposes.

Appointment of President.

VII. The Governor of the Colony shall have Power and Authority from Time to Time, by an Instrument under the Great Seal of the said Colony, to appoint One Member of the said Legislative Council to be President thereof, and to remove him and appoint another in his Stead; and it shall be at all Times lawful for the said President to take part in any Debate or Discussion which may arise in the said Legislative Council.

President may take part in Debates.

Quorum, Division, Casting Vote.

VIII. The Presence of at least One Third of the Members of the said Legislative Council, exclusive of the President, shall be necessary to constitute a Quorum for the Despatch of Business; and all Questions which shall arise in the said Legislative Council shall be decided by a Majority of Votes of the Members present, other than the President, and when the Votes shall be equal the President shall have the Casting Vote: Provided always, that if the whole Number of Members constituting the said Legislative Council shall not be exactly divisible by Three, the Quorum of the said Legislative Council shall consist of such whole Number as is next greater than One Third of the Members of the said Legislative Council.

Convoking Assembly.

IX. For the Purpose of constituting the Legislative Assembly of the said Colony, it shall be lawful for the Governor thereof, within the Time herein-after mentioned, and thereafter from Time to Time as Occasion shall require, in Her Majesty's Name, by an Instrument or Instruments under the Great Seal of the said Colony, to summon and call together a Legislative Assembly in and for the said Colony.

Number of Members of Assembly.

X. The Legislative Assembly shall for the present consist of Fifty-four Members, to be elected by the Inhabitants of the said Colony, having any of the Qualifications mentioned in the next succeeding Clause of this Act.

Qualification of Electors.

XI. The Qualifications for Electors of the Legislative Assembly shall be as follows:—Every Man of the Age of Twenty-one Years, being a natural-born or naturalized Subject of Her Majesty, or legally made a Denizen of New South Wales, and having a Freehold Estate in possession, situate in the District for which his Vote is to be given, of the clear Value of One hundred Pounds Sterling Money, above all Charges and Incumbrances in any Way affecting the same, of or to which he has been seised or entitled, either at Law or in Equity, for at least Six Calendar Months next before the last Registration of Electors, or being a Householder within such District, occupying any House, Warehouse, Countinghouse, Office, Shop, or other Building, of the clear annual Value of Ten Pounds Sterling Money, and having occupied the same for Six Calendar Months next before such Registration as aforesaid, or having a Leasehold Estate in possession, situate within such District, of the Value of Ten Pounds Sterling Money per Annum, held upon a Lease which at the Time of such Registration has not less than Three Years to run, or having a Leasehold Estate so situate and of such Value as aforesaid, of which he has been in possession for Three Years or upwards next before such Registration, or holding at the Time of such Registration a Licence from the Government to depasture Lands within the District for which his Vote is to be given, or having a Salary of One hundred Pounds a Year, and having enjoyed the same for Six Calendar Months next before such Registration, or being the Occupant of any Room or Lodging, and paying for his Board and Lodging Forty Pounds a Year, or for his Lodging only at the Rate of Ten Pounds a Year, and having occupied the same Room or Lodging for Six Calendar Months next before such Registration as aforesaid, shall be entitled to vote at the Election of a Member of the Legislative Assembly: Provided always, that no Man shall be entitled to vote who has been attainted or convicted of Treason, Felony, or other infamous Offence in any Part of Her Majesty's Dominions, unless he have received a free or conditional Pardon for such Offence, or have undergone the Sentence passed on him for such Offence; and provided also, that no Man shall be entitled to vote unless at the Time of such Registration of Electors he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupancy, or as the Holder of a Licence in respect of such Licence, except such as shall have become payable during Three Calendar Months next before such Registration.

XII. Where

When joint Owners and Occupiers shall be entitled to be registered as Voters and to vote.

XII. Where any Premises are jointly owned, occupied, or held on Lease within the Meaning of the last preceding Clause, by more Persons than One, each of such joint Owners, Occupiers, or Leaseholders shall be entitled to be registered as a Voter and to vote in respect of the said Premises in case the Value of his individual Interest therein, separately considered, would, under the first Four Provisions of the said last preceding Section, entitle such Owner, Occupier, or Leaseholder to be registered as a Voter and to vote.

Division of the Colony into Electoral Districts, and the Number of Members to be returned by each.

XIII. Until further Provision shall be made by the Legislature of the said Colony all the Provisions contained in "The Electoral Act of 1851," passed by the late Legislative Council in the Fourteenth Year of Her Majesty's Reign, numbered Forty-seven, except so much of the First Clause thereof as relates to the Number and Constitution of the present Legislative Council, and so much of the Third and other Clauses thereof as is repugnant to this Act, shall be in force and apply to the Election of Members to serve in the Legislative Assembly constituted under this Act, except as follows:

Electoral Districts.

The Electoral Districts of East Camden and West Camden shall each return Two Members instead of One Member to serve in the said Legislative Assembly; the Electoral District of the united Counties of Cook and Westmoreland shall return Two Members; the Counties of Murray, Saint Vincent, Roxburgh, and Wellington shall each form an Electoral District, and each return One Member; the County of Cumberland shall be divided into Two Ridings, to be called the North and South Ridings, the North Riding commencing where the great Western Road crosses Johnstone's Creek, and bounded on the South by the Centre of that Road, bearing westerly to where it crosses the Southern Boundary of the Electoral District of Parramatta, near Beckett's Bridge, thence by Part of the Southern, by the Eastern, Northern, and Western Boundaries of the said Electoral District to the great Western Road near the Toll Bar, thence again by the Centre of that Road, bearing westerly to Emu Ferry on the Nepean River; on the West and North by the Nepean and Hawkesbury Rivers to Broken Bay, and on the East by the Sea Coast and the Southern Shores of Port Jackson to Johnstone's Creek, and by Johnstone's Creek to the Point of Commencement, exclusive of the Hamlets of Saint Leonard's and Balmain, and also excluding so much of the Cumberland Boroughs as is embraced by the Towns of Windsor and Richmond, and also so much of the Borough of Penrith as is situated on the North Side of the Western Road, and the South Riding, commencing where the great Western Road crosses Johnstone's Creek, and bounded on the North by the Centre of that Road, bearing westerly to where it crosses the Southern Boundary of the Electoral District of the Town of Parramatta near Beckett's Bridge, thence by Part of the Southern Boundary of the said Electoral District, bearing westerly to the great Western Road near the Toll Bar, thence again by the Centre of that Road, bearing westerly to Emu Ferry on the Nepean River; on the West by that River upwards to the Confluence of the Cataract River; on the South by that River upwards to its Source, and thence by a Line bearing East Twenty Degrees South to the Coast at Bulli, being the Southern Boundary of the County of Cumberland; on the East by the Sea Coast to Port Jackson, and again on the North by the Southern Shores of Port Jackson to Johnstone's Creek, and by Johnstone's Creek to the Point of Commencement, exclusive of the City of Sydney and the Hamlets of Paddington, Surry Hills, Redfern, Chippendale, O'Connell Town, Camperdown, and Glebe, and also excluding so much of the Cumberland Boroughs as is embraced by the Towns of Liverpool and Campbell Town, and also so much of the Borough of Penrith as is situated on the South Side of the Western Road; and each of the said Ridings shall return Two Members; the united Counties of Northumberland and Hunter shall return Three Members instead of Two; the County of Durham shall return Three Members instead of Two; the City of Sydney shall return Four Members instead of Three; the Sydney Hamlets, the Town of Parramatta, the Northumberland Boroughs, and the Stanley Boroughs, shall each return Two Members instead of One Member; the Electoral Districts of the pastoral Districts of the Murrumbidgee, of the Lachlan and Lower Darling, of Liverpool Plains and the Gwydir, and of New England and the M'Leay, shall each return Two Members instead of One Member to serve in the said Legislative Assembly as aforesaid.

Electoral Lists.

XIV. The new Classes of Electors entitled to vote by this Act at the Election of Members of the Legislative Assembly shall be inserted in the Electoral Lists appointed to be made by "The Electoral Act of 1851," in the Electoral Districts in which they shall be respectively resident; and all such Lists shall specify the Christian and Surnames of all such Electors, the Nature of the Qualification, and the Place where they respectively reside; and all such Lists shall be signed, delivered, printed, and hung up for public Inspection by the Persons and in the Way in the said Act prescribed, and shall be subject to the like Claims and Notice from any Person whose Name shall have been omitted therein, and to the like Objections and Notice as to the Names of any Person inserted therein, and to the like Modes of altering, amending, or continuing any such Lists as are in these said several respects provided for in the said Electoral Act of 1851, as nearly as may be consistently with the Rights of such new Electors.

Power to alter System of Representation.

XV. It shall be lawful for the Legislature of the Colony, by any Act or Acts to be hereafter passed to alter the Divisions and Extent of the several Counties, Districts, Cities, Towns, Boroughs, and Hamlets which shall be represented in the Legislative Assembly, and to establish new and other Divisions of the same, and to alter the Apportionment of Representatives to be chosen by the said Counties, Districts, Cities,

Towns, Boroughs, and Hamlets respectively, and to alter the Number of Representatives to be chosen in and for the Colony and in and for the several Electoral Districts in the same, and to alter and regulate the Appointment of Returning Officers, and make such new and other Provision as they may deem expedient for the issuing and Return of Writs for the Election of Members to serve in the said Legislative Assembly and the Time and Place of holding such Elections: Provided always, that it shall not be lawful to present to the Governor of the Colony, for Her Majesty's Assent, any Bill by which the Number or Apportionment of Representatives in the Legislative Assembly may be altered, unless the Second and Third Readings of such Bill in the Legislative Council and the Legislative Assembly respectively shall have been passed with the Concurrence of a Majority of the Members for the Time being of the said Legislative Council and of Two Thirds of the Members for the Time being of the said Legislative Assembly; and the Assent of Her Majesty shall not be given to any such Bill unless an Address shall have been presented by the Legislative Assembly to the Governor stating that such Bill has been so passed.

Qualification of Members of Assembly.

XVI. Any Person absolutely free (except as is herein-after excepted) who shall be qualified and registered as a Voter in and for any Electoral District within the said Colony, shall be qualified to be elected a Member of the Legislative Assembly for any Electoral District within the said Colony.

Members of Legislative Council incapable of being Members of Legislative Assembly.

XVII. No Person being a Member of the Legislative Council shall be capable of being elected, or of sitting or voting as a Member of the Legislative Assembly.

Disqualifying Clause of Members of Assembly.

XVIII. Any Person holding any Office of Profit under the Crown, or having a Pension from the Crown during Pleasure or for Term of Years, shall be incapable of being elected, or of sitting or voting as a Member of the Legislative Assembly, unless he be One of the following official Members of the Government, that is to say, the Colonial Secretary, Colonial Treasurer, Auditor General, Attorney General, and Solicitor General, or One of such additional Officers, not being more than Five, as the Governor, with the Advice of the Executive Council, may from Time to Time, by a Notice in the Government Gazette, declare capable of being elected a Member of the said Assembly.

Further disqualifying Clause of Members of Assembly.

Pensions of Officers of the Navy and Army.

XIX. If any Member of the said Assembly shall accept of any Office of Profit or Pension from the Crown during Pleasure or for Term of Years, his Election shall be thereupon and is hereby declared to be void, and a Writ shall forthwith issue for a new Election: Provided, that nothing in this Act contained shall extend to any Person in receipt only of Pay, Half Pay, or a Pension as an Officer in Her Majesty's Navy or Army, or who shall receive any new or other Commission in the Navy or Army respectively, or any Increase of Pay on such Commission, or to any of the official Members of the Government, or other Officers referred to in the last preceding Clause of this Act who may accept any other Office.

Disqualifying Ministers of Religion.

XX. No Person shall be capable of being elected a Member to serve in the said Assembly, and of sitting and voting therein, who shall be a Minister of the Church of England, or a Minister, Priest, or Ecclesiastic, either according to the Rites of the Church of Rome, or under any other Form or Profession of Religious Faith or Worship.

Duration of Assembly.

XXI. Every Legislative Assembly of the said Colony hereafter to be summoned and chosen shall continue for Five Years from the Day of the Return of the Writs for choosing the same, and no longer; subject, nevertheless, to be sooner prorogued or dissolved by the Governor of the said Colony.

Election of the Speaker.

XXII. The Members of the Legislative Assembly shall, upon the first assembling after every General Election, proceed forthwith to elect One of their Number to be Speaker; and in case of his Death, Resignation, or Removal by a Vote of the said Legislative Assembly, the said Members shall forthwith proceed to elect another of such Members to be such Speaker; and the Speaker so elected shall preside at all Meetings of the said Legislative Assembly, except as may be provided by the Standing Rules and Orders herein-after authorized to be made.

Quorum, Division, Casting Vote.

XXIII. The Presence of at least Twenty Members of the Legislative Assembly, exclusive of the Speaker, shall be necessary to constitute a Meeting of the said Legislative Assembly for the Despatch of Business; and all Questions (except as herein is excepted) which shall arise in the said Assembly shall be decided by the Majority of Votes of such Members as shall be present other than the Speaker, and when the Votes shall be equal the Speaker shall have the Casting Vote.

Assembly may proceed to Business, although Writs not exceeding Five shall not have been returned.

XXIV. Upon any General Election, the Legislative Assembly shall be competent to proceed to the Despatch of Business at the Time appointed by the Governor for that Purpose, notwithstanding that any of the Writs of Election (not exceeding Five) shall not have been returned, or that in any of the Electoral Districts the Electors shall have failed to elect a Member to serve in the said Assembly.

Resignation of Seats in the Assembly.

XXV. It shall be lawful for any Member of the Assembly, by Writing under his Hand, addressed to the Speaker of the said House, to resign his Seat therein, and upon the Receipt of such Resignation by the Speaker the Seat of such Member shall become vacant.

Vacating Seats of Members of Assembly in certain Cases.

XXVI. If any Member of the Assembly shall for One whole Session of the Legislature, without the Permission of the Assembly, entered upon its Journals, fail to give his Attendance in the said House, or shall take any Oath or make Declaration or Acknowledgment of Allegiance, Obedience, or Adherence

to

to any Foreign Prince or Power, or do or concur in or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or become entitled to the Rights, Privileges, or Immunities of a Subject of any Foreign State or Power, or shall become bankrupt or an Insolvent Debtor within the Meaning of the Laws in force within the said Colony relating to Bankrupts or Insolvent Debtors, or shall become a Public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, his Seat in such Assembly shall thereby become vacant.

Election to take place on Vacancies.

XXVII. When and so often as a Vacancy shall occur as aforesaid, upon a Resolution by the Assembly declaring such Vacancy and the Causes thereof, the Speaker shall cause a Writ to be issued for supplying such Vacancy: Provided, that the Speaker may issue such Writ without such preceding Resolution when the Assembly is not in Session.

Disqualifying Contractors and Persons interested in Contracts from being Members of either House.

XXVIII. Any Person who shall directly or indirectly, himself, or by any Person whatsoever in trust for him, or for his Use or Benefit, or on his Account, undertake, execute, hold, or enjoy, in the whole or in part, any Contract or Agreement for or on account of the Public Service, shall be incapable of being summoned or elected, or of sitting or voting, as a Member of the Legislative Council or Legislative Assembly during the Time he shall execute, hold, or enjoy any such Contract, or any Part or Share thereof, or any Benefit or Emolument arising from the same; and if any Person, being a Member of such Council or Assembly, shall enter into any such Contract or Agreement, or having entered into it shall continue to hold it, his Seat shall be declared by the said Legislative Council or Legislative Assembly, as the Case may require, to be void, and thereupon the same shall become and be void accordingly: Provided always, that nothing herein contained shall extend to any Contract or Agreement made, entered into, or accepted by any Incorporated Company, or any Trading Company, consisting of more than Twenty Persons, where such Contract or Agreement shall be made, entered into, or accepted for the general Benefit of such Incorporated or Trading Company.

Proviso exempting from Disqualification Members of Companies exceeding Twenty in Number.

Election of disqualified Persons void.

XXIX. If any Person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly shall nevertheless be summoned to the said Council, or elected and returned as a Member to serve in the said Assembly for any Electoral District, such Summons, or Election and Return, shall and may be declared by the said Council and Assembly, as the Case may require, to be void, and thereupon the same shall become and be void to all Intents and Purposes whatsoever; and if any Person, under any of the Disqualifications mentioned in the last preceding Section, shall, whilst so disqualified, presume to sit or vote as a Member of the said Council or Assembly, such Person shall forfeit the Sum of Five hundred Pounds, to be recovered by any Person who shall sue for the same in the Supreme Court of New South Wales.

Penalty on their sitting or voting.

Place and Time of holding Parliament.

XXX. It shall be lawful for the Governor of the Colony for the Time being to fix such Place or Places within any Part of the Colony, and such Times for holding the First and every other Session of the Legislative Council and Assembly of the said Colony, as he may think fit, such Times and Places to be afterwards changed or varied as the Governor may judge advisable and most consistent with general Convenience and the public Welfare, giving sufficient Notice thereof; and also to prorogue the said Legislative Council and Assembly from Time to Time, and to dissolve the said Assembly by Proclamation or otherwise, whenever he shall deem it expedient.

One Session of Parliament to be held in each Year.

XXXI. There shall be a Session of the Legislative Council and Assembly once at least in every Year, so that a Period of Twelve Calendar Months shall not intervene between the last Sitting of the Legislative Council and Assembly in One Session and the First Sitting of the Legislative Council and Assembly in the next Session.

First calling together of Parliament.

XXXII. The Legislative Council and Assembly shall be called together for the First Time at some Period not later than Six Calendar Months next after the Proclamation of this Act by the Governor of the said Colony.

No Member to sit or vote until he has taken the following Oath of Allegiance.

XXXIII. No Member either of the Legislative Council or of the Legislative Assembly shall be permitted to sit or vote therein until he shall have taken and subscribed the following Oath before the Governor of the Colony, or before some Person or Persons authorized by such Governor to administer such Oath:

'I A.B. do sincerely promise and swear, That I will be faithful and bear true Allegiance to Her Majesty 'Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of 'this Colony of New South Wales, dependent on and belonging to the said United Kingdom. So help 'me GOD.'

And whensoever the Demise of Her present Majesty (whom may God long preserve) or of any of Her Successors to the Crown of the said United Kingdom shall be notified by the Governor of the Colony to the said Council and Assembly respectively, the Members of the said Council and Assembly shall, before they shall be permitted to sit and vote therein, take and subscribe the like Oath of Allegiance to the Successor for the Time being to the said Crown.

Affirmation may be made instead of Oath.

XXXIV. Provided that every Person authorized by Law to make an Affirmation instead of taking an Oath may make such Affirmation in every Case in which an Oath is herein-before required to be taken.

XXXV. The

Standing Rules and Orders to be made.

XXXV. The said Legislative Council and Assembly in the First Session of each respectively, and from Time to Time afterwards as there may be occasion, shall prepare and adopt such Standing Rules and Orders as shall appear to the said Council and Assembly respectively best adapted for the orderly Conduct of such Council and Assembly respectively, and for the Manner in which such Council and Assembly shall be presided over in case of the Absence of the President or the Speaker, and for the Mode in which such Council and Assembly shall confer, correspond, and communicate with each other relative to Votes or Bills passed by or pending in such Council and Assembly respectively, and for the Manner in which Notices of Bills, Resolutions, and other Business intended to be submitted to such Council and Assembly respectively at any Session thereof may be published for general Information, and for the proper passing, entitling, and numbering of the Bills to be introduced into and passed by the said Council and Assembly, and for the proper Presentation of the same to the Governor for the Time being for Her Majesty's Assent; all of which Rules and Orders shall, by such Council and Assembly respectively, be laid before the Governor, and, being by him approved, shall become binding and of force.

Legislature, as constructed by this Act, empowered to alter any of its Provisions.

XXXVI. Notwithstanding anything herein-before contained, the Legislature of the said Colony, as constituted by this Act, shall have full Power and Authority, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under this Act or otherwise, concerning the Legislative Council, and to provide for the Nomination or Election of another Legislative Council, to consist respectively of such Members to be appointed or elected respectively by such Person or Persons, and in such Manner, as by such Act or Acts shall be determined: Provided always, that it shall not be lawful to present to the Governor of the said Colony, for Her Majesty's Assent, any Bill by which any such Alteration in the Constitution of the said Colony may be made, unless the Second and Third Readings of such Bill shall have been passed with the Concurrence of Two Thirds of the Members for the Time being of the said Legislative Council and of the said Legislative Assembly respectively: Provided also, that every Bill which shall be so passed for any of such Purposes shall be reserved for the Signification of Her Majesty's Pleasure thereon, and a Copy of such Bill shall be laid before both Houses of the Imperial Parliament for the Period of Thirty Days at the least before Her Majesty's Pleasure thereon shall be signified.

Appointment to Offices under the Government of the Colony to be vested in the Governor.

XXXVII. The Appointment to all Public Offices under the Government of the Colony hereafter to become vacant or to be created, whether such Offices be salaried or not, shall be vested in the Governor, with the Advice of the Executive Council, with the Exception of the Appointments of the Officers liable to retire from Office on political Grounds as herein-after mentioned, which Appointments shall be vested in the Governor alone: Provided always, that this Enactment shall not extend to minor Appointments, which by Act of the Legislature, or by Order of the Governor and Executive Council, may be vested in Heads of Departments, or other Officers or Persons within the Colony.

Judges continued in the Enjoyment of their Offices during their good Behaviour notwithstanding any Demise of the Crown; but they may be removed by the Crown on the Address of Parliament. Their Salaries secured during the Continuance of their Commissions.

XXXVIII. The Commissions of the present Judges of the Supreme Court of the said Colony, and of all future Judges thereof, shall be, continue, and remain in full force during their good Behaviour, notwithstanding the Demise of Her Majesty (whom may God long preserve), or of Her Heirs and Successors, any Law, Usage, or Practice to the contrary thereof in anywise notwithstanding.

XXXIX. It shall be lawful, nevertheless, for Her Majesty, Her Heirs or Successors, to remove any such Judge or Judges upon the Address of both Houses of the Legislature of this Colony.

XL. Such Salaries as are settled upon the Judges for the Time being by Act of Parliament or otherwise, and also such Salaries as shall or may be in future granted by Her Majesty, Her Heirs and Successors, or otherwise, to any future Judge or Judges of the said Supreme Court, shall in all Time coming be paid and payable to every such Judge and Judges for the Time being, so long as the Patents or Commissions of them or any of them respectively shall continue and remain in force.

Existing Law saved.

XLI. All Laws, Statutes, and Ordinances which at the Time of the passing of this Act shall be in force within the said Colony shall remain and continue to be of the same Force, Authority, and Effect as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the Authority of this Act, be repealed or varied by any Act or Acts of the Legislature of the said Colony.

Courts of Justice, Commissions, Officers, &c.

XLII. All the Courts of Civil and Criminal Jurisdiction within the said Colony, and all Charters, legal Commissions, Powers and Authorities, and all Officers, judicial, administrative, or ministerial, within the said Colony respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the Provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature of the Colony, or other competent Authority, shall continue to subsist in the same Form and with the same Effect as if this Act had not been made.

Legislature empowered to make Laws regulating Sale and other Disposal of Waste Lands.

XLIII. Subject to the Provisions herein contained, it shall be lawful for the Legislature of this Colony to make Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown within the said Colony.

Duties not to be levied on Supplies for Troops, nor any Duties

XLIV. It shall not be lawful for the Legislature of the Colony to levy any Duty upon Articles imported bonâ fide for the Supply of Her Majesty's Land or Sea Forces, nor to levy any Duty, impose any Prohibition or Restriction, or grant any Exemption from any Drawback or other Privilege upon

upon the Importation or Exportation of any Articles, nor to enforce any Dues or Charges upon Shipping, contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power. Inconsistent with Treaties.

XLV. Subject to the Provisions of this Act, and notwithstanding any Act or Acts of the Imperial Parliament now in force to the contrary, it shall be lawful for the Legislature of the Colony to impose and levy such Duties of Customs, as to them may seem fit, on the Importation into the Colony of any Goods, Wares, and Merchandise whatsoever, whether the Produce of or exported from the United Kingdom or any of the Colonies or Dependencies of the United Kingdom, or any Foreign Country: Provided always, that no new Duty shall be so imposed upon the Importation into the said Colony of any Article the Produce or Manufacture of or imported from any particular Country or Place which shall not be equally imposed on the Importation into the said Colony of the like Article the Produce or Manufacture of or exported from all other Countries and Places whatsoever. Customs Duties may be imposed, not differential, though contrary to existing Acts of Parliament.

XLVI. For the Purpose of this Act, the Boundaries of the Colony of New South Wales shall, except as herein-after excepted, comprise all that Portion of Her Majesty's Territory of Australia or New Holland lying between the One hundred and twenty-ninth and One hundred and fifty-fourth Degrees of East Longitude, reckoning from the Meridian of Greenwich, and Northward of the Fortieth Degree of South Latitude, including all the Islands adjacent in the Pacific Ocean within the Latitude aforesaid, and also including Lord Howe Island, being in or about the Latitude of Thirty-one Degrees Thirty Minutes South and the One hundred and fifty-ninth Degree of East Longitude, reckoning from the said Meridian of Greenwich, save and except the Territories comprised within the Boundaries of the Province of South Australia and the Colony of Victoria, as at present established: Provided always, that nothing herein contained shall be deemed to prevent Her Majesty from altering the Boundary of the Colony of New South Wales on the North in such Manner as to Her Majesty may seem fit, nor from detaching from the said Colony that Portion of the same which lies between the Western Boundary of South Australia and the One hundred and twenty-ninth Degree of East Longitude, reckoning from the said Meridian of Greenwich. Boundaries of the Colony.

And whereas the Legislative Council of New South Wales, constituted under the Imperial Act passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," are desirous that Her Majesty should owe to the spontaneous Liberality of Her People in this Colony such Grant by way of Civil List, in lieu of the Provision contained in the Schedule to that Act, as shall be sufficient to give Stability and Security to the Civil Institutions of the Colony, and to provide for the adequate Remuneration of able and efficient Officers in the executive, judicial, and other Departments of Her Majesty's Colonial Service, the granting of which Civil List belongs constitutionally only to Her Majesty's faithful People through their Representatives in the said Legislative Council; and Her Majesty's most dutiful and loyal Subjects, the Members of the said Legislative Council in Council assembled, being desirous that a certain competent Revenue for the Purpose may be settled upon Her Majesty, (to whom may God grant a long and happy Reign,) as a Testimony of their unfeigned Affection to Her Majesty's Person and Government, have accordingly freely resolved, in lieu of the aforesaid statutable Provision for the like Purpose, to grant to Her Majesty, Her Heirs and Successors, a certain Revenue payable out of the Consolidated Revenue Fund of this Colony:' Be it therefore enacted as follows: Preamble to Civil List Clauses.

XLVII. All Taxes, Imposts, Rates, and Duties, and all territorial, casual, and other Revenues of the Crown (including Royalties) from whatever Source arising within this Colony, and over which the present or future Legislature has or may have Power of Appropriation, shall form One Consolidated Revenue Fund, to be appropriated for the Public Service of this Colony in the Manner and subject to the Charges herein-after mentioned. All Duties and Revenues to form Consolidated Revenue Fund.

XLVIII. The Consolidated Revenue Fund of this Colony shall be permanently charged with all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expenses being subject nevertheless to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature. Such Fund permanently charged with Expenses of Collection.

XLIX. There shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the Consolidated Revenue Fund of this Colony, the several Sums, not exceeding in the whole the Sum of Sixty-four thousand and three hundred Pounds, for defraying the Expense of the several Services and Purposes named in the Schedules A. B. and C. to this Act annexed, the said several Sums to be issued by the Colonial Treasurer in discharge of such Warrant or Warrants as shall be from Time to Time directed under the Hand of the Governor; and the said Treasurer shall account to Her Majesty for the same through the Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her Majesty shall be graciously pleased to direct. Civil List of 64,300*l.* payable to Her Majesty.

L. The said several Sums mentioned in Schedules A. B. and C. shall be accepted and taken by Her Majesty, Her Heirs and Successors, by way of Civil List, instead of all territorial, casual, and other Revenues Civil List to be accompanied by Surrender of all Revenues of the Crown.

Revenues of the Crown (including all Royalties) from whatever Source arising within the said Colony, and to the Disposal of which the Crown may be entitled either absolutely or conditionally, or otherwise howsoever.

Pensions payable to Judges of Supreme Court. Pensions payable to certain Officers liable to Removal from Office on political Grounds. Provisoes in reference to Judges and such Officers.

LI. Not more than Four thousand five hundred and fifty Pounds in each Year shall be payable for Pensions to the Judges of the Supreme Court out of the Sum set apart for Pensions in the said Schedule B.; and not more than Five thousand nine hundred Pounds in each Year shall be payable by way of Pension or Retiring Allowance for the present Incumbents of any Office or Department mentioned in the said Schedule B. who, on political Grounds, may retire or be released from any such Office or Department: Provided always, that Pensions shall be demandable by such Judges, to the Amount of Seven Tenths of their actual Salaries, on permanent Disability or Infirmity, or after Fifteen Years Service as such Judge in this Colony; and that so far as the present Judges are concerned, every Three Years Service in any judicial Office in this Colony, other than the Office of a Judge of the Supreme Court, shall be equivalent to One Year's Service as such Judge of the Supreme Court; provided also, that the Officers so liable to retire or be released shall be the Attorney General, and Solicitor General, the Colonial Secretary, Colonial Treasurer, and Auditor General; and upon the Retirement or Release from Office of any of the present Officers, they shall be entitled by way of Pension or Retiring Allowance to the full Amount of the Salaries respectively received by them at the Time of the passing of this Act: Provided also, that if after the Assignment of any such Pension or Retiring Allowance any of such Judges or Officers shall accept any new Appointment under the Crown, then and in every such Case the Pension or Retiring Allowance of any such Judge or Officer shall merge or be reduced pro tanto during the Tenure of such Appointment, according as the Salary or Emoluments of any such new Appointment are of greater or less Amount than the Pension or Retiring Allowance of such Judge or Officer.

Superannuation Pensions to certain other Officers not liable to Removal upon political Grounds. To be regulated by Superannuation Act, 4 & 5 W. 4. c. 24.

LII. Not more than Three thousand five hundred Pounds in each Year shall be payable for Pensions to superannuated Officers: Provided always, that the Amount of all such Pensions for such superannuated Officers shall be according to the several Scales and Rates fixed by the Superannuation Act of the Parliament of Great Britain and Ireland, passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, and that a List of all Pensions granted under this Act, and of the Persons to whom the same shall have been granted, shall be laid in every Year before both Houses of the Legislature of the Colony.

Consolidated Revenue to be appropriated by Act of the Legislature. Debenture or any other Charges on Consolidated Revenue Fund not to be affected by such Consolidation.

LIII. After and subject to the Payments to be made under the Provisions herein-before contained, all the Consolidated Revenue Fund herein-before mentioned shall be subject to be appropriated to such specific Purposes as by any Act of the Legislature of the Colony shall be prescribed in that Behalf: Provided, that the Consolidation of the Revenues of this Colony shall not affect the Payment of the annual Interest, or the Principal Sums mentioned in any outstanding Debentures or other Charge upon the territorial Revenue as such Interest, Principal, or other Charge severally becomes due, nor shall such Consolidation affect the Payment of any Sum or Sums heretofore charged upon the Taxes, Duties, Rates, and Imposts now raised, levied, and collected, or to be raised levied, and collected, to and for the Use of this Colony, for such Time as shall have been appointed by any Acts of the said Legislature by which any such Charge was authorized.

No Money Vote or Bill lawful unless recommended by Governor.

LIV. It shall not be lawful for the Legislative Assembly to originate or pass any Vote, Resolution, or Bill, for the Appropriation of any Part of the said Consolidated Revenue Fund, or of any other Tax or Impost, to any Purpose which shall not have been first recommended by a Message of the Governor to the said Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

No Part of Public Revenue to be issued except on Warrants from Governor.

LV. No Part of Her Majesty's Revenue in the said Colony, arising from any of the Sources aforesaid, shall be issued, or shall be made issuable, except in pursuance of Warrants under the Hand of the Governor of the Colony directed to the Public Treasurer thereof.

Proclamation and Commencement of Act.

LVI. This Act shall be proclaimed in New South Wales by the Governor thereof within One Calendar Month after official Information of the Royal Assent thereto shall have been received by such Governor, and shall take effect within the said Colony from the Day of the Proclamation thereof.

Interpretation of Term "Governor."

LVII. In the Construction of this Act, the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of the Colony of New South Wales.

Provisions of this Act to have no Force until so much of 13 & 14 Vict. c. 59; and so much also of 5 & 6 Vict. c. 76.; 5 & 6 Vict. c. 36.; and of 7 & 8 Vict. c. 72.; 7 & 8 Vict. c. 74.;

LVIII. The foregoing Provisions of this Act shall have no Force or Effect until so much and such Parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Thirteenth and Fourteenth Years of Her Majesty's Reign, intituled "An Act for the better Government of "the Australian Colonies," and the First, Second, and Third Parts of the Schedule A. therein referred to; and of another Act passed in the Fifth and Sixth Years of Her Majesty's Reign, intituled "An Act "for the Government of New South Wales and Van Diemen's Land;" and of another Act passed in the said Fifth and Sixth Years of Her Majesty's Reign, intituled "An Act for regulating the Sale of Waste "Land belonging to the Crown in the Australian Colonies;" and of another Act passed in the Eighth Year of Her Majesty's Reign, intituled "An Act to clear up Doubts as to the Regulation and Audit of "the Customs of New South Wales;" and of another Act passed in the same Year, intituled "An Act

" to explain and amend the Act for the Government of New South Wales and Van Diemen's Land ;" and of another Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled " An Act to provide for the Administration of Justice in New South Wales and Van Diemen's " Land, and for the more effectual Government thereof, and for other Purposes relating thereto ;" and of another Act passed in the Ninth and Tenth Years of Her Majesty's Reign, intituled " An Act to " amend an Act for regulating the Sale of Waste Land belonging to the Crown in the Australian " Colonies, and to make further Provision for the Management thereof," as severally relate to the Colony of New South Wales, and as are repugnant to this Act, shall have been repealed ; and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony of New South Wales, and also the Appropriation of the gross Proceeds of the Sales of any such Lands, and of all other Proceeds and Revenues of the same, from whatever Source arising within the said Colony, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony : Provided, that nothing herein contained shall affect or be construed to affect any Contract, or to prevent the Fulfilment of any Promise or Engagement made by or on behalf of Her Majesty, with respect to any Lands situate within the said Colony, in Cases where such Contracts, Promises, or Engagements shall have been lawfully made before the Time at which this Act shall take effect within this Colony, nor to disturb or in any way interfere with or prejudice any vested or other Rights which have accrued or belong to the licensed Occupants or Lessees of any Crown Lands within or without the settled Districts, under and by virtue of the aforesaid Act of the Parliament passed in the Ninth and Tenth Years of Her Majesty's Reign, or of any Order or Orders of Her Majesty in Council issued in pursuance thereof.

9 Geo. 4. c. 83.; and 9 & 10 Vict. c. 104.; as relates to this Colony, and is repugnant to reserved Bills, be repealed.

And the entire Management of Crown Lands and all Revenues thence arising be vested in the Local Legislature.

This Provision not to affect any previous Contracts of Her Majesty respecting any such Lands, nor any vested Rights which have arisen under 9 & 10 Vict. c. 104. nor any vested Right or Interest which has accrued under any Order of Council issued by Her Majesty in Council in pursuance thereof.

Passed the Legislative Council, this Twenty-first Day of December One thousand eight hundred and fifty-three.

CHARLES NICHOLSON, Speaker.
W. MACPHERSON, Clerk of the Council.

In the Name and on the Behalf of Her Majesty, I reserve this Bill for the Signification thereon of Her Majesty's Pleasure.

CHAS. A. FITZROY,
Governor General.

Government House, Sydney,
December 22, 1853.

SCHEDULE (A.)

	Salaries payable whilst the present Incumbents are in Office.			Salaries to be paid in future, as Vacancies occur.		
	£	s.	d.	£	s.	d.
To be placed at the Disposal of Her Majesty, for the Salary of the Governor General, if Her Majesty see fit ; otherwise to revert to the Consolidated Revenue Fund	7,000	0	0	7,000	0	0
One Chief Justice	2,000	0	0	2,000	0	0
Three Judges, including One for Moreton Bay	4,500	0	0	4,500	0	0
Colonial Secretary	2,000	0	0	2,000	0	0
Colonial Treasurer	1,250	0	0	1,250	0	0
Auditor General	900	0	0	900	0	0
Attorney General	1,500	0	0	1,500	0	0
Solicitor General	1,000	0	0	1,000	0	0
Governor's Private Secretary	400	0	0	400	0	0
Master in Equity and Curator of Intestate Estates and Chief Commissioner of Insolvent Estates	1,000	0	0	—		
Chairman of Quarter Sessions and Commissioner of Court of Requests	800	0	0	—		
	22,350	0	0	20,550	0	0

SCHEDULE (B.)

	£	s.	d.
Pensions to Judges on their ceasing to hold Office (until demandable and claimed, this Amount, or any unclaimed Portion of it, to revert to the Consolidated Revenue Fund) - - - - - - - - - - - - - -	4,550	0	0
Pensions to existing Officers of the Government liable on political Grounds to retire or be released from Office, upon their Retirement or Release (upon the Demise of these Officers, or until their Retirement or Release, their respective Pensions, or this Amount (as the Case may be), to revert to the Consolidated Revenue Fund) - - - - - - - - - - -	5,900	0	0
Pensions to Officers of Government not liable on political Grounds to retire or be released from Office, according to the Scales and Rates fixed by the Superannuation Act of the Imperial Parliament, 4 & 5 W. 4. c. 24. (any Portion of this Fund which may not be drawn during any Year to revert to the Consolidated Revenue Fund) - - - - - - - - - - - -	3,500	0	0
	13,950	0	0

SCHEDULE (C.)

	£	s.	d.
Public Worship - - - - - - - - - -	28,000	9	0

SCHEDULE (2.)

59 G. 3. c. 114. -	An Act to stay Proceedings against any Governor or other Person concerned in imposing and levying Duties in New South Wales; to continue until the 1st Day of January 1821, certain Duties, and to empower the said Governor to levy a Duty on Spirits made in the said Colony.
3 G. 4. c. 96. - -	An Act to continue until the 1st day of January 1824 an Act passed in the Fifty-ninth Year of His late Majesty relating to imposing and levying Duties in New South Wales; to authorize the imposing and levying other Duties on Goods imported into the said Colony; and to suspend for Ten Years the Payment of Duty on the Importation of certain Goods the Produce of New South Wales.
9 G. 4. c. 83. - -	An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto.
5 & 6 Vict. c. 76. -	An Act for the Government of New South Wales and Van Diemen's Land.
7 & 8 Vict. c. 72. -	An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales.
7 & 8 Vict. c. 74. -	An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land.
13 & 14 Vict. c. 59. -	An Act for the better Government of Her Majesty's Australian Colonies.

CAP. LV.

An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of *Victoria*, to establish a Constitution in and for the Colony of *Victoria*. [16th *July* 1855.]

'WHEREAS the Legislative Council of the Colony of *Victoria*, constituted and assembled by virtue 'of and under the Authority of an Act of Parliament passed in the Fourteenth Year of Her
13 & 14 Vict. c. 59. 'Majesty, Chapter Fifty-nine, intituled *An Act for the better Government of Her Majesty's* Australian 'Colonies, did, in the Year One thousand eight hundred and fifty-four, pass a Bill, intituled *An Act to* 'establish a Constitution in and for the Colony of Victoria: And whereas the said Bill was presented 'for Her Majesty's Assent to the then Lieutenant Governor of *Victoria*, and the said Lieutenant 'Governor did thereupon declare that he reserved the said Bill for the Signification of Her Majesty's 'Pleasure thereon: And whereas it is by the said reserved Bill provided, that the Provisions thereof 'shall have no Force or Effect until so much and such Parts of certain Acts of Parliament in the said 'Bill specified as severally relate to the said Colony, and are repugnant to the said reserved Bill, shall

'have

'have been repealed, and the entire Management and Control of the Waste Lands belonging to the 'Crown in the said Colony, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, 'shall be vested in the Legislature of the said Colony: And whereas it is not competent to Her Majesty 'to assent to the said reserved Bill without the Authority of Parliament for that Purpose: And whereas 'it is expedient that Her Majesty should be authorized to assent to the said reserved Bill, amended by 'the Omission of certain Provisions thereof, respecting the Assent of the Governor to the Bills which 'may be passed by the Legislative Councils and Assemblies of the said Colony, and Her Majesty's Power 'to disallow the same, and respecting the Boundaries of the *Australian* Colonies, and that so much and 'such Parts as aforesaid of the said specified Acts of Parliament, and of certain other Acts of Parlia-'ment herein-after mentioned, should thereupon be repealed, and that the entire Management and Control 'of the said Waste Lands and Proceeds should be vested in the Legislature of the said Colony: And 'whereas a Copy of the said Bill, as amended as aforesaid, is set forth in the Schedule (1.) to this Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Her Majesty to assent to Bills in Schedule.

I. It shall be lawful for Her Majesty in Council to assent to the said reserved Bill, so amended as aforesaid, and contained in the Schedule to this Act annexed, anything in the said specified Acts of Parliament, or any other Act, Law, or Usage, to the contrary in anywise notwithstanding.

So much of the Acts in Schedule (2.) to this Act as relates to the Colony of Victoria repealed.

II. From the Day of the Proclamation of this Act in the said Colony of *Victoria* (the said reserved Bill, amended as aforesaid, having been previously assented to by Her Majesty in Council as aforesaid,) so much and such Parts of the several Acts of Parliament mentioned in the Schedule (2.) to this Act as severally relate to the said Colony of *Victoria*, and are repugnant to the said reserved Bill, amended as aforesaid, shall be repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony of *Victoria*, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the Act of the Thirteenth and Fourteenth Years of Her Majesty, mentioned in the said Schedules, as relates to the Constitution, Appointment, and Powers of the Legislative Council of the said Colony of *Victoria*, shall continue in force until the First Writs shall have issued for the Election of Members to serve in the Legislative Council and House of Assembly, in pursuance to the Provisions of the said reserved Bill, amended and assented to as aforesaid, but no longer: Provided that nothing herein contained shall prevent or be construed to prevent the Fulfilment of any Contract, Promise, or Engagement made by or on behalf of Her Majesty with respect to any Lands situate within the said Colony in any Cases where such Contract, Promise, or Engagement shall have been lawfully made before the Time at which this Act shall take effect within the said Colony.

Provisions of former Acts respecting the Allowance and Disallowance of Bills preserved.

III. The Provisions of the said Act of the Fourteenth Year of Her Majesty, Chapter Fifty-nine, and of the Act of the Fifth and Sixth Years of Her Majesty, Chapter Seventy-six, "for the Government "of *New South Wales* and *Van Diemen's Land*," which relate to the giving and withholding of Her Majesty's Assent to Bills, and the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon, and the Instructions to be conveyed to Governors for their Guidance in relation to the Matters aforesaid, and the Disallowance of Bills by Her Majesty, shall apply to Bills to be passed by the Legislative Council and Assembly constituted under the said reserved Bill and this Act, and by any other Legislative Body or Bodies which may at any Time hereafter be substituted for the present Legislative Council and Assembly.

Power to repeal and alter the Provisions of the reserved Bill.

IV. It shall be lawful for the Legislature of *Victoria* to make Laws altering or repealing all or any of the Provisions of the said reserved Bill, in the same Manner as any other Laws for the good Government of the said Colony, subject, however, to the Conditions imposed by the said reserved Bill on the Alteration of the Provisions thereof in certain Particulars until and unless the said Conditions shall be repealed or altered by the Authority of the said Legislature.

Commencement of the Act.

V. This Act shall be proclaimed in *Victoria* by the Governor thereof within One Month after a Copy thereof shall have been received by such Governor, and this Act and the said reserved Bill, as amended as aforesaid, (such Bill being first assented to by Her Majesty in Council,) shall take effect in the said Colony from the Day of such Proclamation.

Interpretation of Terms.

VI. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government, and the Word "Legislature" shall include as well the Legislature to be constituted under the said reserved Bill and this Act, as any future Legislature which may be established in the said Colony under the Powers in the said reserved Bill and this Act contained.

SCHEDULES to which this Act refers.

SCHEDULE (1.)

An Act to establish a Constitution in and for the Colony of Victoria.

Preamble.

WHEREAS by an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," it was

amongst other things enacted, that, notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of the Colony of Victoria, after the Establishment therein of a Legislative Council under the said Act, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under the said Act, or otherwise concerning the Election of the Elective Members of such Legislative Council, the Qualification of Electors and Elective Members, or to establish in the said Colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such Members to be appointed or elected respectively by such Persons and in such Manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the Powers and Functions of the Legislative Council for which the same might be substituted: And whereas it is expedient to establish in the said Colony separate Legislative Houses, and to vest in them as well the Powers and Functions of the Legislative Council now subsisting as the other and additional Powers and Functions herein-after mentioned: Be it therefore enacted by His Excellency the Lieutenant Governor of the said Colony of Victoria, by and with the Advice and Consent of the Legislative Council thereof, as follows:

Separate Legislative House established.

I. There shall be established in Victoria, instead of the Legislative Council now subsisting, One Legislative Council and One Legislative Assembly, to be severally constituted in the Manner herein-after provided; and Her Majesty shall have Power, by and with the Advice and Consent of the said Council and Assembly, to make Laws in and for Victoria, in all Cases whatsoever.

Legislative Council constituted.

II. The Legislative Council of Victoria shall consist of Thirty Members, to be elected as herein-after provided; and for the Purpose of returning such Members the said Colony shall be divided into Six Electoral Provinces, the Boundaries whereof, for the Purposes of this Act, shall be taken to be those set forth in the Schedule marked E. hereunto annexed, and each such Province shall return an equal Number of Members.

Retirement of Members in rotation.

III. At the First Election of the Members of the said Council held after this Act shall have come into operation, each Province shall return the Number of Members assigned thereto in the said Schedule, and at the Expiration of Two Years from the Date of such First Election, and thenceforward at the Expiration of every succeeding Period of Two Years, One of the Members returned for each of the said Electoral Provinces respectively shall retire from the said Council, and those shall so retire who shall have been for the longest Time Members thereof without Re-election: Provided that any Member elected in the Place of a Member dying, resigning, or retiring, otherwise than by Rotation, shall hold his Seat only so long as the Member in whose Place he has been elected would have been entitled to have held the same; provided further, that of Members elected for any Province at the First Election as aforesaid, the Member who may at his Election have received the least Number of Votes shall first so retire, and in case of an Equality of Votes, or of no Polling having taken place at such Election, it shall be decided by Lot which Member shall so retire; provided also, that any Member so retiring shall, if otherwise qualified, be capable of being re-elected.

Qualification of Members.

IV. No Person shall be capable of being elected a Member of the Legislative Council who shall not be of the full Age of Thirty Years, and a natural-born Subject of the Queen, and who shall not for One Year previous to such Election have been legally or equitably seised of or entitled to an Estate of Freehold in possession, for his own Use and Benefit, in Lands and Tenements in the said Colony of Victoria of the Value of Five thousand Pounds Sterling Money, or of the annual Value of Five hundred Pounds Sterling Money, above all Charges and Incumbrances affecting the same respectively: Provided that no Judge of any Court of the said Colony appointed during good Behaviour, nor any Minister of any Religious Denomination, whatever may be his Title, Rank, or Designation, shall be capable of being elected a Member of the Legislative Council; provided further, that no Person who shall have been attainted of any Treason, or convicted of any Felony or infamous Offence, within any Part of Her Majesty's Dominions, shall be capable of being elected a Member of the Legislative Council.

Qualification of Electors.

V. Every Man of the Age of Twenty-one Years, being a natural-born Subject of Her Majesty, or being a naturalized Subject, or a legally-made Denizen of Victoria (such Naturalization or Denization having been made Three Years previous to the Date of the last Registration of Electors made in pursuance of the Provisions hereof,) and having resided in Victoria for any One Year previous to such Registration, who shall have a Freehold Estate in possession, for his own Use and Benefit, in Lands and Tenements, situate within the Electoral Province for which his Vote is to be given of the clear Value of One thousand Pounds Sterling Money, or of the clear annual Value of One hundred Pounds Sterling Money, above all Charges and Incumbrances affecting the same respectively, or shall have a Leasehold Estate in possession, situated as aforesaid, held upon a Lease whereby a Rent of One hundred Pounds or upwards shall be reserved, or of the clear annual Value of One hundred Pounds above all Charges and Outgoings, every such Lease having been granted for a Period of not less than Five Years, or who shall be resident within the Electoral Province for which his Vote is to be given, and be a Graduate of any University in the British Dominions, or a Barrister or Solicitor on the Roll of the Supreme Court of Victoria, or a legally qualified Medical Practitioner, or an officiating Minister, or an Officer or retired Officer of Her Majesty's Land or Sea Forces, except on actual Service, shall, being duly registered, be entitled to vote at the Election of a Member or Members of the Legislative Council: Provided, that no

Person

Person shall be entitled to be registered as such Elector for any Province in respect of any such Estate, Occupation, or Qualification as aforesaid, unless he shall have been seised or possessed of or occupied or held the same respectively for the Period of Twelve Calendar Months at least previous to such Registration as aforesaid; provided also, that no Person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of Treason, Felony, or other infamous Offence, in any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or have undergone the Sentence passed on him for such Offence; provided also, that no Man shall be entitled to be registered in respect of any such Estate or Occupation as aforesaid unless at the Time of such Registration of Electors he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupation, except such as shall have become payable during Three Calendar Months next before such Registration; provided further, that no Person who shall attain the Age of Twenty-one Years after the Expiration of Two Years from the passing hereof shall be entitled to be registered as aforesaid unless he shall be able to read and write.

Election of President.

VI. The Legislative Council shall, at its First Meeting, and before proceeding to the Despatch of any other Business, elect One Member of the said Council to be the President thereof; and as often as the Place of the said President shall become vacant by Death, Resignation, or Removal by a Vote of the Council or by Disallowance as herein-after mentioned, or otherwise, shall forthwith proceed to elect some other Member to be the President thereof, and the President so elected shall preside at the Meetings of the Council: Provided, that it shall be lawful for the Governor to disallow the Choice of any such President, and upon such Disallowance being signified by the Governor to the Council the Place of such President shall become vacant.

Declaration by Members.

VII. Every Member of the Legislative Council, before he shall sit or vote in the Council, after the Election of a President, shall make and subscribe a Declaration in Writing under his Hand, and deliver the same to the Clerk of the Council at the Place where and while the Council is sitting, with the President in the Chair, which Declaration shall be in the Form set forth in the Schedule hereunto annexed marked A.; and the said Declaration shall be filed and kept by the Clerk with the other Records of the Office; and every Member who shall sit or vote in the Council, after the Election of a President, before making such Declaration as aforesaid, shall be liable for every Day on which he shall so offend to pay the Sum of Two hundred Pounds, to be recovered by any Person who shall sue for the same in any Court of competent Jurisdiction.

Resignation of Members.

VIII. It shall be lawful for any Member to resign his Seat in the Legislative Council by a Letter addressed to the Governor, and from the Time when the same shall have been received by the Governor the Seat of such Member shall become vacant.

Quorum of Legislative Council.

IX. The Legislative Council shall not be competent to the Despatch of Business unless there be present, exclusive of the President, One Third at least of the Members of the said Council, or if the whole Number of Members thereof shall not be exactly divisible by Three, then such integral Number as is next greater than One Third of the Members of the said Council; and all Questions, save as herein excepted, which shall arise in the Council, shall be decided by a Majority of the Members present, other than the President, and when the Votes shall be equal the President shall have the Casting Vote.

Legislative Assembly, how constituted.

X. The Legislative Assembly of Victoria shall consist of Sixty Members, to be elected as herein-after provided; and for the Purpose of returning such Members the said Colony shall be divided into Thirty-seven Electoral Districts, the Boundaries whereof shall for the Purposes of this Act be those set forth in the Schedule hereunto annexed marked F., each of which Districts shall return the Number of Members assigned thereto in the said Schedule.

Qualification of Members.

XI. No Person shall be capable of being elected a Member of the Assembly who shall not be of the full Age of Twenty-one Years, or who shall not be a natural-born Subject of the Queen, or have been naturalized by Law for the Space of Five Years, and been resident in Victoria for the Space of Two Years previous to such Election, and who shall not be legally or equitably seised of or entitled to an Estate of Freehold in possession, for his own Use and Benefit, in Lands and Tenements in Victoria of the Value of Two thousand Pounds Sterling Money, or of the annual Value of Two hundred Pounds Sterling Money above all Charges and Incumbrances affecting the same: Provided, that no Person shall be capable of being elected a Member to serve in the Assembly who shall be a Judge of any Court of the said Colony appointed during good Behaviour, or a Minister of any Religious Denomination, whatever may be his Title, Rank, or Designation; provided further, that no Person who shall have been attainted of any Treason, or convicted of any Felony or infamous Crime, in any Part of Her Majesty's Dominions, shall be capable of being elected a Member of the said Assembly.

Qualification of Electors.

XII. Every Man of the Age of Twenty-one Years, being a natural-born Subject of Her Majesty, or being a naturalized Subject or a legally-made Denizen of Victoria, and having resided in the said Colony for any One Year previous to the Date of the last Registration of Electors, who shall have a Freehold Estate in possession, situate within the Electoral District for which his Vote is to be given, of the clear Value of Fifty Pounds Sterling Money, or of the clear annual Value of Five Pounds Sterling Money above all Charges and Incumbrances in any way affecting the same, or shall have a Leasehold Estate in possession, situate as aforesaid, of the annual Value of Ten Pounds Sterling Money above all Charges and

and Incumbrances affecting the same, or shall be a Householder within such District occupying any House, Warehouse, Counting-house, Office, Shop, or other Building or Premises of the clear annual Value of Ten Pounds Sterling Money, or shall, in consideration of any Payment to the Public Revenue, be entitled, under any Law now or hereafter to be in force, to occupy, for the Space of Twelve Months or upwards, any Portion of the Waste Lands of the Crown situate as aforesaid, or shall, being resident within the Electoral District for which his Vote is to be given, be in receipt of an annual Salary of One hundred Pounds Sterling Money, shall, being duly registered, be entitled to vote at the Election of a Member or Members of the Legislative Assembly: Provided, that no Person shall be entitled to be registered as an Elector upon the Electoral Roll of any Electoral District unless he shall have been seised or possessed of, or occupied, used, enjoyed, held, or been in receipt of the Qualification in respect whereof he shall claim to be registered for the Period of Six Calendar Months at least previous to such Registration; provided also, that no Person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of Treason, Felony, or other infamous Offence, in any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or undergone the Sentence passed on him for such Offence; provided further, that no Man shall be entitled to be registered as aforesaid in respect of such Estate or Occupation unless at the Time of such Registration he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupation, except such as shall have become payable during Three Calendar Months next before such Registration; provided lastly, that no Person who shall attain the Age of Twenty-one Years after the Expiration of Two Years from the passing hereof shall be entitled to be registered unless he shall be able to read and write.

Joint Interests.

XIII. Where any Premises are jointly owned or occupied or held upon Lease by more Persons than One, each of such Joint Owners, Occupiers, or Leaseholders shall be entitled to be registered as an Elector, and to vote at the Election of Members to serve in the Council or Assembly, as the Case may be, provided the Value of his individual Share or Interest in the said Premises would under the Provisions of this Act entitle such Owner, Occupier, or Leaseholder to be registered as such Elector, and to vote as aforesaid.

Provision as to Trustees and Mortgagees.

XIV. No Person shall be allowed to have any Vote in the Election of a Member of the Council or Assembly for or by reason of any Trust Estate or Mortgage, unless such Trustee or Mortgagee be in actual Possession or Receipt of the Rents and Profits of the same Estate, but the Mortgagor or Cestuique Trust in possession shall and may vote for the same Estate, notwithstanding such Mortgage or Trust.

What to be a Charge or Incumbrance.

XV. No public Tax, Rate, or Charge shall be deemed to be any Charge or Incumbrance on Lands within the Meaning of this Act.

Members of Council incapable of being Members of Assembly, and vice versâ.

XVI. No Person, being a Member of the Council, shall be capable of being elected or of sitting or voting as a Member of the Assembly, nor shall any Person being a Member of the said Assembly be capable of being elected or of sitting or voting as a Member of the said Council.

Persons becoming incapable.

XVII. If any Member of the Legislative Council or the Legislative Assembly shall accept of any Office of Profit under the Crown during Pleasure, his Seat shall thereupon become vacant, but such Person shall, if otherwise duly qualified, be capable of being re-elected.

Who are to be responsible Officers.

XVIII. Of the following Officers of Government for the Time being, that is to say, the Colonial Secretary or Chief Secretary, Attorney General, Colonial Treasurer or Treasurer Commissioner of Public Works, Collector of Customs or Commissioner of Trade and Customs, Surveyor General or Commissioner of Crown Lands and Survey, and Solicitor General, or the Persons for the Time being holding those Offices, Four at least shall be Members of the Council or Assembly.

Duration of Assembly.

XIX. Every Assembly hereafter to be summoned and chosen shall continue for Five Years from the Day of the Return of the Writs for choosing the same, and no longer, subject nevertheless to be sooner dissolved by the Governor.

Election of Speaker.

XX. The Legislative Assembly of Victoria shall, at its First Meeting after every General Election, and before proceeding to the Despatch of any other Business, elect a Member of such Assembly to be Speaker, and in case of his Death, Resignation, or Removal by a Vote of the Assembly, shall forthwith proceed to elect some other Member to be Speaker; and the Speaker so elected shall preside at the Meetings of the Assembly, except as may be provided by the Standing Rules and Orders hereby authorized to be made.

Quorum of Assembly.

XXI. The Legislative Assembly shall not be competent to the Despatch of Business unless there be present, exclusive of the Speaker, Twenty Members thereof; and all Questions, save as herein excepted, which shall arise in the Assembly, shall be decided by the Majority of Members present, other than the Speaker, and when the Votes shall be equal the Speaker shall have the Casting Vote.

Quorum of Houses may act, though Election may have failed.

XXII. No Omission or Failure to elect a Member or Members in or for any Electoral Province or District, nor the vacating the Seat or avoiding the Election of any such Member or Members, shall be deemed or taken to make either the Legislative Council or the Legislative Assembly, as the Case may be, incomplete, or to invalidate any Proceedings thereof, or to prevent such Council or Assembly from meeting, and despatching Business, so long as there shall be a Quorum of Members present.

XXIII. It

XXIII. It shall be lawful for any Member to resign his Seat in the Legislative Assembly by Writing under his Hand addressed to the Speaker, and from the Time when the same shall have been received by the Speaker the Seat of such Member shall become vacant. Resignation of Members.

XXIV. If any Member of the Legislative Council or Legislative Assembly shall, for One entire Session thereof, without the Permission of the said Council or Assembly, as the Case may be, fail to give his Attendance in such Council or Assembly, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or shall become bankrupt or an Insolvent Debtor, within the Meaning of the Laws in force within Victoria relating to Bankrupts or Insolvent Debtors, or shall become a Public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, or become non compos mentis, his Seat in the said Council or Assembly, as the Case may be, shall thereby become vacant. Seat, how vacated.

XXV. Any Person who shall, directly or indirectly, himself, or by any Person whosoever in trust for him or for his Use or Benefit or on his Account, undertake, execute, hold, or enjoy, in the whole or in part, any Contract or Agreement for or on account of the Public Service, shall be incapable of being elected or of sitting or voting as a Member of the Council or Assembly during the Time he shall execute, hold, or enjoy any such Contract, or any Part or Share thereof, or any Benefit or Emolument arising from the same: Provided, that nothing herein contained shall extend to any Contract or Agreement made, entered into, or accepted by any Company or Association consisting of more than Twelve Persons, where such Contract or Agreement shall be made, entered into, or accepted for the general Benefit of such Company or Association; provided also, that if any Member of the Council or Assembly shall enter into any such Contract or Agreement his Seat shall be declared by the said Council or Assembly respectively to be and shall thereupon become void. Public Contractors incapable.

XXVI. If any Person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly be elected and returned as a Member to serve in the said Council or Assembly, such Election and Return may be declared by the said Council or Assembly, as the Case may be, to be void, and thereupon the same shall become void to all Intents and Purposes; and if any Person so elected and returned contrary to the Provisions of this Act shall sit or vote as Member of the said Council or Assembly, he shall be liable to pay the Sum of Two hundred Pounds, to be recovered by any Person who shall sue for the same in any Court of the said Colony having competent Jurisdiction. Effects of Incapacity.

XXVII. The Legislature of Victoria in existence at the Time of the Proclamation of this Act, as herein-after mentioned, shall, by an Act or Acts to be for that Purpose made and passed in the Manner and subject to the Conditions required in respect of any Act or Acts made or passed by such Legislature, make all necessary Provision for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections of Members to serve in the said Council and Assembly respectively, and for the Registration of such Persons, and for the appointing of Returning Officers at such Elections, and for the issuing, executing, and returning the necessary Writs for the same, and generally for declaring and filling up all Vacancies in such Council and Assembly respectively, and for regulating the Proceedings and taking the Poll at all such Elections, and for determining the Validity of all disputed Returns and Elections, and otherwise for ensuring the orderly, effective, and impartial Conduct of all such Elections. Power for existing Legislature to make Provision for regulating Elections, &c.

XXVIII. It shall be lawful for the Governor to fix such Places within Victoria, and, subject to the Limitation herein contained, such Times for holding the First and every other Session of the Council and Assembly, and to vary and alter the same respectively in such Manner as he may think fit, and also from Time to Time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: Provided, that nothing herein contained shall empower the Governor to dissolve the Council. Convocation, Prorogation, and Dissolution.

XXIX. There shall be a Session of the Council and Assembly of Victoria once at least in every Year, so that a Period of Twelve Calendar Months shall not intervene between the last Sitting of the Council and Assembly in one Session and the First Sitting of the Council and Assembly in the next Session. Sessions of Council and Assembly.

XXX. The First Writs for the Election of Members of the Council and Assembly respectively shall issue at some Period not later than Twelve Calendar Months after the Proclamation of this Act within Victoria. Time of First Election.

XXXI. Every Member of the Legislative Assembly shall, after the Election of the Speaker, before he shall sit or vote in such Assembly, make and subscribe a Declaration in Writing under his Hand, and deliver the same to the Clerk of the Assembly at the Place where and while the House is sitting, with the Speaker in the Chair, which Declaration shall be in the Form set forth in the Schedule hereunto annexed marked B., and the said Declaration shall be filed and kept by the Clerk with the other Records of the Office; and every Member who shall sit or vote in the said Assembly after the Election of a Speaker, before making such Declaration as aforesaid, shall be liable for every Day on which he shall so offend to a Penalty of Two hundred Pounds. Declaration by Members.

XXXII. No Member either of the Council or of the Assembly shall be permitted to sit or vote therein respectively until he shall have taken and subscribed before the Governor, or before some Person authorized by the Governor in that Behalf, the Oath set forth in the Schedule hereunto annexed marked Oath of Allegiance.

marked C.; and every Person authorized by Law to make an Affirmation instead of making an Oath may make such Affirmation in every Case in which an Oath is herein required to be taken.

False Declaration.

XXXIII. If any Member either of the Council or Assembly shall knowingly and wilfully make a false Declaration respecting his Qualification as aforesaid, such Person shall be deemed to be guilty of a Misdemeanor, and, being thereof lawfully convicted, shall suffer the like Pains and Penalties as by Law are incurred by Persons guilty of wilful and corrupt Perjury.

Standing Rules and Orders.

XXXIV. The Legislative Council and Legislative Assembly, in the First Session of each respectively, and from Time to Time afterwards as there shall be Occasion, shall prepare and adopt Standing Rules and Orders for providing for the Manner in which such Council and Assembly shall be presided over in case of the Absence of the President or Speaker respectively, and for the Mode in which such Council and Assembly shall communicate, and for the proper passing, intituling, and numbering of the Bills to be introduced into and passed by the said Council and Assembly, and for the proper Presentation of the same to the Governor for Her Majesty's Assent, and for the Consideration of all Amendments proposed to be made by the Governor, as herein mentioned, and for the due Publication of all proposed Proceedings in such Council and Assembly, and generally for the Conduct of all Business and Proceedings in the said Council and Assembly severally and collectively, all which Rules and Orders shall by such Council and Assembly respectively be laid before the Governor, and being by him approved shall become binding and of Force; and until such Standing Rules and Orders shall be adopted, Resort shall be had to the Rules, Forms, and Usages of the Imperial Parliament of Great Britain and Ireland, which shall be followed, so far as the same may be applicable to the Proceedings of the said Council and Assembly respectively: Provided, that no Standing Rule or Order which shall affect the Communication between the said Council and Assembly, or the Proceedings of the said Council and Assembly collectively, shall be of any Force unless the same shall have been adopted both by the said Council and Assembly.

Privileges of Legislature.

XXXV. It shall be lawful for the Legislature of Victoria, by any Act or Acts to define the Privileges, Immunities, and Powers to be held, enjoyed, and exercised by the Council and Assembly, and by the Members thereof respectively: Provided, that no such Privileges, Immunities, or Powers shall exceed those now held, enjoyed, and exercised by the Commons House of Parliament or the Members thereof.

Governor's Message.

XXXVI. It shall be lawful for the Governor to transmit by Message to the Council or Assembly for their Consideration any Amendment which he shall desire to be made in any Bill presented to him for Her Majesty's Assent; and all such Amendments shall be taken into consideration in such convenient Manner as shall by the Rules and Orders aforesaid be in that Behalf provided.

Appointment to Public Offices.

XXXVII. The Appointment to Public Offices under the Government of Victoria, hereafter to become vacant or to be created, whether such Offices be salaried or not, shall be vested in the Governor, with the Advice of the Executive Council, with the Exception of the Appointments of the Officers liable to retire from Office on political Grounds, which Appointments shall be vested in the Governor alone.

Commissions of Judges.

XXXVIII. The Commissions of the present Judges of the Supreme Court and all future Judges thereof shall be, continue, and remain in full Force during their good Behaviour, notwithstanding the Demise of Her Majesty or of Her Heirs and Successors, any Law, Usage, or Practice to the contrary hereof in anywise notwithstanding: Provided always, that it may be lawful for the Governor to remove any such Judge or Judges, upon the Address of both Houses of the Legislature.

Salaries of Judges.

XXXIX. Such Salaries as are settled upon the Judges for the Time being by Act of Parliament or otherwise, and all such Salaries as shall or may be in future granted by Her Majesty, Her Heirs and Successors, or otherwise, to any future Judges of the said Supreme Court, shall in all Time coming be paid and payable to every such Judge for the Time being so long as his Patent or Commission shall continue and remain in force.

Existing Laws.

XL. All Laws and Statutes which at the Time of the passing of this Act shall be in force within Victoria shall remain and continue to be of the same Force, Authority, and Effect as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter, by virtue and under the Authority of this Act, be repealed or varied by any Act or Acts of the Legislature of Victoria.

Existing Courts and Offices.

XLI. All the Courts of Civil and Criminal Jurisdiction within Victoria, and all Charters, legal Commissions, Powers, and Authorities, and all Offices, judicial, administrative, or ministerial, therein respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the Provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature, shall continue to subsist in the same Form and with the same Effect as if this Act had not been made.

Certain Duties may not be levied.

XLII. It shall not be lawful for the Legislature of Victoria to levy any Duty on Articles imported bonâ fide for the Supply of Her Majesty's Land or Sea Forces, nor to levy any Duty, impose any Prohibition or Restriction, or grant any Exemption, Bounty, Drawback, or other Privilege upon the Importation or Exportation of any Articles, nor to impose or enforce any Dues or Charges upon Shipping, contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power.

Powers to levy Duties of Customs.

XLIII. Subject to the Provisions of this Act, and notwithstanding any Act of Parliament now in force to the contrary, it shall be lawful for the Legislature to impose and levy such Duties of Customs as to them may seem fit on the Exportation from or Importation into Victoria of any Goods, Wares, and Merchandise

Merchandise whatsoever, whether the Produce of or imported from the United Kingdom, or any of the Colonies or Dependencies of the United Kingdom, or any Foreign Country: Provided always, that no new Duty shall be so imposed upon the Importation into Victoria of any Article the Produce or Manufacture of or imported from any particular Country or Place which shall not be equally imposed on the Importation into Victoria of the like Article the Produce or Manufacture of or imported from all other Countries and Places whatsoever. Proviso.

XLIV. All Taxes, Imposts, Rates, and Duties, and all territorial, casual, and other Revenues of the Crown, (including Royalties,) from whatever Source arising, within the Colony of Victoria, or over which the present or any future Legislature has or may have Power of Appropriation, shall form One Consolidated Revenue, to be appropriated for the Public Service of the Colony of Victoria, in the Manner and subject to the Charges herein-after mentioned. Consolidated Revenues.

XLV. The Consolidated Revenue of Victoria shall be permanently charged with all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expenses being subject, nevertheless, to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature. Charges of Collection and Management.

XLVI. There shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the Consolidated Revenue of Victoria, the several Sums not exceeding in the whole One hundred and twelve thousand seven hundred and fifty Pounds, for defraying the Expense of the several Services and Purposes named in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Parts of the Schedule to this Act annexed marked D., and the said Sums shall be issued by the Treasury of Victoria in discharge of such Warrants as shall be from Time to Time directed to him under the Hand of the Governor, and the said Treasurer shall account to Her Majesty for the same through the Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her Majesty shall be graciously pleased to direct; and Accounts in detail of the Expenditure of the several Sums expended under the Authority of this Act shall be laid before the Legislative Houses of Victoria within Thirty Days from the Beginning of the Session next after the Termination of the Year in which such Expenditure shall have been made. Civil List.

XLVII. The said several Sums mentioned in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Parts of the said Schedule D. shall be accepted and taken by Her Majesty, Her Heirs and Successors, by way of Civil List, instead of all territorial, casual, and other Revenues of the Crown (including all Royalties), from whatever Source arising, within Victoria, and to the Disposal of which the Crown may be entitled, either absolutely or conditionally, or otherwise howsoever. Civil List to be in lieu of Crown Revenues.

XLVIII. It shall be lawful for the Governor to abolish any of the Offices named in the Third and Fourth Parts of the said Schedule, or to apply the Sums thereby appropriated to such other Purposes connected with the Administration of the Government of Victoria as to Her Majesty, Her Heirs and Successors, shall seem fit. Governor may abolish certain Offices.

XLIX. Not more than Four thousand Pounds shall be payable at the same Time for Pensions to the Judges of the Supreme Court out of the Sums set apart for such Pensions in the Fifth Part of the said Schedule: Provided, that all such Pensions shall be granted in accordance with Regulations to be framed by the Governor and Executive Council, so that the same shall, as far as may be, accord with the Act of the Imperial Parliament regulating the Pensions of the Judges of the United Kingdom. Pensions to Judges.

L. Not more than Five thousand two hundred and fifty Pounds shall be payable in the whole by way of Pension or Retiring Allowance to the Persons holding any of the Offices mentioned in the Sixth Part of the said Schedule D. at the Time of this Act coming into operation, who on political Grounds may retire or be released from any such Office, or whose Office may be abolished after the Time aforesaid; and upon the Retirement or Release from Office of any of such Persons mentioned in the said Sixth Part, or the Abolition of any such Office, he shall be entitled by way of Pension or Retiring Allowance to Three Fourths of the Salary granted to him, in accordance with the Appropriation Act for the Service of the Year One thousand eight hundred and fifty-three, if he shall have held any Office for Ten Years and upwards, and Two Thirds of such Salaries if he shall have held Office for a less Period: Provided, that, if after the Assignment of any such Pension or Retiring Allowance any such Officer shall accept any new Appointment under the Crown within Victoria or elsewhere, his Pension or Retiring Allowance shall during the Tenure of such Appointment merge or be reduced pro tanto according as the Salary or Emoluments of any such new Appointment are in Amount equal to or less than the Pension or Retiring Allowance of such Officer. Pensions to present Incumbents of Office. Proviso.

LI. Not more than Four thousand Pounds shall be payable in the whole by way of Pensions or Retiring Allowance to the Persons who may, after the Time this Act shall come into operation, accept any of the Offices mentioned in the said Schedule D., Part 3., and who on political Grounds may retire or be released from any such Office: Provided, that no Person shall be entitled to receive any Pension or Retiring Allowance both under this and the preceding Clause: Provided, that the Amount of all such Pensions and Retiring Allowances shall be granted in accordance with Regulations to be framed by the Governor and Executive Council, so that the same shall, so far as may be, accord with the Provisions of the Act of the Parliament of Great Britain and Ireland, passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to alter, amend, Pensions to responsible Officers.

" and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to " Persons in respect to their having held Civil Offices in His Majesty's Service :" Provided also, that if after the Assignment of any such Pension or Retiring Allowance to any Person he shall accept any new Appointment under the Crown, either in Victoria or elsewhere, the Pension or Retiring Allowance of such Officer shall, during the Tenure of such Appointment, merge or be reduced pro tanto according as the Salary or Emolument of any such new Appointment is in Amount equal to or less than the Pension or Retiring Allowance of such Officer : Provided further, that if any such Officer shall be absent from the Colony for more than Two Years, unless he shall be of the full Age of Sixty Years, his Pension shall cease and determine : Provided lastly, that the Amount accumulating from any unexpended or unappropriated Parts of the said Sums mentioned in the Fifth and Seventh Parts of the said Schedule D. shall in no case exceed the Sum of Ten thousand Pounds on each, and that any Balance above that Amount on either of the said Fifth or Seventh Parts shall revert to the Consolidated Revenue of Victoria.

List of Pensions, &c.

LII. A List of all Pensions granted under this Act, and of the Persons to whom the same shall have been granted, shall be laid in every Year before both Legislative Houses of the said Colony.

Money for Purposes of Religion.

LIII. For the Advancement of the Christian Religion in Victoria, the Sum of Fifty thousand Pounds shall be reserved on the Eighth Part of the said Schedule to promote the Erection of Buildings for Public Worship, and the Maintenance of Ministers of Religion ; and such Sum shall be apportioned to each Denomination according to the relative Proportion of the Members of such Denomination by the last Census ; every such Apportionment to be made under Regulations to be framed by the Governor and Executive Council, and submitted to both the Legislative Houses : Provided, that no Monies exceeding in the aggregate the Sum of Twenty-five thousand Pounds shall be issued in any One Year in aid of the Stipends of Ministers of Religion.

Waste Lands of the Crown.

LIV. Subject to the Provisions herein contained, it shall be lawful for the Legislature of Victoria to make Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown within the said Colony, and of all Mines and Minerals therein.

Power to appropriate Consolidated Revenue.

LV. After and subject to the Payments to be made under the Provisions herein-before contained, and to any Pensions now payable and received under the Act firstly herein-before recited, and the Schedule thereunto annexed marked B., all the Consolidated Revenue arising from Taxes, Duties, Rates, and Imposts levied by virtue of any Act of the Legislature, and from the Disposal of the Waste Lands of the Crown under any such Act made in pursuance of the Authority herein contained, shall be subject to be appropriated to such specific Purposes as by any Act of the said Legislature shall be provided in that Behalf : Provided, that the Consolidation of the Revenues shall not affect the Payment of the annual Interest or the Principal Sums mentioned in any outstanding Debentures or other Charge upon the territorial Revenue as such Interest, Principal, or other Charge severally becomes due, nor shall such Consolidation affect the Payment of any Sums heretofore charged upon the Taxes, Duties, Rates, and Imposts now raised, levied, and collected, or to be raised, levied, and collected, to and for the Use of the Colony, for such Time as shall have been appointed by any Acts of the Legislature by which any such Charge was authorized.

Appropriation Bills.

LVI. All Bills for appropriating any Part of the Revenue of Victoria, and for imposing any Duty, Rate, Tax, Rent, Return, or Impost, shall originate in the Assembly, and may be rejected but not altered by the Council.

Appropriation to be in pursuance of Message.

LVII. It shall not be lawful for the Legislative Assembly to originate or pass any Vote, Resolution, or Bill, for the Appropriation of any Part of the said Consolidated Revenue Fund, or of any other Duty, Rate, Tax, Rent, Return, or Impost, for any Purpose which shall not have been first recommended by a Message of the Governor to the Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

Warrants for Issue of Money.

LVIII. No Part of Her Majesty's Revenue in Victoria, arising from any of the Sources aforesaid shall be issued, or shall be made issuable, except in pursuance of Warrants under the Hand of the Governor, directed to the Public Treasurer thereof.

Proclamation of this Act.

LIX. This Act shall be proclaimed in Victoria within Three Months after official Information of the Royal Assent thereto shall have been received by the Governor thereof, and, save as herein expressly provided, shall take effect in Victoria from the Day of such Proclamation.

Power for Legislature to alter this Act.

LX. The Legislature of Victoria, as constituted by this Act, shall have full Power and Authority from Time to Time, by any Act or Acts, to repeal, alter, or vary all or any of the Provisions of this Act, and to substitute others in lieu thereof : Provided, that it shall not be lawful to present to the Governor of said Colony for Her Majesty's Assent any Bill by which an Alteration in the Constitution of the said Legislative Council, or Legislative Assembly, or in the said Schedule hereunto annexed marked D., may be made, unless the Second and Third Readings of such Bill shall have been passed with the Concurrence of an absolute Majority of the whole Number of the Members of the Legislative Council and of the Legislative Assembly respectively : Provided also, that every Bill which shall be so passed shall be reserved for the Signification of Her Majesty's Pleasure thereon.

Power to alter Electoral Act.

LXI. Notwithstanding anything herein contained, it shall be lawful for the said Legislature from Time to Time, by any Act or Acts, to alter the Qualifications of Electors and Members of the Legislative Council and Legislative Assembly respectively, and to establish new Electoral Provinces or Districts, and

and from Time to Time to vary or alter any Electoral Province or District, and to appoint, alter, or increase the Number of Members of the Legislative Houses to be chosen by any Electoral Province or District, and to increase the whole Number of Members of the said Legislative Houses, and to alter and regulate the Appointment of Returning Officers, and to make Provision in such Manner as they may deem expedient for the Issue and Return of Writs for the Election of Members to serve in the said Legislative Houses respectively, and the Time, Place, and Manner of holding such Elections respectively.

Interpretation Clause.

LXII. In the Construction of the Provisions of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of the Colony of Victoria; the Word "Victoria" shall mean the Colony of Victoria; the Words "officiating Minister" shall be taken to mean any Minister of Religion authorized according to the Forms and Usages of any Church, Religious Society or Denomination, to officiate and officiating in any Building registered according to the Law now in force in the said Colony as a Place of Public Worship; the Word "occupy" shall include the Occupation of or mining in any Lands, or the Right, Power, or Authority to enter on any Lands for the Purpose of mining therein; the Word "Council" shall mean the Legislative Council of the said Colony of Victoria; and the Word "Assembly" shall mean the Legislative Assembly of the said Colony.

This Act not to be in force until the Repeal of the Acts herein mentioned.

LXIII. The foregoing Provisions of this Act shall have no Force or Effect until so much and such Parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled, "An Act to provide for the "Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual "Government thereof, and for other Purposes relating thereto;" and of another Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for regulating the Sale of "Waste Land belonging to the Crown in the Australian Colonies;" and of another Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for the Government of New "South Wales and Van Diemen's Land;" and of another Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act to clear up Doubts as to the Regulation and "Audit of the Accounts of the Customs in New South Wales;" and of another passed in the same Years, intituled "An Act to explain and amend the Act for the Government of New South Wales and Van "Diemen's Land;" and of another Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled "An Act to amend an Act for regulating the Sale of Waste Land belonging "to the Crown in the Australian Colonies, and to make further Provision for the Management thereof;" and of another Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," and the First, Second, and Third Parts of the Schedule B. therein referred to, as severally relate to the Colony of Victoria, and are repugnant to this Act, shall have been repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the said last-mentioned Act as relates to the Constitution, Appointment, and Powers of the Legislative Council of the said Colony of Victoria shall continue in force until the First Writs shall have issued for the Election of Members to serve in the Legislative Council and House of Assembly, in pursuance to the Provisions hereof, but no longer: Provided, that nothing herein contained shall prevent or be construed to prevent the Fulfilment of any Contract, Promise, or Engagement made by or on Behalf of Her Majesty, with respect to any Lands situate within the said Colony, in any Cases where such Contract, Promise, or Engagement shall have been lawfully made before the Time at which this Act shall take effect within the said Colony.

5 & 6 Vict. c. 76. 7 & 8 Vict. c. 72. 7 & 8 Vict. c. 74. 9 & 10 Vict. c. 104. 13 & 14 Vict. c. 59.

9 Geo. 4. c. 83. 5 & 6 Vict. c. 36.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

I, do declare and testify, that I am duly seised at Law or in Equity of an Estate of Freehold for my own Use and Benefit, in Lands or Tenements, in the Colony of Victoria, of the Value of Pounds Sterling Money, above all Charges and Incumbrances affecting the same; and further, that the Lands or Tenements out of which such Qualification arises are situate in the Parish of in the County of or reputed County of the Description of which Lands and Tenements are as follow:

And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands or Tenements, or any Part thereof, for the Purpose of enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

SCHEDULE B.

I, A. B., do declare and testify, that I am duly seised at Law or in Equity of an Estate of Freehold for my own Use and Benefit, in Lands or Tenements in the Colony of Victoria, of the Value

Value of Pounds Sterling Money, above all Charges and Incumbrances affecting the same; and further, that the Lands or Tenements out of which such Qualification arises are situate in the Parish of , in the County or reputed County of , the Descriptions of which Lands and Tenements are as follow:

And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any Part thereof, for the Purpose of qualifying or enabling me to be returned a Member of the Legislative Assembly of the Colony of Victoria.

SCHEDULE C.

I do sincerely promise and swear, that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of Victoria. So help me GOD.

SCHEDULE D.

PART 1.

	£
Governor's Salary	10,000
Salaries of Staff, Repairs to Government House, travelling and other Expenses	5,000
	£15,000

PART 2.

Chief Justice	3,000
Three Puisne Judges, at 2,500*l.* each	7,500
Master in Equity	1,500
	£12,000

PART 3.

Colonial Secretary or Chief Secretary	2,500
Attorney General, Treasurer, Commissioner of Public Works, Collector of Customs or Commissioner of Trade and Customs, Surveyor General or Commissioner of Crown Lands and Survey, 2,000*l.* each	10,000
Solicitor General	1,500
	£14,000

PART 4.

Clerk and Expenses of the Executive Council	1,500
Clerk and Expenses of the Legislative Council	5,000
Auditor General	2,000
	£8,500

PART 5.

Pensions to Officers appointed during good Behaviour	£4,000

PART 6.

Compensation to the present Incumbents who may retire or be released on political Grounds from any of the following Offices, or whose Offices may be abolished:

The Colonial Secretary,
The Attorney General,
The Colonial Treasurer,
The Collector of Customs,
The Solicitor General,
The Surveyor General, £5,250

PART 7.

Pensions to Persons who may accept responsible Offices, and retire or be released therefrom on political Grounds	£4,000

PART 8.

Public Worship	£50,000
Total	£112,750

SCHE-

Victoria Government.

SCHEDULE E.

BOUNDARIES OF THE ELECTORAL PROVINCES OF THE LEGISLATIVE COUNCIL.

1. Central Province.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

Commencing at a Point on the Coast of Port Phillip Bay, which is the South-eastern Corner of Portion A in Section No. 3, Parish of Cut-paw-paw, bounded on the West by the Section Line bearing due North as far as the North-eastern Corner of Section of No. 16, thence by a Road also bearing North to the North-west Corner of Portion 4 in Section No. 21; on the North by a Road running East from last-mentioned Point to the Salt-water River; thence by a Continuation of said Road to the South-west Corner of Portion 9 in Section No. 5, in the Parish of Doutta Galla; thence by the sectional Line bearing due East, crossing the Moonee Ponds, the Main Road to Sydney, and the Merri Creek, which sectional Line forms the Southern Boundaries of Portions 91, 90, and 89, in the Parish of Jika Jika, as far as the South-east Corner of Portion 89 aforesaid; on the East by the sectional Line bearing South from the said Point in Portion 89 to the South-western Corner of Portion 113, where it strikes the River Yarra Yarra; again on the North by the said River Yarra Yarra to the North-western Corner of Portion 59, in the Parish of Boroondara; thence on the East by the Western Boundary of the said Portion 59 till it strikes the Road running due South to the Yarra Yarra River; thence by the said Road to the Yarra Yarra River; by the Course of the said River to the North-eastern Corner of Portion No. 18 in the Parish of Prahran; thence again on the East by a Road bearing due South from the last-mentioned Point to the South-eastern Corner of Portion No. 32, East of Elsternwick; on the South by a Road bearing West from the last-mentioned Point till it strikes the Sea Coast; thence by the Line of Sea Coast crossing the Mouth of the said Yarra Yarra River to the Point of Commencement — Five.

2. South Province.

Including Part of County Bourke and the Counties Evelyn and Mornington.

Part of Bourke:—Bounded on the South-west and West by the Werribee River to its Source in the great dividing Range; on the North by the great dividing Range from the Source of the Werribee River to that of the Plenty River; on the East by the Plenty River from its Source to its Confluence with the Yarra Yarra, thence by the Yarra Yarra River upwards to the Confluence of the Deep Creek, thence by the Deep Creek upwards to the Point where the Main Stream commences to run in a North-easterly Direction, thence by a Line South Two Miles Fifty-eight Chains from the aforesaid Bend to Dandenong Creek, thence by that Creek downward to the Carrum Swamp; on the South by the Carrum Swamp and Mordialloc Creek to its Embouchure at the Long Beach below Ben Ben Gin, and on the Remainder of the South by the Shores of Port Phillip Bay to the Mouth of the Werribee River aforesaid, excluding the Country comprised within the Boundaries of the Central Province.

Evelyn:—Bounded on the West by Part of the Eastern Boundary of the County of Bourke, namely, first by the River Plenty from its Source to the River Yarra Yarra, thence by the River Yarra upwards to the Confluence of the Deep Creek, thence by that Creek upwards to the Range between the Yarra Yarra and the Dandenong Creek; on the South-east and North by the Range forming the Basin of the River Yarra Yarra.

Mornington:—Bounded on the North by Part of the Southern Boundary of the County of Evelyn, being the dividing Range from the Source of the Buneep Buneep River to the Head of the Deep Creek, thence by that Creek to the Point where the main Stream commences to run in a North-west Direction; on the West by a Line South Two Miles Fifty-eight Chains from the aforesaid Bend to Dandenong Creek, thence by that Creek downwards to the Carrum Swamp, by that Swamp and the Mordialloc Creek to its Embouchure at the Long Beach below Ben Ben Gin, thence by the Shores of Port Phillip Bay to Point Nepean; on the South-west and South, by the Sea Coast from Point Nepean to Cape Patterson; and on the East by a Line North from Cape Patterson to the Warringrin Range, thence along the said Range in a northerly Direction to the North of the Buneep Buneep River, and by that River to its Source in the dividing Range, including French and Phillip Island and the small Islands in Western Port Bay — Five.

3. South-western Province.

Including the Counties of Grant, Grenville, and Polwarth.

Grant:—Bounded on the East by the Western Boundary of the County of Bourke, being the Werribee River from its Mouth to its Source in the great dividing Range; on the North by the great dividing Range, extending from the Source of the Werribee River to that of the Yarrowee River; on the West and South-west by the Yarrowee River to its

its Confluence with the Barwon River, thence by the Barwon River upwards to a Creek in H. Hopkins' purchased Land, by this Creek upwards and a Line bearing South-east across the dividing Range to the Head of the Salt Creek, Two Miles Forty-eight Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; on the South by the Sea Coast, and on the Remainder of the East by the Waters of Port Phillip to the Mouth of the Werribee River, including the small Islands near the Channels at the Mouth of Port Phillip and those of Geelong Bay.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

GRENVILLE:—Bounded on the West by the Eastern Boundary of the County of Hampden, namely, a Line southerly from Emu Creek to Gnarkeet Ponds, thence by the Gnarkeet Ponds to Lake Korangamite, thence by the Western Shore of that Lake to a Point East of Lake Pormbeet; on the South by Part of the Northern Boundary of the County of Heytesbury and the Northern Boundary of the County of Polwarth, namely, the Southern Shore of Lake Korangamite, thence an East Line from Lake Korangamite to the North End of Lake Colac, thence by the North Shore of Lake Colac to the Point due West from the Source of Birregurra Creek, and from that Point by a Line East to the Source of Birregurra Creek, thence by that Creek downwards to its Confluence with the Barwon; on the East by the River Barwon to its Confluence with the Yarrowee River, thence by the Yarrowee River up to its Source in the great dividing Range; and on the North by Part of the great dividing Range to the Source of Burrambeet Creek, thence by that Creek and the Southern Shores of Lake Burrambeet to the Point where Bailie's Creek leaves the Lake, by Bailie's Creek to its Confluence with Emu Creek, thence by Emu Creek down to the Point North of the Source of Gnarkeet Ponds aforesaid.

POLWARTH:—Bounded on the West by the Eastern Boundary of the County of Heytesbury, namely, the Gellibrand River upwards to its Source, thence by the Range to the Head of the Pirron Yalloak Creek, by this Creek to Lake Korangamite; on the North by the South-eastern Shore of Lake Korangamite, and an East Line from Lake Korangamite to the North End of Lake Colac; thence by the North Shore of Lake Colac to the Point due West from the Source of the Birregurra Creek, from that Point by a Line East to the Source of the Birregurra Creek; thence by the Birregurra Creek to its Confluence with the River Barwon, thence following the Source of the River Barwon to a Creek in H. Hopkins's purchased Land; on the North-east by this Creek upwards, and a Line across the dividing Range to the Head of the Salt Creek, bearing South-east Two Miles Forty Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; and on the South-east and South by the Sea Coast to the Mouth of the Gellibrand River — Five.

4. WESTERN PROVINCE.

Including the Counties of Ripon, Hampden, Heytesbury, Villiers, Normanby, Dundas, and Follet.

RIPON:—Bounded on the West by the Grampian Range (which divides the Waters of the Wimmera and Glenelg Rivers from those of the River Hopkins) to the rocky Extremity near Mount Abrupt; on the South by a Line easterly to the Source of the First Creek which joins the River Hopkins above Wiselaskie's Station on the Western Side, and by that Creek to the River Hopkins, thence by a Line East to Lake Boloke, thence by the Southern Shores of Lake Boloke to the Mouth of the Prackmingerrin Creek, and by that Creek upwards to a Point where a great Bend of the Creek turns Northward, thence by a Line to a Point in Emu Creek about One Mile below, and to the West of the Confluence of Broken Creek; on the South-east and East by Emu Creek to the Confluence with Bailie's Creek, by Bailie's Creek to Lake Burrumbeet, the Southern Shores of Lake Burrumbeet and Burrumbeet Creek to its Source in the great dividing Range; and on the North by the great dividing Range to the Western Boundary aforesaid.

HAMPDEN:—Bounded on the West by the River Hopkins upwards, from the Confluence of the Emu Creek to the Point opposite the Mouth of the small Creek above Wiselaskie's Station, dividing it from the County of Villiers; on the North by the Southern Boundary of the County of Ripon, being a Line East from the Confluence of the Creek near Wiselaskie's Station already mentioned to Lake Boloke, then by the Southern Shore of Lake Boloke to the Mouth of the Prackmingerrin Creek, then by that Creek upwards until it reaches a Spot where it forms a great Bend to the Northward, from that Point by a Line in a South-easterly Direction to Emu Creek about One Mile below, and Westward of, the Mouth of Broken Creek, thence by Emu Creek to the Point North of the Source of Gnarkeet Ponds; then on the East by the West Boundary of the County of Grenville, viz.:—First, by a Line southerly to the Source of Gnarkeet Ponds, then by Gnarkeet Ponds to Lake Korangamite, and thence by the West Shore of Lake Korangamite to a Point East of Lake Pormbeet; and on the South by a direct Line to the North End of Lake Pormbeet, and from the North End of Lake Pormbeet to the nearest Part of Emu Creek, and thence by Emu Creek to its Confluence with the River Hopkins.

HEYTESBURY:

Victoria Government.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

HEYTESBURY:—Bounded on the North-west and North by Part of the Eastern Boundary of the County of Villiers and the Southern Boundary of the County of Hampden, being the Hopkins River from its Estuary to the Confluence of the Emu Creek, and a Line easterly to the North End of Lake Burrumbeet, thence by a Line East to Lake Korangamite, by the Southern Shore of that Lake to the Mouth of the Pirron Yalloak Creek; on the East and South-east by the Pirron Yalloak Creek to its Source, thence by a Range to the Head of the Gellibrand River, by the Gellibrand River to the Sea Coast; and on the South-west and West by the Sea Coast to the Estuary of the Hopkins River.

VILLIERS:—Bounded on the West by a Line due South from the Grange Burn to the Mouth of the Swamp Creek, thence by this Creek upwards to its Source by a Line to the Head of the Western Branch of the River Shaw, thence by the West Branch of the River Shaw to the Sea; on the South by the Sea to the Entrance of the River Hopkins; on the East by the said River Hopkins to the Confluence of the Creek above Wiselaskie's Station, and by that Creek to its Source; on the North by a Line Westward from the Source of the last-named Creek to the rocky Extremity of the Grampians near Mount Abrupt, thence by the principal Range of the Grampians to Mount Sturgeon, and by a Line south-westerly to the North-east Corner of the County of Normanby at the Grange Burn, including all the Islands at Port Fairy.

NORMANBY:—Bounded on the North by the Grange Burn and Wannon River, until the latter joins the Glenelg River; on the West by the Glenelg River until it reaches the Sea; on the South by the Seashore to the Mouth of the Shaw River; and on the East by the Western Branch of the Shaw River to its Source, thence a Line northerly to the Source of the Swamp Creek, by that Creek to where it empties itself into the Mount Napier Swamp, and thence by a Line due North Six Miles Fifteen Chains to the Grange Burn, including the Lawrence and Lady Julia Percy's Islands.

DUNDAS:—Bounded on the West and North by the Glenelg River upwards from the Confluence of the Wannon to its Source between the Victoria Range and Grampians, near Mount William; on the East by the Grampians to its rocky Extremity near Mount Abrupt, thence to Mount Sturgeon and by a Line crossing the Wannon River to the North-east Corner of the County of Normanby at the Grange Burn; and on the South by the Grange Burn and the Wannon River to its Confluence with the Glenelg.

FOLLET:—Bounded on the West by the One hundred and forty-first Meridian, being the Line dividing the Colony of Victoria from South Australia; on the South and East by the Glenelg River upwards to its Confluence with Power's Creek; and on the North-east and North by Power's Creek to its Source, thence a Line Westward to the Head of Mosquito Creek, and by that Creek to the Boundary Line - - - - - Five.

5. NORTH-WESTERN PROVINCE.

Including the Counties of Talbot and Dalhousie, and the Pastoral District of the Wimmera and of the Loddon, except the proposed County of Rodney.

TALBOT:—Bounded on the North-west and North by the South-western Branch of the Loddon River from its Source near Mount Cole to its Confluence with the main Stream; thence by the Loddon River upwards to the Confluence of Mount Alexander Creek, by this Creek to its Source under Mount Alexander, thence by Mount Alexander Range to the Head of Myrtle Creek, and by this Creek to its Confluence with the Coliban River; on the East by the Coliban River upwards to its Source, being Part of the Western Boundary of the County of Dalhousie; and on the South by the great dividing Range to the Source of the South-western Branch of the Loddon River near Mount Cole.

DALHOUSIE:—Bounded on the West by the River Coliban from its Source in the great dividing Range to its Confluence with the Campaspe River, and by the Campaspe River down to the Confluence of Mount Ida Creek; on the North by Mount Ida Creek to its Source near Mount Ida, by the dividing Range to the Source of Sandy Creek, and by the Sandy Creek to Goulbourn River; on the East by the Goulburn River upwards until it joins the Dabyminga Creek, and by that Creek to its Source in the dividing Range; and on the South by the great dividing Range.

WIMMERA:—Bounded on the East by a Line from Mount Cole to the Source of the Avoca River, thence by the Avoca River to Lake Bael Bael, thence by a Line due North to the River Murray; on the North by the River Murray to the South Australian Frontier; on the West by the South Australian Frontier South to Mosquito Creek; on the South by Mosquito Creek to its Head, thence by a Line to the Source of Power's Creek, by Power's Creek to its Junction with the Glenelg River, by this River to its Source between the Victoria Range and the Grampians near Mount William, and by the dividing Range easterly to Mount Cole.

LODDON:

LODDON :—Bounded on the South by Part of the Counties of Dalhousie, Talbot, and Ripon, from the Campaspe River to the Source of the Avoca River ; on the West by the Avoca River to Lake Bael Bael, and thence by a Line due North to the River Murray ; on the North and North-east by the River Murray ; and on the East by the Campaspe River to the Point of Commencement - - - - - - - - - Five.

Number of Members of the Legislative Council assigned to and to be returned for each Electoral Province.

6. EASTERN PROVINCE.

Including the County of Anglesey, the proposed County of Rodney, and the Pastoral Districts of the Murray and Gipps' Land.

ANGLESEY :—Bounded on the West by Part of the Eastern Boundary of the County of Dalhousie, namely, from the River Goulburn upwards from the Confluence of Hughes' Creek, to the Confluence of the Dabyminga Creek, thence by the Dabyminga Creek upwards to its Source in the great dividing Range ; on the South by the great dividing Range to the main Source of the River Goulbourn ; on the East by the Range dividing the Waters of the main Source of the River Goulbourn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, Northward to Mount Torbrick, thence by Jerusalem Creek to its Confluence with the River Goulbourn, thence by the River Goulbourn downwards to the Confluence with the Devil's River, thence by the Devil's River and its North-west Arm to the dividing Range between the last-named Arm and Septimus Creek ; and on the North by that Range to the Source of Hughes' Creek, thence by Hughes' Creek down to its Confluence with the River Goulbourn.

RODNEY :—Commencing at the Confluence of the Rivers Campaspe and Coliban, thence by a Line south-easterly to the M'Ivor or Patterson's Creek, above John Hunter Patterson's Sheep Station, thence by a Line north-easterly to the Confluence of Hughes' Creek with the River Goulbourn, and by that River to the Murray, thence by the River Murray to its Confluence with the River Campaspe, and by the River Campaspe upwards to the Confluence of the Rivers Campaspe and Coliban aforesaid.

MURRAY.—Bounded on the South and West by the Counties of Evelyn and Anglesey, and the River Goulbourn to its Junction with the Murray ; on the North and North-east by the River Murray, and on the South-east by the dividing Range (Alps).

GIPPS' LAND.—Bounded on the South and East by the Sea ; on the North by a Line running in a Westerly Direction from Cape Howe to the Source of the nearest Tributary of the Murray and the Australian Alps ; again, on the West by the Alps and the Counties of Evelyn and Mornington - - - - - - - - - Five.

SCHEDULE F.

LEGISLATIVE ASSEMBLY.

BOUNDARIES OF THE ELECTORAL DISTRICTS.

1. ELECTORAL DISTRICT OF MELBOURNE.

Commencing at a Point in the Yarra Yarra River due South from the South-western Angle of Gisborne Street, thence to Gisborne Street, and by the Western Side of that Street to Victoria Parade, thence by the South Side of Victoria Parade to the Western Side of Nicholson Street, thence by the said Western Side of Nicholson Street Northwards to the Boundary Line of the Corporate Limits of Melbourne, thence by the last-mentioned Boundary Line bearing West to the Moonee Ponds, by the said Moonee Ponds downwards to the Site of Main's Bridge, thence by a Line bearing South to the Yarra Yarra River, and on the South by the Yarra Yarra River to the commencing Point - - Five.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

2. ELECTORAL DISTRICT OF SAINT KILDA.

Bounded on the East by a Road bearing North from the South-east Angle of Portion No. 32, East of Elsternwick, to the Yarra Yarra River ; on the North by the Yarra Yarra River to Prince's Bridge ; on the West by a Road bearing South-west to the Northern Angle of Section No. 46 ; thence by Fitz Roy Street, St. Kilda, to the Sea Coast ; thence by the Sea Coast and a Road bearing East, South of Elsternwick, to the commencing Point - Two.

3. ELECTORAL DISTRICT OF COLLINGWOOD.

Commencing at the Junction of Nicholson Street and Victoria Parade, thence by the Western Side of Nicholson Street to the Northern Boundary of the Corporate Limits of Melbourne, thence on the North by the said Boundary Line bearing East to the Merri Merri Creek, thence by the Merri Merri Creek to its Junction with the Yarra Yarra River, thence by the Yarra Yarra River to the South-east Corner of Section No. 63, Parish of Jika Jika, thence by a Line West to Victoria Street, and thence on the South by the Northern Side of Victoria Street and Victoria Parade to the commencing Point Two.

4. ELECTORAL

4. Electoral District of South Melbourne.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

Bounded on the North by the Yarra Yarra River, from its Junction with the Saltwater River to Princes' Bridge, on the East by the Road bearing South-east to the Northern Angle of Section No. 46, St. Kilda, thence by Fitz Roy Street to the Sea Coast, thence by the Sea Coast to the Yarra Yarra River, and by the said River to its Junction with the Saltwater River, being the commencing Point - - - - - - - One.

5. Electoral District of Richmond.

Commencing at a Point on the Yarra Yarra River due South from the South-eastern Angle of Gisborne Street; bounded on the West by a Line due North to the said Angle; thence by the East Side of Gisborne Street to Victoria Parade; thence by the Southern Sides of Victoria Parade and Victoria Street, and a Prolongation of that Line to the Yarra Yarra River; on the East and South by the Yarra Yarra River to the commencing Point Two.

6. Electoral District of Williamstown.

Commencing on the Sea Coast at the South-east Angle of Portion A. Section 3, Parish of Cut-paw-paw; bounded on the West by a Line bearing North to the Stoney Creek, thence by the Stoney Creek to the River Yarra Yarra; by the River Yarra Yarra to the Sea; thence by the Sea Coast to the commencing Point - - - - - - One.

7. Electoral District of Brighton.

Commencing on the Sea Coast at the South-west Angle of Section 25, Parish of Moorabbin, thence by a Line East to the South-east Angle of Section 55; on the East by a Line bearing North, being the Parish Boundary from the said Point to the North-east Angle of Section 63; on the North by the Road bearing West to the Sea Coast, and on the West by the Sea Coast to the commencing Point - - - - - - One.

8. Electoral District of Geelong.

Bounded by a Line drawn from the Point on the Eastern Shores of Corio Bay, near Point Henry, at a Distance of Two Miles from the North-east Angle of the Township of Geelong, as a Centre bearing southerly to a Point bearing East from the said Angle; thence by a Line South, crossing a small Portion of Corio Bay, parallel with and at a Distance of Two Miles from the Eastern Boundary of the said Township to a Point bearing East from the South-east Angle of the said Township of Geelong; thence by a Line drawn westerly, at a Distance of Two Miles from the Southern Boundary of the said Township, crossing the Barwon River and the Wauru Chain of Ponds to a Point Two Miles West of the South-west Angle of the said Township; thence by a Line drawn at a Distance of Two Miles from the North-west Angle of the Township, as a Centre, to the Western Shore of Corio Bay, near Cowie's Creek; and also to include the remaining Portion of the Reserve at Point Henry, and the Reserve at the Junction of the Marrabool with the River Barwon - - - - - - - - - - - Four.

9. Electoral District of Portland.

Commencing at a Point on the Beach bearing East Eight Chains from the North Angle of Allotment No. 31 of Northern Suburbans, and bounded on the North by a Line bearing West 65 Chains; on the West by a Line bearing South 233 Chains 34 Links; on the South by a Line bearing East to the Sea Coast, and by the Sea Coast northerly to the Point of Commencement - - - - - - - - Two.

10. Electoral District of Belfast.

Commencing at a Point on the Sea Coast bearing South 7 Degrees 30 Minutes West, 16 Chains 25 Links from the South-west Angle of Section No. 15, Township of Belfast, and bounded on the West by a Line bearing North 62 Chains; on the North by a Line bearing East 45 Chains 25 Links; again on the West by a Line bearing North 3 Chains 75 Links to the River Moyne, by that River to its Mouth, and by the Sea Coast to the Point of Commencement; also that Portion commencing at the South-west Angle of Section A, Parish of Belfast, and bounded on the North-east by a Line bearing North-west 15 Chains to the Moyne Saltwater Lagoon, by that Lagoon and the River Moyne to its Mouth, and by the Sea Coast northerly to the last-mentioned Point of Commencement One.

11. Electoral District of Warrnambool.

Commencing at a Point on the River Hopkins, being the South-western Angle of Section 1, Parish of Wangoom, and bounded on the East by a Line bearing North 20 Chains; on the North by a Line bearing West to the Merri River; on the West and South-west by the Merri River to its Mouth; on the South by the Sea Coast of Warrnambool Bay, from the Mouth of the said River to that of the River Hopkins, and thence to the Point of Commencement - - - - - - - - - One.

12. Electoral District of Colac.

Commencing at the South-west Angle of Section 17, in the Parish of Nalangil, bounded on the West by a Line North to the North-west Angle of Section 17, in the Parish of Warrion; on the North by a Line East from the last-mentioned Point to the North-east Angle of Section 9, in the Parish of Irrewarra; on the East by a Line, South from that Point to the South-east Angle of Section 2, in the Parish of Elliminyt; and on the South by a Line West from that Angle to the Point of Commencement - - - One.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

13. Electoral District of Kilmore.

Commencing at a Point on the Eastern Branch of the Korkarruc Creek, Two Miles 55 Chains South of its Junction with the main Stream, and bounded on the North by a Line East from the said Point to Dry Creek; on the East by the Western Branch of the Dry Creek to its Source, thence by a Line South to the Boundary of the County of Bourke; on the South by the said Boundary to the Source of the Eastern Branch of the aforesaid Korkarruc Creek, and on the West by that Eastern Branch to the commencing Point - One.

14. Electoral District of the Kyneton Boroughs.

Kyneton, Carlsruhe, and Part of Malmesbury:—Commencing at the South-east Angle of Section B 3, East of Carlsruhe, thence North 3 Miles 40 Chains, thence West 4 Miles, thence North 3 Miles, thence West 4 Miles, thence North 2 Miles, thence West 2 Miles 55 Chains to the River Coliban; by that River to the Southern Boundary of the Parish of Lauriston; by that Boundary to the River Campaspe, and thence to the South-western Angle of Section 2; and by the Southern Boundary of the Parish of Carlsruhe to the Point of Commencement.

Woodend:—Commencing at the South-western Angle of Section 1 A, South of Carlsruhe, bounded on the North by the Southern Boundary of the said Section and of Sections B 2, B 3, to the South-eastern Angle of the said Section B 3, East of Carlsruhe; on the East by a Line South of the Northern Boundary of Section 72, Parish of Woodend; thence East to the North-east Angle of the said Section 72; thence on the East by a Road South to the South-eastern Angle of Section 22, Parish of Woodend; thence South 80 Chains, crossing the Five Mile Creek; thence West 80 Chains; thence North to the Five Mile Creek; and on the South-west and West by the Five Mile Creek and River Campaspe to the commencing Point - - - - - - - - - One.

15. Electoral District of the Murray Boroughs.

Woodonga:—Commencing at a Point on the Woodonga Creek, being the North-east Angle of Suburban Section A.; thence on the East by a Line bearing South 15 Chains 50 Links; thence West by a Line 40 Chains; thence South 21 Chains 20 Links; thence West 117 Chains 30 Links; thence North 60 Chains; thence East 70 Chains to the Woodonga Creek, and by the Left Bank of the said Creek to the commencing Point.

Wangaratta:—Commencing at a Point on the Left Bank of the River Ovens, 120 Chains North-west of its Junction with the River King; from that Point South 360 Chains; thence East 440 Chains; thence North 360 Chains, crossing Reedy Creek; and thence West 440 Chains, again crossing Reedy Creek and the River Ovens, to the commencing Point.

Benalla:—Commencing at a Point on the North-east Tributary of the Broken River, being the South-east Angle of Suburban Allotment 4, Section 8; thence by a Line North to the North-east Angle of Suburban Allotment 5, Section 4; thence West to the North-west Angle of Suburban Allotment 1, Section 1; thence South-west by a Line Fifty Chains to the North-west Angle of Suburban Allotment 1, Section 16; thence South to the South-west Angle of Suburban Allotment 5, Section 12; thence East to the South-east Angle of Suburban Allotment 4, Section 9; thence by the Broken River and its Tributary aforesaid to the commencing Point.

Euroa:—Commencing 5 Chains South of a Point on the Seven Creeks, being the South-east Angle of Suburban Section 6; thence by a Line West 190 Chains; thence North 274 Chains 50 Links to the North-west Angle of Suburban Section A 3; thence by the Northern Boundary of the said Section to the Seven Creeks; thence by the said Seven Creeks to the North-west Angle of Suburban Section B 2; thence East to the North-east Angle of Suburban Section E 1; thence by a Line South until it strikes the Northern Boundary of Suburban Section C 1, where the said Boundary crosses the Seven Creeks; thence East to the North-east Angle of the said Section; thence by the Eastern Boundaries of Suburban Sections C and D and the Seven Creeks to the commencing Point.

Avenal:—Commencing at a Point on Hughes' Creek, being the South-east Angle of Suburban Portion E 6; thence West 118 Chains; thence North 155 Chains 40 Links, crossing Hughes' Creek; thence East 134 Chains 60 Links; thence South 134 Chains 40 Links; thence West to Hughes' Creek, and by the said Creek to the commencing Point.

Seymour:—

SEYMOUR:—Commencing at a Point on Whitehead's Creek, being on the North-eastern Boundary of the Township of Seymour, thence East 200 Chains, thence South 160 Chains, thence East 120 Chains, thence South 200 Chains; thence East 130 Chains to a Point on the River Goulburn, by the Course of the said River to another Point 80 Chains Eastward of the first-mentioned Point on the said River; thence North 344 Chains, crossing Whitehead's Creek; thence West 130 Chains, recrossing Whitehead's Creek to the commencing Point - - - - - - - - - - One.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

16. ELECTORAL DISTRICT OF ALBERTON.

Commencing at the Mouth of Worrigall Creek on the Ninety Mile Beach:—Bounded on the North by a Line West Seventeen Miles to the Eastern Branch of the River Tarra; thence on the South-west by a Line in a South-westerly Direction to the Mouth of the Little River in Corner Inlet; and on the South and South-east by the Sea Coast (including Snake Island) to the commencing Point - - - - - - - - One.

17. ELECTORAL DISTRICT OF THE CASTLEMAINE BOROUGHS.

CASTLEMAINE:—Commencing at a Point One Chain Fifty Links North from the North-west Angle of Section 39, Township of Castlemaine; bounded by Lines bearing East 38 Chains; South 160 Chains; West 80 Chains; North 160 Chains; and East 42 Chains to the commencing Point.

ELPHINSTONE:—Commencing at the South-western Corner of Portion 3, Section 1, North of Elphinstone; bounded on the West by a Line South 80 Chains; on the South by a Line East 80 Chains; on the East by a Line North 80 Chains to the South-western Angle of Portion 18, Section 1; and on the North by a Line West, crossing the Main Road to Sandhurst to the commencing Point.

MUCKLEFORD:—Commencing at the South-eastern Angle of Allotment 50, Section 7; thence North 200 Chains, thence West 200 Chains, thence South 240 Chains, thence East 200 Chains, thence North to the commencing Point.

HARCOURT:—Commencing at the South-western Angle of Portion 27, Section 4; bounded on the East by a Line North to the North-western Angle of Portion 27, Section 3; on the North by a Line West to the Main Road to Sandhurst; on the West by a Line South crossing Barker's Creek 160 Chains; and on the South by a Line East 80 Chains to the commencing Point - - - - - - - - - Two.

18. ELECTORAL DISTRICT OF THE SANDHURST BOROUGHS.

SANDHURST:—Commencing at a Point on the Bendigo Creek 40 Chains South of the Junction of Ash Street and High Street; thence East One Mile and a Half, thence West Two and a Half Miles, crossing the Bendigo Creek, thence South Four Miles, thence East to the Point of Commencement.

LOCKWOOD:—Commencing at the South-western Angle of Suburban Allotment 23, Section 1; bounded on the East by a Line Northward from that Point to the South-eastern Angle of Portion 44, Section 4; on the North by a Line bearing West to the South-western Angle of Allotment No. 1, Section 4; on the West by a Line bearing South to a Point due West from the commencing Point; and on the South by a Line East to the South-west Angle of Suburban Allotment No. 23, Section 1, being the commencing Point aforesaid - - - - - - - - - - One.

19. ELECTORAL DISTRICT OF NORTH GRANT.

Bounded on the North by the great dividing Range, extending from the Source of the Yarrowee River to that of the River Werribee; on the East by the River Werribee aforesaid to the Western Boundary of the Village Reserve of Ballan; thence by a Line South-westerly to the Source of Williamson's Creek, and by that Creek and the said River Yarrowee to its Source in the great dividing Range aforesaid - - - - One.

20. ELECTORAL DISTRICT OF NORTH GRENVILLE.

Bounded on the North by Part of the great dividing Range, from the Source of the River Yarrowee to the Source of the Burrumbeet Creek, thence by that Creek and the Southern Shores of Burrumbeet Lake to the Point where Bailie's Creek leaves the Lake, by Bailie's Creek to its Confluence with Emu Creek, thence by Emu Creek down to the Point North of the Source of Gnarkeet Ponds; on the West by a Line Southwards from the last-mentioned Point, and by the Gnarkeet Ponds to where they are crossed by the main Road to Geelong; on the South by that Road to the River Yarrowee; and on the East by the River Yarrowee to its Source - - - - - - - - One.

21. Electoral District of the Ovens.

Commencing at the Junction of Whorouly Creek with the River Ovens, bounded on the West by a Line bearing North Twenty Miles, thence on the North by a Line bearing East to the Little River, on the East by the Little River to its Source in the dividing Range, thence by the dividing Range and a Line South to a Point on the Ovens River Nine Miles above its Junction with the River Buckland; on the South by a Line from the last-mentioned Point to the Source of the River Buckland, thence by the dividing Range to the Source of the River Buffalo, and again on the South and West by that River and the Ovens to the commencing Point - - - - - - - - One.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

22. Electoral District of Rodney.

Commencing at the Confluence of the Rivers Campaspe and Coliban, thence by a Line South-westerly to the Source of the M'Ivor or Patterson's Creek; thence by a Line North-easterly to the Confluence of Hughes' Creek with the River Goulbourn, and by the Rivers Goulbourn, Murray, and Campaspe to the Confluence of the Rivers Campaspe and Coliban aforesaid - - - - - - - - - - One.

23. Electoral District of the Loddon.

Bounded on the West by the River Avoca, from its Source in the great dividing Range to its Entrance to Lake Bael Bael, thence by a Line Northward to the River Murray; on the North by the River Murray; on the East by the River Campaspe to its Junction with the Coliban, and on the South by the Northern Boundary of the Counties of Dalhousie and Talbot to the commencing Point, excepting the Country comprised in the Electoral Districts of the Castlemaine Boroughs and of the Sandhurst Boroughs - - Two.

24. Electoral District of Talbot.

Bounded on the North-west and North by the South-western Branch of the River Loddon, from its Source near Mount Cole to its Confluence with the main Stream, thence by the River Loddon upwards to its Confluence with Mount Alexander Creek, by this Creek to its Source under Mount Alexander, thence by the Mount Alexander Range to the Head of Myrtle Creek, and by this Creek to its Confluence with the River Coliban; on the East by the River Coliban to its Source, being Part of the Western Boundary of the County of Dalhousie; on the South by the great dividing Range to the Source of the South-western Branch of the River Loddon, near Mount Cole, excepting the Country included in the Electoral District of the Castlemaine Boroughs - - - - Two.

25. Electoral District of East Bourke.

Bounded on the North by the great dividing Range from the Source of the River Plenty to that of the North-eastern Branch of the Saltwater River, near Big Hill; on the West by the Saltwater River downwards to the South-western Angle of Section 12, Parish of Bulla Bulla, thence by the Southern Boundary of the said Portion and by a Line bearing East to the Source of the Moonee Ponds in Section 10, Parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a Line South to the River Yarra Yarra; on the South by the River Yarra Yarra to its Junction with the Plenty, and on the East by the River Plenty to the Point of Commencement, excepting the Country included in the Electoral Districts of Melbourne, Collingwood, and Richmond Two.

26. Electoral District of West Bourke.

Bounded on the North by the great dividing Range from the Source of the River Werribee to that of the North-eastern Branch of the Saltwater River, near Big Hill; on the East by the Saltwater River to the South-western Corner of Portion 12, Parish of Bulla Bulla, thence by the Southern Boundary of the said Section and by a Line East to the Source of the Moonee Ponds, in Section 10, Parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a Line South to the River Yarra Yarra; on the South by the River Yarra Yarra and the Shores of Port Phillip Bay to the Mouth of the River Werribee; on the West by the River Werribee to its Source in the great dividing Range, being the commencing Point, excepting the Country included in the Electoral Districts of Williamstown - - - - - - Two.

27. Electoral District of South Bourke.

Bounded on the North and West by the River Yarra Yarra, from its Mouth to its Confluence with the Deep Creek; on the East by the Deep Creek and a Line South Two Miles Fifty-eight Chains from that Creek to Dandenong Creek, by that Creek to the Northern Margin of the Carrum Swamp and Mordialloc Creek to its Mouth at the Long Beach below Ben-Ben-Gin, thence by the Shores of Port Phillip Bay to the Mouth of the River Yarra Yarra aforesaid, excepting the Country included in the Electoral Districts of St. Kilda, South Melbourne, and Brighton - - - - - - Two.

28. Electoral

Victoria Government.

28. Electoral District of South Grant.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

Bounded on the East by the River Werribee, from its Mouth in Port Phillip Bay to the Western Boundary of the Reserve of Ballan, thence by a Line South-westerly to the Source of Williamson's Creek, by that Creek to the River Yarrowee: on the West and South-west by the River Yarrowee to its Confluence with the River Barwon, thence by the River Barwon to Hopkins' Creek; by that Creek and a Line South-east across the dividing Range to the Head of the Salt Creek Two Miles and Forty-eight Chains, thence by Salt Creek to the Sea Coast, North of Point Roadknight; on the South by the Sea Coast; and on the Remainder of the East by the Waters of Port Phillip Bay to the Mouth of the River Werribee, including the small Island near the Channels of the Mouth of Port Phillip Bay and Geelong Bay, and excepting the Country included in the Electoral District of Geelong - - - - - - - - Three.

29. Electoral District of Evelyn and Mornington.

Evelyn:—Bounded on the West by Part of the Eastern Boundary of the County of Bourke; that is to say, by the River Plenty from its Source to the River Yarra Yarra, thence by the River Yarra Yarra to the Confluence of the Deep Creek, thence by that Creek to the Range between the River Yarra Yarra and the Dandenong Creek; on the South-east and North by the Range forming the Basin of the River Yarra Yarra.

Mornington:—Bounded on the North by Part of the Southern Boundary of the County of Evelyn, being the dividing Range from the Source of the River Buneep Buneep to the Source of the Deep Creek, thence by that Creek and a Line South Two Miles Fifty-eight Chains from that Creek to Dandenong Creek, thence by that Creek to the Carrum Swamp, by that Swamp and the Mordiallac Creek to its Mouth at the Long Beach below Ben-Ben-Gin, thence by the Shores of Port Phillip Bay to Point Nepean; on the South-west and South by the Sea Coast from Point Nepean to Cape Patterson; on the East by a Line North from Cape Patterson to the Warringrin Range, thence along the said Range in a northerly Direction to the Mouth of the River Buneep Buneep, and by that River to its Source in the dividing Range, including French and Phillip Islands, and the small Islands in Western Port Bay - - - - - - One.

30. Electoral District of Anglesey.

Part of Dalhousie:—Commencing at the Junction of the Rivers Camaspe and Coliban, thence by a Line South-easterly to the Source of the M'Ivor or Paterson's Creek, thence by a Line North-east to the Confluence of Hughes's Creek with the River Goulburn; on the East by the River Goulburn until it joins the Dabyminga Creek, by that Creek to its Source in the dividing Range; on the South by the dividing Range to the Source of the River Coliban; and on the West by the last-mentioned River to its Junction with the River Campaspie, being the commencing Point, excepting the Country included in the Electoral Districts of the Kyneton Boroughs and of Kilmore.

Anglesey:—Bounded on the West by Part of the Eastern Boundary of the County of Dalhousie, namely, from the River Goulburn from the Confluence of Hughes's Creek to the Confluence of Dabyminga Creek, thence by Dabyminga Creek to its Source in the great dividing Range; on the South by the great dividing Range to the main Source of the River Goulburn; on the East by the Range dividing the Waters of the main Source of the Goulburn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, Northward, to Mount Torbrick, thence by Jerusalem Creek to its Confluence with the River Goulburn, thence by the River Goulburn to the Confluence of the River Delatite, thence by the River Delatite and its North-west Arm to the dividing Range between the last-named Arm and Septimus Creek; and on the North by that Range to the Source of Hughes's Creek, and thence by Hughes's Creek to its Confluence with the River Goulburn, excepting the Country included in the Borough of Seymour - - - One.

31. Electoral District of Dundas and Follett.

Dundas:—Bounded on the West and North by the River Glenelg from the Confluence of the Wannon to its Source, between the Victoria Range and the Grampians near Mount William; on the East by the Grampians to their Base near Mount Abrupt, thence to Mount Sturgeon and by a Line crossing the Wannon River to the North-east Angle of the County of Normanby at the Grange Burn; and on the South by the Grange Burn and the Wannon to its Confluence with the Glenelg.

Follett:—Bounded on the West by the One hundred and forty-first Meridian, being the Line dividing Victoria from South Australia; on the South and East by the Glenelg River to its Confluence with Power's Creek; and on the North-east and North by Power's Creek to its Source, thence by a Line West to the Head of Mosquito Creek and by that Creek to the Boundary Line - - - - - - - - One.

32. Electoral

32. Electoral District of Normanby.

Bounded on the North by the Grange Burn and River Wannon until the latter joins the River Glenelg; on the West by the River Glenelg to the Sea; on the South by the Sea Shore to the Mouth of the River Shaw; and on the East by the Western Branch of the River Shaw to its Source; thence by a Line North to the Source of the Swamp Creek; by that Creek to Mount Napier Swamp; and thence by a Line North Six Miles Fifteen Chains to the Grange Burn, including the Laurence's and Lady Julia Percy's Islands, excepting the Country included in the Electoral District of Portland - - - One.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District.

33. Electoral District of Villiers and Heytesbury.

Villiers:—Bounded on the West by a Line South from the Grange Burn to the Mouth of the Swamp Creek; thence by this Creek to its Source by a Line to the Source of the Western Branch of the River Shaw to the Sea; on the South by the Sea Shore to the Mouth of the River Hopkins; on the East by the said River Hopkins to the Confluence of Wyselaskie's Creek, and by that Creek to its Source; on the North by a Line Westward from the Source of the last-named Creek to the Base of the Grampians near Mount Abrupt; thence by the principal Range of the Grampians to Mount Sturgeon, and by a Line South-westerly to the North-east Angle of the County of Normanby, including all the Islands at Port Fairy, and excepting the Country included in the Electoral Districts of Belfast and Warrnambool.

Heytesbury:—Bounded on the West by the River Hopkins from its Estuary to the Confluence of the Emu Creek, thence by Emu Creek to the Point nearest Lake Pormbeet, thence by a Line easterly to the North End of Lake Pormbeet, thence by a Line East to Lake Korangamite, and by the Southern Shore of that Lake to the Mouth of the Pirron Yaloak Creek; on the East and South-east by the Pirron Yaloak Creek to its Source, thence by a Range to the Source of the Gellibrand River, by the Gellibrand River to the Sea Coast; and on the South-west and West by the Sea Coast to the Estuary of the River Hopkins - - - - - - - - - - - - Two.

34. Electoral District of Polwarth, Ripon, Hampden, and South Grenville.

Polwarth:—Bounded on the West by the River Gellibrand upwards to its Source, thence by the Range to the Source of the Pirron Yaloak Creek, by this Creek to Lake Korangamite; on the North by the South-eastern Shore of Lake Korangamite, and an East Line from Lake Korangamite to the North of Lake Colac, thence by the North Shore of Lake Colac to the Point West from the Source of Birregurra Creek, from that Point by a Line East to the Source of the Birregurra Creek, thence by the Birregurra Creek to its Confluence with the River Barwon, thence following the Course of the River Barwon to Hopkins' Creek; on the North-east by this Creek and a Line across the dividing Range to the Source of the Salt Creek South-east Two Miles Forty-eight Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; and on the South-east and South by the Sea Coast to the Mouth of the River Gellibrand, excepting the Country included in the Electoral District of Colac.

Ripon:—Bounded on the West by the Grampian Range dividing the Waters of the Rivers Wimmera and Glenelg from those of the River Hopkins, to its Base near Mount Abrupt; on the South by a Line easterly to the Source of Wyselaskie's Creek, and by that Creek to the River Hopkins, thence by a Line East to Lake Boloke, thence by the Southern Shores of Lake Boloke to the Mouth of the Prackmingerrin Creek, and by that Creek to the Point nearest to Emu Creek, thence by a Line East to a Point in Emu Creek One Mile to the West of its Confluence with Broken Creek; on the South-east and East by Emu Creek to its Confluence with Baillie's Creek, by Baillie's Creek to Lake Burrumbeet, by the Southern Shores of Lake Burrumbeet and Burrumbeet Creek to its Source in the great dividing Range; and on the North by the great dividing Range to the Western Boundary aforesaid.

Hampden:—Bounded on the West by the River Hopkins; on the North by the Southern Boundary of the County of Ripon; on the East by a Line southerly to the Source of Gnarkeet Ponds, thence by Gnarkeet Ponds to Lake Korangamite, and thence by the West Shore of Lake Korangamite to a Point East of Lake Pormbeet, and from the North End of Lake Pormbeet to the nearest Part of Emu Creek, and thence by Emu Creek to its Confluence with the River Hopkins.

South Grenville:—Bounded on the North by the main Road between Portland and Geelong, from its Intersection with the River Yarrowee to the Gnarkeet Ponds; on the West

West by the Gnarkeet Ponds to Lake Korangamite, thence by the Western Shores of that Lake to a Point East of Pormbeet; on the South by the Southern Shore of Lake Korangamite, thence by a Line East from Lake Korangamite to the North Shore of Lake Colac, thence by the North Shore of Lake Colac to a Point West from the Birregurra Creek, and from that Point by a Line East to the Source of the Birregurra Creek, and by that Creek to its Confluence with the Barwon; and on the East by the Rivers Barwon and Yarrowee to the commencing Point - - - - - - Two.

Number of Members of the Legislative Assembly assigned to and returned for each Electoral District

35. ELECTORAL DISTRICT OF MURRAY.

Bounded on the South and West by the Counties of Evelyn and Anglesea and the River Goulburn to its Junction with the River Murray; on the North and North-east by the River Murray; and on the East by the great dividing Range, excepting the Country comprised in the Electoral Districts of the Murray Boroughs and of Beechworth - Two.

36. ELECTORAL DISTRICT OF GIPPS' LAND.

Bounded on the South and East by the Sea; on the North by a Line bearing West from Cape Howe to the Source of the nearest Tributary of the Murray, and by the Alps; and on the West by the Alps and the Counties of Evelyn and Mornington, excepting the Country comprised in the Electoral District of Alberton - - - - - One.

37. ELECTORAL DISTRICT OF THE WIMMERA.

Bounded on the West by the Boundary Line of Victoria and South Australia; on the North by the River Murray; on the East by a Line to Lake Bael Bael, thence by the River Avoca to its Source; and on the South by the Boundaries of the Counties of Follett, Dundas, and Ripon - - - - - - - - - - - Two.

SCHEDULE (2.)

59 G. 3. c. 4. - -	An Act to stay Proceedings against any Governor or other Persons concerned in imposing and levying Duties in New South Wales; to continue until the 1st Day of January 1821 certain Duties, and to empower the said Governor to levy a Duty on Spirits made in the said Colony.
3 G. 4. c. 96. - -	An Act to continue until the 1st Day of January 1824 an Act passed in the Fifty-ninth Year of His late Majesty relating to imposing and levying Duties in New South Wales; to authorize the imposing and levying other Duties on Goods imported into the said Colony, and to suspend for Ten Years the Payment of Duty on the Importation of certain Goods the Produce of New South Wales.
9 G. 4. c. 83. - -	An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto.
5 & 6 Vict. c. 36. -	An Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies.
5 & 6 Vict. c. 76. -	An Act for the Government of New South Wales and Van Diemen's Land.
7 & 8 Vict. c. 72. -	An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales.
7 & 8 Vict. c. 74. -	An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land.
9 & 10 Vict. c. 104. -	An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further Provision for the Management thereof.
13 & 14 Vict. c. 59. -	An Act for the better Government of Her Majesty's Australian Colonies.

CAP. LVI.

An Act to repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's *Australian* Colonies, and to make other Provision in lieu thereof. [16th *July* 1855.]

'WHEREAS it is expedient that the Acts for regulating the Sale and other Disposal of the Waste Lands belonging to the Crown in the *Australian* Colonies should be repealed, and that other Provision should be made with respect to the Subject Matter of the said Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The

Waste Lands (Australia) Acts Repeal.

5 & 6 Vict. c. 36. and 9 & 10 Vict. c. 104. repealed.

I. The Act of the Sixth Year of Her Majesty, Chapter Thirty-six, intituled *An Act for regulating the Sale of Waste Land belonging to the Crown in the* Australian *Colonies*, and the Act of the Tenth Year of Her Majesty, Chapter One hundred and four, intituled *An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the* Australian *Colonies, and to make further Provision for the Management thereof*, are hereby repealed.

Periods at which this Act is to take effect in the Australian Colonies respectively.

II. The Repeal of the said Acts, and the other Provisions of this Act, shall take effect in the Colonies of *New South Wales* and *Victoria* at the Date of the Proclamation in those Colonies respectively of certain Acts passed in this Session of Parliament, intituled *An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of* New South Wales, "*to confer a Constitution on* New South Wales, *and to grant a Civil List to Her Majesty*," and *An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of* Victoria, *to establish a Constitution in and for the Colony of* Victoria, and in *Van Diemen's Land* from the Date of the Proclamation of this Act by the Governor, which Proclamation shall take place within One Month after a Copy thereof shall be received by such Governor, and in *South Australia* from the Date of the Proclamation in that Colony of the Assent of Her Majesty to any Bill which may be passed by the Legislature of the said Colony, under the Provisions of an Act passed in the Fourteenth Year of Her Majesty, and intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, establishing a Legislative Council and Assembly within the said Colony, in lieu of the present Legislative Council.

13 & 14 Vict. c. 59.

Powers of repealed Acts continued for certain Purposes.

III. The Powers vested by the said Acts hereby repealed in Her Majesty, the Commissioners of Her Majesty's Treasury, and the Colonial Land and Emigration Commissioners respectively, shall continue so far as regards the Appropriation and Application of Monies which may be received from the said Colonies respectively under and by virtue of the Provisions of the said Acts or either of them.

Power to amend or repeal Orders in Council.

IV. It shall be lawful for the Legislature of any Colony in which the Repeal of the said Act of the Tenth Year of Her Majesty shall have taken effect to repeal, alter, or amend any Order in Council made under Authority of the said Act, and affecting such Colony; but subject, nevertheless, so far as respects the Colonies of *New South Wales* and *Victoria* respectively, to the Provisions in the said Acts of this Session for the Preservation and enabling the Fulfilment of Contracts, Promises, and Engagements made by or on behalf of Her Majesty with respect to Lands situate in such respective Colonies, and, until so repealed, and subject to any such Alteration or Amendment, every such Order in Council shall have the same Force and Effect as if this Act had not been passed.

Legislature of Van Diemen's Land, and of South Australia when Constitution altered, may dispose of Waste Land, notwithstanding 5 & 6 Vict. c. 76. and 13 & 14 Vict. c. 59.

Power for Her Majesty by Order in Council to separate Norfolk Island from Van Diemen's Land.

V. It shall be lawful for the Legislature of *Van Diemen's Land* and for the Legislature of *South Australia* after such Change in the Constitution thereof as aforesaid, by any Act or Acts to be passed from Time to Time in the same Manner and under the same Conditions as are or may be by Law required in respect of other Acts of the said Legislatures respectively, to regulate the Sale and other Disposal of the Waste Lands of the Crown in the said Two last-mentioned Colonies respectively, and the Disposal of the Proceeds arising therefrom for the Public Service of the said Colonies, any Provisions of an Act of Parliament of the Sixth Year of Her said Majesty, intituled *An Act for the Government of* New South Wales *and* Van Diemen's Land, or of an Act of the Fourteenth Year of Her said Majesty, intituled *An Act for the better Government of Her Majesty's* Australian *Colonies*, or of any other Act of Parliament, to the contrary notwithstanding: Provided always, that it shall be lawful for Her Majesty at any Time by Order in Council to separate *Norfolk Island* from the Colony of *Van Diemen's Land*, and to make such Provision for the Government of *Norfolk Island* as may seem expedient: Provided also, that nothing herein contained, nor any Act to be passed as aforesaid by either of the said Legislatures, shall affect or be construed to affect any Contract, or extend to prevent the Fulfilment of any Promise or Engagement made by or on behalf of Her Majesty with respect to any Lands situate in either of the said Colonies of *Van Diemen's Land* and *South Australia*, where such Contract, Promise, or Engagement shall have been lawfully made before the Time when this Act shall take effect in such respective Colony.

Existing Regulations maintained in force until altered.

VI. All Regulations respecting the Sale or other Disposal of the Waste Lands of the Crown, made under the Authority of the said recited Acts or either of them, which shall be legally in force in *New South Wales, Victoria, Van Diemen's Land*, or *South Australia*, at the Date when the present Act shall take effect in the said Colonies respectively, shall remain in force in each of the said Colonies respectively until the Legislature of such Colony shall otherwise provide.

Regulation of Disposal of Waste Land in Western Australia.

VII. It shall be lawful for Her Majesty, by Instructions under Her Signet and Sign Manual, or through One of Her Principal Secretaries of State, to regulate the Sale, Letting, Disposal, and Occupation of Waste Lands of the Crown in *Western Australia*, and the Disposal of the Proceeds arising therefrom, until Parliament shall otherwise provide.

Past Appropriations to be valid.

VIII. No Appropriation which has been or shall be made of the Proceeds of the Sale or Disposal of the Waste Lands of the Crown in either of the said Colonies shall be deemed invalid by reason of its not having been made in accordance with the Provisions of the said Acts of Parliament hereby repealed.

As to the Term "Governor."

IX. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of any Colony.

CAP.

Militia (No. 2.)

CAP. LVII.

An Act further to amend the Laws relating to the Militia in *England*. [16th *July* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary of State may enlarge Time for Appointment of Persons to apportion Contribution between County and Borough, and for making Award.

I. It shall be lawful for One of Her Majesty's Principal Secretaries of State, if he see fit, upon the Memorial of the Justices of the Peace of any County at their General or Quarter Sessions assembled or of the Council of any Borough, to enlarge the Time within which such Justices or Council are required respectively to appoint Two Justices and Two Members of Council under Section Twelve of the Militia Law Amendment Act, 1854, and where Justices and Members of Council have been duly appointed under such Act or within any enlarged Time granted under this Act, it shall be lawful for such Secretary of State, if he see fit, upon the like Memorials of the Justices of the County at their General or Quarter Sessions assembled, and of the Council of the Borough, on behalf of which County and Borough respectively Justices and Members of Council have been appointed, to enlarge the Time within which they are required to make their Award under the said Act.

Where the Poor Rate in the County and Borough is not assessed upon a uniform Principle, the Proportions of Contribution may be adjusted without regard to the Poor Rate Valuation.

II. Where it appears to the Justices and Members of Council appointed under the Militia Law Amendment Act, 1854, or under such Act as amended by this Act, for the Purpose of determining and awarding the respective Proportions in which any County and Borough shall contribute to the Expenditure in the said Act mentioned, or to any Arbitrator duly appointed for the like Purpose, that the respective annual Values of the Property rateable to the Relief of the Poor as rated thereto in the County and Borough are not ascertained upon a uniform Principle of Valuation, so as to constitute a fair Basis upon which to calculate the Proportions in which the County and Borough should contribute as aforesaid, such Justices and Members of Council or Arbitrator (as the Case may be) may determine and award such respective Proportions according to what may appear to them or him to be the actual annual Values at which the Property rateable in the County and Borough respectively to the Relief of the Poor ought to be rated thereto, but without regard to the respective Values at which such Property is in fact so rated; and in determining such Proportions as aforesaid the Value of the Property in Extra-parochial Places as well in Boroughs as in Counties, as such Property if rateable to the Relief of the Poor would be rated thereto, shall be taken into account as if the same had been actually rateable to such Relief.

Boroughs situate in more than One County to contribute to each in proportion to the rateable Value of the Part within the same.

III. When any Borough is situate in more than One County, such Borough shall be liable to contribute to the Expenditure aforesaid in each such County, and the Proportions which such Borough shall contribute to such Expenditure in each such County shall be determined and awarded by Justices appointed for the County and Members of Council appointed for the Borough, or by an Arbitrator, in like Manner as in the Case of a Borough wholly within the County, but the Proportion to be contributed by the Borough shall be determined and awarded with reference to the Value of the Property rated to the Relief of the Poor within that Part only of the Borough which is situate in the County by which the Expenditure is incurred, and the Contributions so awarded shall be raised and paid in like Manner as if the whole Borough were within the County; but in case a Borough Rate be made for raising any such Contribution, or repaying any Money borrowed for the Purpose of such Contribution, or paying any Interest on any such Money or any Expenses incident to borrowing the same, such Rate shall be raised in that Part only of the Borough which is in the County to which the Contribution is required to be made: Provided always, that this Enactment shall not apply to the City or County of the City of *Bristol*, but the said City and County shall contribute to the Expenditure aforesaid in the County of *Gloucester*, as if wholly situate in such County: Provided also, that this Enactment shall not affect the Provision in Section Twenty-five of the Militia Law Amendment Act, 1854, concerning the City of *Lincoln* and Borough of *Stamford*.

Foregoing Provisions to extend to Franchises.

IV. The foregoing Provisions concerning Boroughs shall apply to all Franchises, Liberties, and Places not being by Law liable to the Payment of County Rates made for the County at large, and the Expressions "Borough," "Council," "Members of Council," and "Borough Rate," shall respectively be construed as including any such Franchise, Liberty, or Place, the Justices, Mayor, or Municipal Officer authorized under Section Twenty-nine of the Militia Law Amendment Act, 1854, to appoint Two Justices or Persons to act on behalf of such Franchise, Liberty, or Place, the Justices or Persons so appointed, and the Liberty Rate or other local Rate in the Nature of a County Rate leviable in such Franchise, Liberty, or Place.

In the County of Lincoln Storehouses to be provided by the Gaol Sessions.

V. 'And whereas by reason of there being no General Quarter Sessions of the Peace held for the County of *Lincoln* at large it is expedient that further Provision be made for executing the Militia Law 'Amendment Act, 1854, within the said County:' In the County of *Lincoln* all things directed by the Second and Third Sections of the Militia Law Amendment Act, 1854, to be done by Justices in General or Quarter Sessions assembled shall be done by Justices for the several Parts of *Lindsey*, *Kesteven*, and *Holland* in the said County of *Lincoln*, or any of them, assembled in Court of Gaol Sessions held in and for the said County; and all other things directed by the said Act to be done by the Justices of Counties in Quarter Sessions assembled shall and may be done by the Justices of the said several Parts of *Lindsey*, *Kesteven*, and *Holland* in the said County of *Lincoln* in their respective Quarter Sessions assembled; and

the said Court of Gaol Sessions shall take into consideration any Representations already made to the Quarter Sessions for the said several Divisions of the Insecurity or Insufficiency of any Storehouse in use for the Service of any Militia of the said County, and also any Representation made to such Court under the said Militia Law Amendment Act as amended by this Act, and do all necessary Acts for providing the requisite Premises for the Service of the Militia of the said County; and the Expenses to be incurred by such Court under this Act shall be raised and paid in such and the like Manner as other Monies required for the general Purposes of the said Court of Gaol Sessions; and any Money arising from the Sale and Disposition, under the Order of the said Court of Gaol Sessions, of any Place which may have been provided for keeping the Stores of the Militia of the said County, shall be paid to the Treasurer of the said Court, and be applied for defraying the Expenses of the Execution by the said Court of the said Militia Law Amendment Act, and this Act; and the Surplus, if any, of such Monies shall be applied in aid of the County Rates raised in such several Divisions, in the Proportions in which they are required to contribute to the Expenditure herein-before mentioned: Provided always, that no Order or Resolution shall be made or entered into by the said Court of Gaol Sessions, under the Authority of the said Militia Law Amendment Act or this Act, concerning the Purchase of Land as a Site for Militia Storehouses, or the providing, building, enlarging, altering, or disposing of the same, unless Notice thereof shall be given by an Advertisement to be inserted in some public Newspaper most generally circulated in the said County of *Lincoln* in each of the Two Weeks immediately preceding the Day appointed for holding such Gaol Sessions, stating the Day, Hour, and Place appointed for holding such Meeting, and the Nature of the Business intended to be then taken into consideration.

As to Expenses of Militia Acts in Sussex.

VI. The Expenses payable or to be paid for the Purposes of the said Militia Amendment Act, 1854, and this Act, shall, in the County of *Sussex*, be borne and paid by the Eastern and Western Divisions thereof, in equal Moieties.

The Word "Borough" to include any City or Town named in Schedules (A.) and (B.) of 5 & 6 W. 4. c. 76. although such should be a County of itself.

VII. In the Construction of the Militia Law Amendment Act, 1854, and of this Act, the Word "Borough" shall mean any City, Borough, Port, or Town Corporate named in either of the Schedules (A.) and (B.) to the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, "to provide for the Regulation of Municipal Corporations in *England* and *Wales*," or to which the Powers and Provisions of that Act have been or may be extended, notwithstanding any such City, Borough, or Town may be a County of itself; and the Powers and Provisions of the said Militia Law Amendment Act, 1854, and this Act, applicable to Boroughs locally situate in Counties shall extend to every such City, Borough, or Town being a County of itself which in Section Nineteen of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, is for the Purposes of that Enactment united with or named in connexion with a County or Riding, in like Manner as if locally situate in the County or Riding in connexion with which it is named.

CAP. LVIII.

An Act to better enable the Chancellor and Council of the Duchy of *Lancaster* to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy of *Lancaster*. [16th *July* 1855.]

'WHEREAS it is expedient that the Chancellor and Council of the Duchy of *Lancaster* should be 'better enabled to sell Land belonging to the said Duchy which in the Judgment of the said 'Chancellor and Council shall be deemed not convenient to be held with other Possessions of the said 'Duchy, and to purchase Land which in the like Judgment shall be deemed convenient to be held with 'other Possessions of the said Duchy:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Chancellor and Council of Duchy of Lancaster enabled to sell and convey Land.

I. The Chancellor and Council of the Duchy of *Lancaster* for the Time being may from Time to Time contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, for the Sale of and may absolutely make Sale and dispose of, for such Sum or Sums of Money as to the said Chancellor and Council shall appear a sufficient Consideration for the same, any Land belonging to Her said Majesty, Her Heirs or Successors, in right of the said Duchy, which in the Judgment of the said Chancellor and Council shall not be deemed convenient to be held with other Possessions of the said Duchy; and upon Payment of the Purchase Monies as herein-after provided the said Chancellor and Council may grant and assure to the Purchaser or Purchasers, under the Seal of the said Duchy, in the Name of Her Majesty, Her Heirs or Successors, the Land agreed to be sold; and every such Grant or Assurance may be according to the Form marked X. set forth in the Schedule to this Act annexed, or in any other Form which may be deemed more convenient; and every such Grant or Assurance being enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, shall be valid and sufficient to pass all the Right and Interest of Her said Majesty, Her Heirs or Successors, in and to the Land to which such Grant or Assurance shall relate, anything contained in the Act of Parliament passed in the First Year of the Reign of Her Majesty Queen *Anne*, Chapter Seven, or in any other Act, to the contrary in anywise notwithstanding.

II. The

Purchase Monies for Land sold to be paid to Receiver General of Duchy, and invested or applied as herein mentioned.

II. The Purchase Monies for Land sold by the said Chancellor and Council, under the Authority of this Act, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, or of his sufficient Deputy or Deputies, and Receipts shall be given by him or them for the same, and the same either shall and may be invested in the Purchase of Bank Annuities, according to the Powers and Provisoes contained or referred to in the Act of Parliament passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, Chapter Seventy-three, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy, under the therein-recited Acts, or the same or any Part thereof may, either without any previous Investment or after such, and either alone or together with any other Monies or Funds for the Time being belonging to the said Duchy of *Lancaster*, be laid out, according to the Provisions of the Act of Parliament passed in the Fifty-seventh Year of the Reign of His said Majesty King *George* the Third, Chapter Ninety-seven, or in the Purchase of Land under the Authority of this Act, as herein-after provided; and the said Chancellor and Council shall for the Purposes of this Act have and be entitled to all such Powers and Provisions in reference to the Monies invested in Bank Annuities under this Act as under or by virtue of the said Act of the Fifty-seventh Year of the Reign of His said Majesty King *George* the Third they are entitled to concerning any Sums or Funds of or belonging to the said Duchy of *Lancaster* in the same Act particularly mentioned or referred to.

Power to Chancellor to contract and agree for Purchase of Land, and convey the same to the Use of Her Majesty.

III. The said Chancellor and Council may from Time to Time contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, for the Purchase of and may purchase any Land which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy, and the Land so agreed to be purchased shall be conveyed and assured to the Use of Her Majesty, Her Heirs or Successors, in right of the said Duchy of *Lancaster*, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right, and as fully and effectually, and be held with the like Incidents, as other Land belonging to the said Duchy; and every such Conveyance may be in the Form marked Y. in the said Schedule, or in any other Form which may be deemed more convenient.

8 & 9 Vict. c. 18. incorporated.

IV. The Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act; but the said Chancellor and Council shall not purchase any Land otherwise than by Agreement.

Short Title.

V. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The Duchy of *Lancaster* Lands Act, 1855."

SCHEDULE to which this Act refers.

X.

These Presents witness, That in consideration of the Sum of paid to *A.B.* the Receiver General of the Revenues of the Duchy of Lancaster, or his sufficient Deputy or Deputies, on behalf of Her Majesty, by *C.D.* as appears by the Receipt of the said Receiver General or his sufficient Deputy or Deputies, endorsed on these Presents, Her said Majesty, by and with the Advice and Consent of Her Chancellor and Council of Her said Duchy, doth by these Presents grant and convey unto the said *C.D.* and his Heirs all [*describing Premises*], to have and to hold the same unto the said *C.D.* his Heirs and Assigns for ever.

In witness

Y.

These Presents witness, That in consideration of the Sum of Pounds paid to *A.B.* of by *C.D.* the Receiver General of the Revenues of the Duchy of Lancaster, or his sufficient Deputy or Deputies, on behalf of Her Majesty, he the said *A.B.* doth by these Presents convey and assure unto the said *C.D.* his Heirs and Assigns, all [*describing Premises*], to have and to hold the same unto the said *C.D.* his Heirs and Assigns, to the Use of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy.

In witness

CAP. LIX.

An Act to facilitate Inquiries of Commissioners of Endowed Schools in *Ireland*.

[23d *July* 1855.]

'WHEREAS Her Majesty has been graciously pleased, on the Address of the Commons in Parliament assembled, to issue Her Majesty's Commission, dated the Fourteenth Day of *November* in the Eighteenth Year of Her Majesty's Reign, to *Charles William Fitzgerald* Esquire (commonly called Marquis of *Kildare*), *Charles Graves* Doctor of Divinity, *Robert Andrews* Doctor of Laws, One of Her Majesty's Counsel learned in the Law, *Henry George Hughes* Esquire, One of Her Majesty's Counsel learned in the Law, and *Archibald John Stephens* Esquire, Barrister-at-Law, and thereby authorized and appointed them Her Majesty's Commissioners to inquire into the Endowments, Funds, and actual

'Condition of all Schools endowed for the Purposes of Education in *Ireland*, and the Nature and Extent 'of the Instruction given in such Schools, and to report their Opinions thereon; and for the Assistance 'of the said Commissioners, *William Neilson Handcock* Esquire was appointed Secretary to the said 'Commission: And whereas Difficulties have been encountered in the Prosecution of the said Inquiries, 'and it is expedient that the said Commissioners should have Authority conferred upon them, as herein-'after expressed, to carry out the Objects of the said Commission, and that One or more Assistant 'Commissioners should be appointed to act under the said Commissioners and in their Aid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Construction of Terms.

I. In the Construction of this Act the following Words and Expressions shall, if not inconsistent with the Context, have the Meaning herein-after assigned to them; (that is to say,)

The Word "Commissioners" shall mean the said Commissioners named in the said Commission, or any Three of them;

"Endowed Schools" or "Schools" shall mean and include all Schools of Royal Foundation in *Ireland*, the Schools on the Foundation of *Erasmus Smith*, the Charter Schools and Diocesan Schools, and all Schools endowed on charitable or public Foundations in *Ireland*;

"Endowments" shall mean and include the Estates, Lands, Funds, and annual or other Income given, granted, or applied for the Establishment or Support of such Schools, or for the Purposes of Education therein;

And "Lord Lieutenant" shall mean the Chief Governor or Chief Governors of *Ireland* for the Time being.

Commissioners to meet and to inquire into the Endowments and State of all Schools, &c.

II. The Commissioners, so soon as conveniently may be, shall meet from Time to Time at some convenient Place, and examine and inquire into the State, Condition, and Management of all Endowed Schools in *Ireland*, and the Nature and Extent of the Instruction given therein, and also into the Nature, Amount, and annual or other Value of the Endowments of such Schools respectively, and the annual Income derived from such Endowments, and how the same has been applied, and into such other Matters connected with such Schools, and the System of Education pursued therein, as to the Commissioners shall seem expedient.

Power to Commissioners to repair to Schools, examine Witnesses, and call for Documents.

III. The Commissioners, or any One or more of them, may repair to any School or to any other Place, and there to summon and examine, on Oath or otherwise, all and every Person or Persons touching any Matters which they are empowered or directed by this Act to examine or inquire into, and to call for Vouchers, Books, Deeds, Evidences, Maps, and all other Documents, and to examine and inquire into all Matters which to the Commissioners shall seem necessary and proper; and the Commissioners are hereby respectively empowered to administer an Oath to any Person who shall be so examined by or before them.

Penalty on Persons refusing to attend to be examined or to produce Documents.

IV. If any Person having Charge of any Document relating to any of the aforesaid Endowed Schools, or holding any Situation in connexion therewith, or having the Disposition, Control, or Management of any Money, Lands, or other Property for the Establishment or Support of any such Schools or the Purposes of Education therein, shall be summoned to appear before the Commissioners or any One or more of them, for the Purpose of being examined, or to produce any Documents before them, shall refuse to appear or to be examined by the Commissioners or any Three of them, or shall refuse to answer such Questions as shall be propounded by the Commissioners, or any of them, touching any Matter or Thing which they are empowered or directed by this Act to examine into, or shall refuse or neglect to attend before such Commissioners from Day to Day, when required so to do, or to produce such Records, Deeds, Parchments, Books, Papers, or Writings, or any of them, without good and sufficient Cause, to be allowed by the Commissioners, every such Person shall forfeit the Sum of Twenty Pounds for every such Refusal, Neglect, or Omission, to be recovered by Action in any of Her Majesty's Courts of Record, or by Civil Bill in the Court of any Assistant Barrister, by any Person who shall sue for the same.

Power to Commissioners to make Report to Her Majesty, and suggest Plans of Improvement of Schools.

V. The Commissioners may from Time to Time, as often as they shall think proper, and as often as they shall be required so to do by the Lord Lieutenant, make a Report in Writing under their Hands and Seals, or the Hands and Seals of any Three of them, to Her Majesty of all Matters arising upon such Examinations and Inquiries which shall appear to the Commissioners necessary or proper so to be reported, and shall in like Manner report and suggest to Her Majesty such Plans for the Improvement of Education in such Schools and the better Management of their Endowments, and for the better regulating, managing, and governing such Schools, and for the general Promotion, in connexion with said Schools, of Academical Education in *Ireland*, as shall appear to the Commissioners to be expedient and practicable.

Appointment of Assistant Commissioners.

VI. The Lord Lieutenant may, on the Requisition of the Commissioners, appoint One or more but not exceeding Four Assistants to the Commissioners, to be called Assistant Commissioners; and the Commissioners may from Time to Time remove such Assistant Commissioners, and the Lord Lieutenant may, on the Requisition of the Commissioners, appoint others in their Place; and the Remuneration to be paid to such Assistant Commissioners, in addition to their travelling Expenses, shall be such Sum as the Commissioners of Her Majesty's Treasury shall appoint, not exceeding the Sum of Two hundred Pounds for

for each Assistant Commissioner, to be paid out of such Aids or Supplies as may be from Time to Time provided and appropriated by Parliament for the Purpose.

Duties of Assistant Commissioners.

VII. It shall be the Duty of the Assistant Commissioners to act in aid of the Commissioners, and under their Directions, in execution of the Objects of this Act, and for that Purpose to visit and inspect such of the Endowed Schools in *Ireland* as the Commissioners shall direct, and to examine into the Endowments and State and Condition of such Schools, and to report thereon to the Commissioners; and such Assistant Commissioners shall have and enjoy the same Rights and Powers as the Commissioners or any of them might or would have had if they had visited the Schools in Person.

This Act not to affect Powers of Commissioners.

VIII. Nothing herein contained shall be deemed to abridge, lessen, or affect the Powers of the Commissioners under and by virtue of Her Majesty's said Commission.

CAP. LX.

An Act for excepting Gold Wedding Rings from the Operation of the Act of the last Session relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relating to Gold Wares. [23d *July* 1855.]

'WHEREAS an Act was passed in the Eighteenth Year of the Reign of Her Majesty the now Queen, intituled *An Act for allowing Gold Wares to be manufactured at a lower Standard than that now allowed by Law, and to amend the Law relating to the assaying of Gold and Silver Wares,* whereby it is, amongst other things, enacted, that if any of the Gold Wares which by any Statute now in force are not liable to be assayed and marked shall nevertheless be assayed and marked as of One of the Standards authorized by Law, such Wares shall not by reason thereof be chargeable with the Duty now levied on Gold Plate: And whereas by certain Statutes now in force no Gold Rings, except Mourning Rings, are liable to be assayed and marked, but Gold Wedding Rings have nevertheless been assayed and marked: And whereas it is expedient that Gold Wedding Rings should be made liable to the Provisions of the Statutes now in force relating to the assaying and marking of Gold Plate:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 96.

Gold Wedding Rings to be assayed and marked.

I. From and after the passing of this Act, Gold Wedding Rings shall be assayed and marked in like Manner as Gold Plate not exempted is required by the Statutes now in force to be assayed and marked, and all the Provisions of the Statutes relating to the Manufacture or Sale of Gold Plate shall apply to Gold Wedding Rings, anything therein contained to the contrary notwithstanding.

Sect. 3. of 17 & 18 Vict. c. 96. repealed.

II. The Third Section of the Act passed in the Eighteenth Year of the Reign of Her present Majesty, herein recited, is hereby repealed so far as the same might affect Gold Wedding Rings.

Certain Companies, &c. authorized to assay and mark Gold Wares indemnified.

III. 'And whereas since the coming into operation of the said recited Act certain of the Companies and Corporations authorized to assay and mark Gold Wares have assayed and marked divers Gold Rings of the Standards required by Law before the passing of the said recited Act, and have upon such assaying and marking by their Officers and Servants demanded and received, for the Use of Her Majesty, the same Duty as was payable to Her Majesty in respect of the like Gold Rings when assayed and marked before the passing of the said recited Act: And whereas Doubts have been entertained whether such Demands and Receipts of such Duty were lawful:' Be it enacted, That all such Demands and Receipts of such Duty shall be deemed and taken to have been lawful, notwithstanding the said recited Act, and that none of the said Companies or Corporations, or of their Officers or Servants, shall be liable to any Action, Suit, or other Proceeding by reason or on account of any such Demand or Receipt as aforesaid.

CAP. LXI.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales.* [23d *July* 1855.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Tenth Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use, either the Expression "The Second Annual Inclosure Act, 1855," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHE-

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Loddiswell	Devon	14th December 1854.
Skirwith	Cumberland	11th January 1855.
Northweald Bassett	Essex	3d January 1855.
Huntley Common	Gloucester	10th August 1854.
Marshchapel and Grainthorpe	Lincoln	3d March 1855.
Bamford	Derby	5th April 1855.
Seaton	Rutland	24th June 1854.
Volca Common Meadow	Hereford	19th April 1855.
Myarth Hill	Brecon	19th April 1855.
Berrow	Worcester	10th May 1855.
Nazeing	Essex	14th December 1854.
Sheet	Southampton	19th April 1855.
Petersfield Heath	Southampton	19th April 1855.
Bryn Postig Hill	Montgomery	27th July 1854.
Caversham	Oxford	3d May 1855.
Lee Common	Bucks	17th May 1855.
Frilsham	Berks	31st May 1855.
Bottenden Hill	Bucks	25th May 1854.
Conisbrough Open Fields	York	17th May 1855.
Streatley	Bedford	10th May 1855.
Mauds Meaburn	Westmorland	7th December 1854.
Kirkandrews Common	Cumberland	19th June 1855.
The Henallt Common	Brecon	23d June 1855.
Llanganten	Brecon	19th June 1855.
Pithington Marsh	Sussex	21st June 1855.
Roydon	Essex	19th June 1855.

CAP. LXII.

An Act to amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in *Ireland*. [23d *July* 1855.]

17 & 18 Vict. c. 89.

'WHEREAS an Act was passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-nine, entitled *An Act to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in* Ireland, and it is expedient to amend the same:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices refusing Certificate for Renewal of Licence to sell Beer, &c. to make Entry of Order as required by 3 & 4 W. 4. c. 68.

I. If any Person shall apply for and be refused the Certificate in the said Act mentioned, to entitle such Person to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors in *Ireland*, the Justices at Petty Sessions, or the Divisional Justices, as the Case may be, shall, in the event of thereupon refusing such Application, make an Order accordingly, and cause an Entry thereof to be made by the Clerk, together with the Grounds of Refusal, in like Manner as the Justices assembled at Quarter Sessions are required to do by an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in* Ireland.

Persons aggrieved may appeal to Quarter Sessions.

II. In case any Person shall feel aggrieved by such Order of Refusal it shall be lawful for such Person to appeal against the same to the Quarter Sessions of the Division within which such Person shall reside, or if in the *Dublin* Metropolitan Police District to the Recorder of the City of *Dublin* at the next Quarter Sessions after such Order, but in case there shall not be Fifteen clear Days between the making of the Order and such next Quarter Sessions, then to the Quarter Sessions next following in such Division or City, as the Case may be; and in such Appeal the Party opposing such Application shall be Respondent, and no other Ground for refusing such Certificate shall be entered upon except such as shall be stated in such Order of Refusal; and such Appeal shall be subject to the like Incidents, and be heard and dealt with by the Court of Quarter Sessions or Recorder in like Manner, as an Appeal from an Order of the Justices at Petty Sessions under the "Petty Sessions, *Ireland*, Act, 1851," save that

that the Recognizance to be entered into shall be in the Form to this Act annexed: Provided always, that upon such Person having lodged such Appeal, and entered into the Recognizance, as directed by this Act, the Licence affected by such Order shall remain in full Force and Effect, unless and until such Court of Quarter Sessions or Recorder shall confirm the said Order of Refusal; and such Appeal shall not be dismissed upon any Point of Form: Provided, that, notwithstanding anything herein contained, any Licence may be withdrawn or annulled under the Provisions of any Act or Acts now in force, other than the said first-mentioned Act.

FORM OF RECOGNIZANCE.

A.B. Appellant. } Petty Sessions District of
C.D. Respondent. } County of *or* Dublin Metropolitan Police District of

WHEREAS the Justices [*or, if in the City of Dublin, A.B.*, Divisional Justice,] on the Day of 18 made an Order refusing to grant to the Appellant a Certificate to entitle him [her] to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors (*as the Case may be*), upon the Grounds that [*state Grounds mentioned in the Order*]:

The undersigned principal Party to this Recognizance hereby binds himself [herself] to perform the following Obligation, that is to say, to prosecute his [her] Appeal at the Quarter Sessions to be held at , and to pay such Costs as the Assistant Barrister (Chairman, *or* Recorder,) shall order or direct; and the said principal Party, together with the undersigned Sureties, hereby severally acknowledge themselves bound to forfeit to the Crown the Sums following, that is to say, the said principal Party Five Pounds, and the undersigned Sureties the Sum of Fifty Shillings each, in case the principal Party fails to perform his [her] Obligation.

(Signed) *A.B.* (Principal Party.)
E.F. } (Sureties.)
G.H. }

Taken before me, this Day of 18 at

(Signed) *Y.Z.* (Justice *or* Divisional Justice.)

CAP. LXIII.

An Act to consolidate and amend the Law relating to Friendly Societies. [23d *July* 1855.]

'WHEREAS it would conduce to the Improvement of the Law relating to Friendly Societies if the several Statutes relating thereto were consolidated, and certain Additions and Alterations were made therein:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Acts or Parts of Acts set forth in First Schedule repealed.

I. That there shall be hereby repealed the several Acts or Parts of Acts set forth in the First Schedule hereto, save and except as to any Offences committed, or Penalties or Liabilities incurred, or Bond or Security given, or Proceedings taken, under the same, before the Commencement of this Act.

Societies under former Acts to continue.

II. Provided nevertheless, That, notwithstanding the Repeal of the said several Statutes, every Friendly Society now subsisting, which heretofore had been formed and established under the said Acts or any of them, shall still be deemed to be and shall continue to be a subsisting Society, as fully as if this Act had not been made, unless and until such Society shall be dissolved, or united with some other Society as herein-after mentioned.

Their Rules to continue in force, and Enrolments to be sent to Registrar.

III. Provided also, That the Rules of every such subsisting Society hitherto formed and established, which have been hitherto confirmed, registered, or certified under the said Acts or any of them, shall be deemed valid and in force until the same shall be altered or rescinded as herein-after mentioned; and all Transcripts of any of such Rules which are now filed with the Rolls of the Sessions of the Peace of any County, Riding or Division, City or Borough, Liberty or Place, shall be taken off the File, and shall be transmitted, on or before the First Day of *November* One thousand eight hundred and fifty-five, to the Registrar under this Act, to be by him kept in such Manner as shall be directed from Time to Time by One of Her Majesty's Secretaries of State in that Behalf.

All Contracts, Bonds, &c. to continue in force.

IV. Provided also, That all Contracts and Engagements by or with any of the said Societies now valid and in force, and all Bonds and Securities heretofore given by any Trustee, Treasurer, or other Officer of any such Society, shall continue and be valid and in force notwithstanding the Repeal of the said Acts.

Their Exemptions, Powers, and Privileges under this Act.

V. All such subsisting Societies, whose Rules have heretofore been confirmed, registered, or certified under the said Acts or any of them, shall, so long as they shall not hereafter effect an Assurance to any Member thereof, or other Person, of any Sum exceeding Two hundred Pounds, or of any Annuity exceeding Thirty Pounds *per Annum*, enjoy all the Exemptions and Privileges by this Act conferred on Societies to be established under the Provisions of this Act, as fully as if they had been registered and certified under this Act as herein-after mentioned.

VI. For

Registrars.

Registrars, how and by whom appointed.

VI. For the Purposes of this Act, there shall be Three Registrars of Friendly Societies, One for *England*, One for *Scotland*, and One for *Ireland*, who shall hold their respective Offices during the Pleasure of the Commissioners for the Reduction of the National Debt; and upon the Death, Resignation, or Removal of any One of them, the said Commissioners shall appoint another, being a Barrister in *England* or *Ireland*, and in *Scotland* an Advocate, of not less than Seven Years standing, to the said Office.

Their Salaries.

VII. It shall be lawful for the Commissioners of Her Majesty's Treasury to pay to the present Registrar for *England* a Salary equal to that which has been paid to him yearly in each of the Three last Years, not exceeding One thousand Pounds *per Annum*, and to pay to any Registrar hereafter to be appointed for *England* a Salary not exceeding Eight hundred Pounds a Year, and to pay to the Registrars for *Scotland* and *Ireland* respectively a Salary such as the said Commissioners shall direct not exceeding One hundred and fifty Pounds a Year, every such Salary to be paid by Four equal quarterly Payments; and any of the said Registrars who shall be appointed, or who shall die, resign, or be removed from his Office, in the Interval between Two quarterly Days of Payment, shall be entitled to a proportionate Part of his Salary, and such Salaries and proportionate Parts of Salaries shall be paid out of such Monies as shall be provided by Parliament for that Purpose.

Their Expenses of Office, &c.

VIII. The said Commissioners of Her Majesty's Treasury shall, out of such Monies as may be provided by Parliament for the Purpose, pay to the said Registrars respectively such Sum as will defray the Expenses allowed by the said Commissioners from Time to Time for Office Rent, Salaries of Clerks, Stationery, Computation of Tables, and for such other Expenses as may be incurred by them respectively.

Societies, how and for what Purpose formed.

IX. It shall be lawful for any Number of Persons to form and establish a Friendly Society, under the Provisions of this Act, for the Purpose of raising by voluntary Subscriptions of the Members thereof, with or without the Aid of Donations, a Fund for any of the following Objects; (that is to say,)

For Payments on Death.

1. For insuring a Sum of Money to be paid on the Birth of a Member's Child, or on the Death of a Member, or for the Funeral Expenses of the Wife or Child of a Member:

For Relief in Sickness, &c.

2. For the Relief or Maintenance of the Members, their Husbands, Wives, Children, Brothers or Sisters, Nephews or Nieces, in old Age, Sickness, or Widowhood, or the Endowment of Members or Nominees of Members at any Age:

For other Purpose authorized by Secretary of State, &c.

3. For any Purpose which shall be authorized by One of Her Majesty's Principal Secretaries of State, or in *Scotland* by the Lord Advocate, as a Purpose to which the Powers and Facilities of this Act ought to be extended:

Provided, that no Member shall subscribe or contract for an Annuity exceeding Thirty Pounds *per Annum*, or a Sum payable on Death, or on any other Contingency, exceeding Two hundred Pounds:

And if such Persons so intending to form and establish such Society shall transmit Rules for the Government, Guidance, and Regulation of the same, to the Registrar aforesaid, and shall obtain his Certificate that the same are in conformity with Law as herein-after mentioned, then the said Society shall be deemed to be fully formed and established from the Date of the said Certificate.

No Money to be paid on the Death of a Child without a Copy of Entry of the Registrar of Deaths.

X. In any Society in which a Sum of Money may be insured payable on the Death of a Child under Ten Years of Age, it shall not be lawful to pay any Sum for the Funeral Expenses of such Child, except upon Production of a Copy of the Entry in the Register of Deaths, signed by the Registrar of the District in which the Child shall have died; and if such Entry shall not state that the Cause of Death has been certified by a qualified Medical Practitioner, or by a Coroner, a Certificate signed by a qualified Medical Practitioner, stating the probable Cause of Death, shall be required, and it shall not be lawful in that Case to pay any Sum without such Certificate; and no Trustee or Officer of any Society, upon an Insurance of a Sum payable for the Funeral Expenses of any such Child, made after the passing of this Act, shall knowingly pay a Sum which shall raise the whole Amount receivable from One or more than One Society for the Funeral Expenses of a Child under the Age of Five Years to a Sum exceeding Six Pounds, or of a Child between Five and Ten Years to a Sum exceeding Ten Pounds; and any such Trustee or Officer who shall make any such Payment otherwise than as aforesaid, or who shall pay any Sum without endorsing the Amount which he shall pay on the Back or at the Foot of the Copy of Entry signed by the said Registrar, shall be liable to a Penalty not exceeding Five Pounds for every such Offence, upon Conviction thereof before Two Justices of the County or Borough in which such Death shall have taken place: The said Registrar shall be entitled to receive, upon Delivery of such Copy of Entry, for the Purpose of receiving Money from a Friendly Society, a Fee of One Shilling, and it shall not be lawful for him to deliver more than One such Copy for such Purpose, except by the Order of a Justice of the Peace.

Benevolent Societies, in what Case entitled to the Benefits of this Act.

XI. 'And whereas many Provident, Benevolent, and Charitable Institutions and Societies are formed 'and may be formed for the Purpose of relieving the physical Wants and Necessities of Persons in poor 'Circumstances, or for improving the Dwellings of the Labouring Classes, or for granting Pensions, or 'for providing Habitations for the Members or other Persons elected by them, and it is expedient to 'afford Protection to the Funds thereof:' Be it enacted, That if Two Copies of the Rules of any such Institution or Society, and from Time to Time the like Copies of any Alterations or Amendments made in the same, signed by Three Members and the Secretary thereof, shall be transmitted to the Registrar aforesaid, such Registrar shall, if he shall find that the same are not repugnant to Law, give a Certificate to that

that Effect; and thereupon the following Sections of this Act, that is to say, the Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Twenty-second, Fortieth, Forty-first, Forty-second, and Forty-third, shall extend and be applicable to the said Institution and Society, as fully as if the same were a Society established under this Act.

Statutes as to unlawful Oaths not to extend to Societies under this Act or any repealed Acts.

XII. The Act of the Thirty-ninth of *George* the Third, Chapter Seventy-nine, and the Act of the Fifty-seventh of *George* the Third, Chapter Nineteen, and also the Act of the Fourteenth and Fifteenth of Her present Majesty, Chapter Forty-eight, relating to unlawful Oaths in *Ireland*, shall not extend to any Society established under this Act or any of the Acts hereby repealed, or to any Meeting of the Members or Officers thereof in which Society or at which Meeting no Business whatever is transacted other than that which directly and immediately relates to the Objects of the Society as declared in the Rules thereof, and set forth in the certified Copy thereof: Provided, that the Trustees or other Officers of the Society, when required under the Hands of Two of Her Majesty's Justices of the Peace, shall give full Information to such Justices of the Nature, Objects, Proceedings, and Practices of such Society, and in default thereof the Provisions of the Acts herein recited shall be in force in respect of such Society.

Societies, how dissolved.

XIII. It shall be lawful for the Members of any Society heretofore formed and established, or hereafter to be formed and established, at some Meeting thereof to be specially called in that Behalf, to dissolve or determine the same by Consent: Provided that no Society established under this or any Act relating to Friendly Societies shall be dissolved or determined without obtaining the Votes of Consent of Five Sixths in Value of the then existing Members thereof, including the honorary Members, if any, to be ascertained in manner herein-after mentioned, nor without the Consent of all Persons, if any, then receiving or then entitled to receive any Relief, Annuity, or other Benefit from the Funds thereof, to be testified under their Hands individually and respectively, unless the Claim of every such Person be first duly satisfied, or adequate Provision made for satisfying such Claim; and for the Purpose of ascertaining the Votes of such Five Sixths in Value of the Numbers as aforesaid, every Member shall be entitled to One Vote, and an additional Vote for every Five Years that he may have been a Member, but no One Member shall have more than Five Votes in the whole; and the intended Appropriation or Division of the Funds or other Property shall be fairly and distinctly stated in the Agreement for Dissolution prior to such Consent being given; and the Agreement for such Dissolution, duly signed as aforesaid, accompanied with a statutory Declaration by One of the Trustees, or by Three Members and the Secretary, taken before a Justice of the Peace, that the Provisions of this Act have been complied with, shall be forthwith transmitted to the Registrar, to be by him deposited with the Rules of the Society, and such Agreement shall thereupon be an effectual Discharge at Law and in Equity to the Trustees, Treasurers, and other Officers of such Society, and shall operate as a Release from all the Members of the Society to such Trustees, Treasurers, and other Officers; and it shall not be lawful in any Society to direct a Division or Appropriation of any Part of the Stock thereof, except for the Purpose of carrying into effect the general Interests and Objects declared in the Rules as originally certified, unless the Claim of every Member is first duly satisfied, or adequate Provision be made for satisfying such Claims; and in case any Member of such Society shall be dissatisfied with such Provision, it shall be lawful for him or her to apply to the Judge of the County Court of the District within which the usual Place of Business of the Society is situated for Relief or other Order; and the said Judge shall have the same Powers to entertain such Application, and to make such Order or Direction in relation thereto, as he may think the Justice of the Case may require, as herein-after is enacted in regard to the Settlement of Disputes; and in the event of the Dissolution or Determination of any Society, or the Division or Appropriation of the Funds thereof, except in the Way herein-before provided, any Trustee or other Officer or Person aiding or abetting therein shall, on Conviction thereof by Two Justices, be committed to the Common Gaol or House of Correction, there to be kept to Hard Labour for any Term not exceeding Three Calendar Months, as to such Justices shall seem meet.

Societies may unite with others, or One Society may transfer its Engagements to another.

XIV. It shall be lawful for any Two or more Societies established under this or any of the Acts hereby repealed to unite and become incorporated in One Society, with or without any Dissolution or Division of the Funds of such Societies or either of them; or a Society formed and established under this Act or any of the said repealed Acts may be allowed to transfer its Engagements to any other Friendly Society, if any other such Society shall undertake to fulfil the Engagements of such Society, upon such Terms as shall be agreed upon by the major Part of the Trustees, and also of the Committee of Management of both Societies, or the Majority of the Members of each of such Societies at a General Meeting convened for the Purpose.

Minors may be elected as Members.

XV. A Person under the Age of Twenty-one may be elected or admitted as a Member of any Society established under this Act or any of the Acts hereby repealed, the Rules of which do not prohibit such Election, and may and he is hereby empowered to execute all necessary Instruments and to give all necessary Acquittances: Provided always, that during his Nonage he shall not be competent to hold any Office of Director, Trustee, Treasurer, or Manager of such Society.

Buildings for the Purpose may be purchased or leased.

XVI. It shall be lawful for the Trustee or Trustees for the Time being of any Friendly Society formed and established under this Act or under any of the Acts hereby repealed, with the Consent of a Majority of the Members thereof present at a Special or General Meeting of the Society, to purchase, build, hire, or

or take upon Lease any Building for the Purpose of holding such Meetings, and to adapt and furnish the same, and to purchase or hold upon Lease any Land not exceeding One Acre for the said Purpose of erecting thereon a Building for holding the Meetings of the Society, and such Trustee or Trustees shall thereupon hold the same in trust for the Use of such Society; and, with the like Consent as aforesaid, such Trustee or Trustees may mortgage, sell, exchange, or let such Building or any Part thereof; and the Receipt in Writing of such Trustee, or One of such Trustees for the Time being, shall be a legal Discharge for the Money arising from such Mortgage, Sale, Exchange, or Letting; and no Mortgagee, Purchaser, Tenant, or Assignee shall be bound to inquire into or ascertain or prove the Consent aforesaid, to verify his Title: Provided always, that any Building purchased or appropriated for the Purpose aforesaid already belonging to or in the Possession of any Friendly Society heretofore formed and established under the said repealed Acts or any of them may be holden and dealt with as if it had been acquired under this Act; and the Land or Buildings which may be vested in the Treasurer, Trustee, or other Officer thereof for the Time being shall thereupon vest in the Trustee or Trustees for the Time being of such Society, for the same Estate and Interest as the said Treasurer, Trustee, or other Officer may have therein, without any Conveyance or Assignment whatever: Provided nevertheless, that all Money spent in purchasing, building, hiring, or taking upon Lease any Building for the Purpose of holding such Meetings, and in adapting and furnishing the same, be raised according to the Rules of the Society on such Behalf inserted; and this Section shall apply to any Society registered under the Industrial and Provident Societies Act, 1852, and to any Building or Land to be purchased, built, hired, or taken on Lease for the Purposes of the Labour, Trade, or Handicraft of such Society, in all respects as hereby enacted with regard to any Building or Land for the holding the Meetings of any Friendly Society.

Trustees, how appointed.

XVII. Every Friendly Society established under this Act shall, at some Meeting of its Members, and by a Resolution of a Majority of the Members then present, nominate and appoint One or more Person or Persons to be Trustee or Trustees for the said Society, and the like in the Case of any Vacancy in the said Office; and a Copy of the Resolution so appointing such Person or Persons to the Office of Trustee, and signed by such Trustee or Trustees and by the Secretary of the said Society, shall be sent to the Registrar, to be by him deposited with the Rules of the said Society in his Custody: Provided always, that where no Trustee shall have been appointed in any Society established under any One of the Acts hereby repealed, the Treasurer thereof, or other Person who has Custody of the Monies of such Society, shall be taken to be a Trustee, within the Meaning of this Act.

Property of the Society vested in them.

XVIII. All Real and Personal Estate whatsoever belonging to any such Society established under this Act or any of the Acts hereby repealed shall be vested in such Trustee or Trustees for the Time being, for the Use and Benefit of such Society and the Members thereof, and the Real or Personal Estate of any Branch of a Society shall be vested in the Trustees of such Branch, and be under the Control of such Trustee or Trustees, their respective Executors or Administrators, according to their respective Claims and Interest, and upon the Death or Removal of any such Trustee or Trustees the same shall vest in the succeeding Trustee or Trustees for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Conveyance or Assignment whatsoever, save and except in the Case of Stocks and Securities in the Public Funds of *Great Britain* and *Ireland*, which shall be transferred into the Name or Names of such new Trustee or Trustees; and in all Actions or Suits or Indictments, or summary Proceedings before Magistrates, touching or concerning any such Property, the same shall be stated to be the Property of the Person or Persons for the Time being holding the said Office of Trustee, in his or their proper Name or Names, as Trustees of such Society, without any further Description.

Actions, &c. by or against them.

XIX. The Trustee or Trustees of any such Society are hereby authorized to bring or defend, or cause to be brought or defended, any Action, Suit, or Prosecution in any Court of Law or Equity, touching or concerning the Property, Right, or Claim to Property of the Society for which he or they are such Trustee or Trustees as aforesaid; and such Trustee or Trustees shall and may, in all Cases concerning the Real or Personal Property of such Society, sue and be sued, plead and be impleaded, in any Court of Law or Equity, in his or their proper Name or Names, as Trustee or Trustees of such Society, without other Description; and no such Action, Suit, or Prosecution shall be discontinued or shall abate by the Death of such Person, or his Removal from the Office of Trustee, but the same shall and may be proceeded in by or against the succeeding Trustee or Trustees as if such Death or Removal had not taken place; and such succeeding Trustee or Trustees shall pay or receive the like Costs as if the Action or Suit or Prosecution had been commenced in his or their Name or Names, for the Benefit of or to be reimbursed from the Funds of such Society.

Limitation of his Responsibility.

XX. Provided nevertheless, That no Trustee or Trustees of any such Society shall be liable to make good any Deficiency which may arise or happen in the Funds of such Society, but shall be liable only for the Monies which shall be actually received by him on account of such Society.

Treasurer to give Security.

XXI. The Treasurer of every such Society, and every Treasurer hereafter appointed in any Society established under any of the repealed Acts, or any other Officer who is required by the Rules to give Security, shall, before he take upon himself the Execution of his Office, become bound, with One sufficient Surety, in a Bond according to the Form set forth in the Third Schedule to this Act, or give the Security of a Guarantee Society established in *London*, in such penal Sum as the Society or the Committee

mittee of Management shall direct and appoint, conditioned for his just and faithful Execution of his said Office of Treasurer, and for rendering a just and true Account of all Monies received or paid by him on account of the said Society at such Times as the Rules of the said Society shall direct and appoint, and at such Times as he shall be required so to do by the Trustee or Trustees of the said Society, or by a Majority of the said Committee of Management, or by a Majority of the Members present at any Meeting of such Society; and every such Bond shall be given to the Trustee or Trustees of the said Society for the Time being; and if the same shall at any Time become forfeited, it shall be lawful for such Trustee or Trustees for the Time being to sue upon such Bond for the Use of such Society; and in *Scotland* such Bond shall have the same Force and Effect as a Bond there in use duly attested and completed, and containing a Clause of Registration for Execution as well as for Preservation in the Books of Council and Session and other Judges Books competent, and shall be registered in such Books accordingly, with a view to Diligence.

Treasurer to account.

XXII. Every such Treasurer or other Officer, whether appointed before or after the passing of this Act, at such Times as by the Rules of such Society he should render such Account as aforesaid, or upon being required so to do by the Trustee or Trustees of such Society, or by a Majority of the said Committee of Management, or by a Majority of the Members present at a Meeting of the said Society as aforesaid, within Seven Days after such Requisition shall render to the Trustee or Trustees of the Society, or to the said Committee of Management, or to the Members of such Society at a Meeting of the Society, a just and true Account of all Monies received and paid by him since he last rendered the like Account, and of the Balance then remaining in his Hands, and of all Bonds or Securities of such Society, which Account the said Trustee or Trustees or Committee of Management shall cause to be audited by some fit and proper Person or Persons by them to be appointed; and such Treasurer, if thereunto required, upon the said Account being audited, shall forthwith hand over to the said Trustee or Trustees the Balance which on such Audit shall appear to be due from him, and shall also, if required, hand over to such Trustee or Trustees all Securities and Effects, Books, Papers, and Property of the said Society in his Hands or Custody; and if he fail to do so the Trustee or Trustees of the said Society may sue upon the Bond aforesaid, or may sue such Treasurer in the County Court of the District, or in any of the Superior Courts of Common Law, or in any other Court having Jurisdiction, for the Balance appearing to have been due from him upon the Account last rendered by him, and for all the Monies since received by him on account of the said Society, and for the Securities and Effects, Books, Papers, and Property in his Hands or Custody, leaving him to set off in such Action the Sums, if any, which he may have since paid on account of the said Society; and in such Action the said Trustee or Trustees shall be entitled to recover their full Costs of Suit, to be taxed as between Attorney and Client.

Property how recovered, if the Officer die, or become bankrupt or insolvent.

XXIII. If any Person already appointed or employed or hereafter to be appointed or employed to or in any Office in any Friendly Society established under this Act or under any of the Acts hereby repealed, whether such Appointment or Employment was before or after the legal Establishment of such Society, and having in his Hands or Possession, by virtue of his Office, any Monies or Property whatsoever of such Society, or any Deeds or Securities belonging to such Society, shall die, or become bankrupt or insolvent, or have any Execution or Attachment or other Process issued against him or any Part of his Property, or shall have any Action or Diligence raised against his Lands, Goods, Chattels, or Effects, or Property or other Estate, heritable or moveable, or shall make any Assignment, Disposition, Assignation, or other Conveyance for the Benefit of his Creditors, the Heirs, Executors, Administrators, or Assignees of every such Officer, and every other Person having or claiming Right to the Property of such Officer, and the Sheriff or other Person executing such Process, and the Party using such Action or Diligence respectively, shall, upon Demand in Writing made by the Treasurer or by the Trustee or any Two of the Trustees of such Society, or any Person appointed at some Meeting of the Society to make such Demand, deliver and pay over all such Monies, Property, Deeds, and Securities belonging to such Society to such Person as such Treasurer or Trustees shall appoint, and shall pay, out of the Estate, Assets, or Effects, heritable or moveable, of such Officer, all Sums of Money due which such Officer shall have received, before any other of his Debts are paid, and before any other Claims upon him shall be satisfied, and before the Money directed to be levied by such Process as aforesaid, or which may be recovered or recoverable under such Diligence, is paid over to the Party issuing such Process or using such Diligence; and all such Assets, Lands, Goods, Chattels, Property, Estates, and Effects shall be bound to the Payment, Discharge, and Satisfaction of such Claims.

Punishment of Fraud in withholding Money, &c.

XXIV. If any Officer, Member, or other Person, being or representing himself to be a Member of such Society, or the Nominee, Executor, Administrator, or Assignee of a Member thereof, or any Person whatsoever, by false Representation or Imposition, shall obtain Possession of any Monies, Securities, Books, Papers, or other Effects of such Society, or having the same in his Possession shall withhold or misapply the same, or shall wilfully apply any Part of the same to Purposes other than those expressed or directed in the Rules of such Society, or any Part thereof, it shall be lawful in *England* for any Justice of the Peace acting in the County or Borough in which the Place of Business of such Society shall be situated, upon Complaint made by any Person on behalf of such Society, to summon the Person against whom such Complaint is made to appear at a Time and Place to be named in such Summons; and any Two Justices present at the Time and Place mentioned in such Summons shall proceed to hear and determine

mine the said Complaint, in manner directed by the Act passed in the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three; and in *Scotland* every such Offence may be prosecuted by summary Complaint at the Instance of the Procurator Fiscal of the County, or of the Society, with his Concurrence, before the Sheriff; and if the said Justices or Sheriffs respectively shall determine the said Complaint to be proved against such Person, they shall adjudge and order him to deliver up all such Monies, Securities, Books, Papers, or other Effects to the Society, or to repay the Amount of Money applied improperly, and to pay, if they think fit, a further Sum of Money not exceeding Twenty Pounds, together with Costs not exceeding Twenty Shillings; and, in default of such Delivery of Effects, or Repayment of such Amount of Money, or Payment of such Penalty and Costs aforesaid, the said Justices or Sheriffs may order the said Person so convicted to be imprisoned in the Common Gaol or House of Correction, with or without Hard Labour, for any Time not exceeding Three Months: Provided, that nothing herein contained shall prevent the said Society, or in *Scotland* Her Majesty's Advocate, from proceeding by Indictment against the said Party: Provided also, that no Person shall be proceeded against by Indictment if a Conviction shall have been previously obtained for the same Offence under the Provisions of this Act.

Rules to be made.

XXV. Before any Friendly Society shall be established under this Act, the Persons intending to establish the same shall agree upon and frame a Set of Rules for the Regulation, Government, and Management of such Society; and in such Rules they may, amongst other things, make Provision for appointing a General Committee of Management of such Society, and delegating to such Committee all or any of the Powers given by this Act to the Members of Friendly Societies formed or established under or by virtue of the same; and such Rules shall set forth,

1. The Name of the Society and Place of Meeting for the Business of the Society:
2. The whole of the Objects for which the Society is to be established, the Purposes for which the Funds thereof shall be applicable, and the Conditions under which any Member may become entitled to any Benefit assured thereby, and the Fines and Forfeitures to be imposed on any Member of such Society:
3. The Manner of making, altering, amending, and rescinding Rules:
4. A Provision for the Appointment and Removal of a General Committee of Management, of a Trustee or Trustees, Treasurer, and other Officers:
5. A Provision for the Investment of the Funds, and for an annual or periodical Audit of Accounts:
6. The Manner in which Disputes between the Society and any of its Members, or any Person claiming by or through any Member, or under the Rules, shall be settled:

And the Rules of every such Society shall provide that all Monies received or paid on account of each and every particular Fund or Benefit assured to the Members thereof, their Husbands, Wives, Children, Fathers, Mothers, Brothers or Sisters, Nephews or Nieces, for which a separate Table of Contributions payable shall have been adopted, shall be entered in a separate Account, distinct from the Monies received and paid on account of any other Benefit or Fund, and also that a Contribution shall be made to defray the necessary Expenses of Management, and a separate Account shall be kept of such Contributions and Expenses.

Copies to be sent to the Registrar, and his Certificate obtained.

XXVI. Two printed or written Copies of such Rules, signed by Three of the intended Members and the Secretary or other Officer, shall be transmitted to the Registrar aforesaid, and the said Registrar shall advise with the Secretary or other Officer, if required, for the Purpose of ascertaining whether the said Rules are calculated to carry into effect the Intentions and Object of the Persons who desire to form such Society, and if the Registrar shall find that such Rules are in conformity with Law and with the Provisions of this Act, he shall give a Certificate in the Form set forth in the Second Schedule to this Act, and shall return One of the said Copies to the said Society, and shall keep the other in such Manner as shall from Time to Time be directed by One of Her Majesty's Principal Secretaries of State, and for which Certificate no Fee shall be payable to the said Registrar; and all Rules, when so certified as aforesaid, shall be binding on the several Members of the said Society: Provided always, that it shall not be lawful for the said Registrar to grant any such Certificate to a Society assuring to any Member thereof a certain Annuity or certain Superannuation, deferred or immediate, unless the Tables of Contributions payable for such kind of Assurance shall have been certified under the Hand of the Actuary to the Commissioners for Reduction of the National Debt, or by an Actuary of some Life Assurance Company established in *London*, *Edinburgh*, or *Dublin*, who shall have exercised the Profession of Actuary for at least Five Years, and such Certificate be transmitted to the Registrar, together with the Copies of the Rules aforesaid.

Actuary's Certificate to be sent with the Copies in case of Tables of Annuities.

Rules may be altered, amended, rescinded, or new Rules made.

XXVII. After the Rules of a Friendly Society shall have been so certified by the Registrar as aforesaid, it shall be lawful for such Society, by Resolution at a Meeting specially called for that Purpose, to alter, amend, or rescind the same or any of them, or to make new Rules; and it shall be lawful for any Friendly Society formed and established under any of the Acts hereby repealed to alter, amend, or rescind the Rules by which their Society is governed, regulated, or managed, or to make new Rules: Provided always, that Two Copies of the proposed Alterations or Amendments, and of such new Rules, signed by Three Members of such Society, and the Secretary or other Officer, shall be transmitted to the said Registrar, to One of which shall be attached a Declaration by the Secretary or One of the

Officers

Officers of such Society, that in making the same the Rules of such Society respecting the making, altering, amending, and rescinding Rules, or the Directions of the Act under which such Society was established, have been duly complied with; and if the said Registrar shall find that such Alterations, Amendments, or new Rules are in conformity with Law, he shall give to the Society a Certificate in the Form set forth in the Schedule to this Act, and return One of the Copies to the Society, and shall keep the other, with the Rules of such Society, in his Custody, and for which Certificate no Fee shall be payable to the said Registrar, and as against such Member or Person such Certificate shall be conclusive of the Validity thereof; and all Rules, Alterations, and Amendments, when so certified as aforesaid, shall be binding on the several Members of the said Society, and all Persons claiming on account of a Member or under the said Rules; but unless and until the same shall be so certified as aforesaid such Rules, Alterations, and Amendments shall have no Force or Validity whatsoever.

When Place of Meeting altered, Notice to be sent to Registrar.

XXVIII. Whenever any Friendly Society established under this Act or under any of the Acts hereby repealed shall change its Place of Business, Notice of such Change, under the Hands of Two of the Trustees or Three Members and Secretary or other Officer, shall, within Fourteen Days thereafter, be sent to the said Registrar.

Circulating false Copies of Rules, &c. a Misdemeanor.

XXIX. If any Person shall give to any Member of a Friendly Society established under this Act or under any of the said repealed Acts, or to any Person intending or applying to become a Member of such Society, a Copy of any Rules, or of any Alterations or Amendments of the same, other than those respectively which have been enrolled with any Clerk of the Peace or certified by the Registrar, with a Copy of his Certificate appended thereto, under colour that the same are binding upon the Members of such Society, or shall make any Alterations in or Addition to any of the Rules or Tables of such Society after they shall have been respectively enrolled or certified by the Registrar, and shall circulate the same, purporting that they have been duly enrolled or certified under this or any of the said repealed Acts, when they have not been so duly enrolled or certified, every Person so offending shall be deemed guilty of a Misdemeanor.

Rules, how received in Evidence.

XXX. All Rules and Tables of any Society established under this Act or any of the said repealed Acts, and all Alterations and Amendments thereof, and all Copies thereof or Extracts therefrom, and all Writings and Documents relating to a Friendly Society, and purporting to be signed by the Registrar, shall, in the Absence of any Evidence to the contrary, be received in all Courts of Law and Equity, and elsewhere without Proof of the Signature thereto.

On Death of Member, Sum under 50*l.* may be paid without Administration.

XXXI. When, on the Death of any Member of a Society established under this Act or any of the said repealed Acts, a Sum of Money not exceeding Fifty Pounds shall become payable, the same shall be paid by the Trustees of such Society to the Person directed by the Rules thereof, or nominated by the Deceased, in Writing deposited with the Secretary (such Person being the Husband, Wife, Father, Mother, Child, Brother or Sister, Nephew or Niece of such Member); and in case there shall be no such Direction or Nomination, or the Person so nominated shall have died before the deceased Member, or in case the Member shall have revoked such Nomination, then such Sum shall be paid to the Person who shall appear to the said Trustees to be entitled under the Statute of Distributions to receive the same, without taking out Letters of Administration in *England* or *Ireland*, and without Confirmation in *Scotland*: Provided, that wherever the Trustee or Trustees of any such Society, after the Decease of any Member thereof, shall have paid and divided any such Sum of Money to or amongst any Person or Persons who shall at the Time of such Payment appear to such Trustee or Trustees to be entitled to the Effects of any deceased Member who has died intestate, without having appointed any Nominee as aforesaid, the Payment of any such Sum shall be valid and effectual with respect to any Demand from any other Person or Persons as next of Kin of such deceased Member, or as the lawful Representative or Representatives of such Member, against the Funds of such Society or against the Trustees thereof; but nevertheless such next of Kin or Representative shall have his or her lawful Remedy for such Money so paid as aforesaid against the Person or Persons who shall have received the same.

Indemnity to Trustees.

Funds, how invested.

XXXII. The Trustee or Trustees of every Friendly Society established under this Act or any of the said repealed Acts shall from Time to Time, with the Consent of the Committee of Management of such Society, or of a Majority of the Members of such Society present at a General or Special Meeting thereof, or in accordance with the Rules of such Society, invest the Funds of such Society, or any Part thereof, to any Amount, in any Savings Bank, or in the Public Funds, or with the Commissioners for the Reduction of the National Debt, as herein-after mentioned, or in such other Security as the Rule of such Society may direct, not being the Purchase of House or Land, (save and except the Purchase of Buildings wherein to hold the Meetings or transact the Business of such Society, as herein-before mentioned,) and not being the Purchase of Shares in any Joint Stock Company or other Company, with or without Charter of Incorporation, and not being personal Security, except in the Case of a Member of One full Year's Standing at least, and in respect of a Sum not exceeding One Half the Amount of his Assurance on Life, such Member providing the written Security of himself and Two satisfactory Sureties for Repayment, and in case of such Member's Death before Repayment the Amount of such Advance, with Interest, may be deducted from the Sum so assured, without Prejudice in the meantime to the Operation of such Security.

XXXIII. Every

Funds may be invested with the Commissioners of the National Debt.

XXXIII. Every Friendly Society established under this Act which does not assure the Payment in any Event of a Sum exceeding Two hundred Pounds, or an Annuity exceeding Thirty Pounds *per Annum*, may pay any Sum of Money not less than Fifty Pounds into the Bank of *England* or *Ireland*, to the Account of the Commissioners for the Reduction of the National Debt, upon the Declaration of the Trustee or of the Trustees, or any Two or more of them, that such Monies belong exclusively to the said Society; and the Cashier of the Bank of *England* is hereby required to receive all such Monies, and to place the same to the Account raised in the Name of the said Commissioners in the Book of the Bank, named "The Fund for Friendly Societies;" and if such Declaration shall not be true, then and in every such Case the Sum of Money so paid in on such Declaration shall be forfeited to the said Commissioners, and shall be applied by them in the Manner directed by any Act or Acts for the Time being in force relating to Savings Banks with respect to the Account of such Banks; and the Regulation of Receipts, Certificates, or Orders concerning Saving Banks shall be deemed applicable to Monies paid in as aforesaid under the Authority of this Act, as if the same had been herein repeated; and every such Society, on paying Money directly into the Bank as aforesaid, shall be entitled to receive Receipts bearing Interest at the Rate of Twopence *per Centum per Diem:* Provided, that every Society which shall deposit any Part of its Funds in any Savings Bank, or with the Commissioners for Reduction of the National Debt, shall furnish to the said Commissioners from Time to Time such Accounts as they may require in reference to the Funds so deposited.

What Interest old Societies shall have.

XXXIV. Every Society already established under any of the Acts hereby repealed, which shall have heretofore invested any Part of its Funds with the Commissioners for the Reduction of the National Debt, shall be entitled to pay into the Bank of *England* or *Ireland* in Sums of not less than Fifty Pounds, Money received from Members on account of Assurances made before the passing of this Act, and to receive Receipts for the same bearing Interest at such Rate or Rates as such Society has hitherto been entitled to receive on account of such Assurances; that is to say, for Money invested with the Commissioners by any Society legally established before the Twenty-eighth Day of *July* in the Year One thousand eight hundred and twenty-eight, on account of any Assurance made before the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty, Threepence *per Centum per Diem;* and on account of any Assurance effected after that Day, Twopence *per Centum per Diem;* and for Money invested with the Commissioners by any Society established between the Twenty-eighth Day of *July* in the Year One thousand eight hundred and twenty-eight and the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty, on account of Assurances made before the Fifteenth Day of *August* in the Year One thousand eight hundred and fifty, Twopence Halfpenny *per Centum per Diem;* and on account of any Assurance effected after that Day, Twopence *per Centum per Diem;* and for Money invested with the Commissioners by any Society established since the Fifteenth Day of *July* One thousand eight hundred and fifty, the Sum of Twopence *per Centum per Diem:* Provided that the Trustees of every Society which shall have invested or shall invest any Part of its Funds with the said Commissioners shall furnish from Time to Time such Accounts and Returns as the said Commissioners shall require, and shall satisfy the said Commissioners that they are legally entitled to receive such Interest as aforesaid, and to make such further Investment.

Re-depositing of Money withdrawn.

XXXV. Where any Friendly Society shall withdraw Money invested by them with the Commissioners for the Reduction of the National Debt, such Society shall not be entitled to make any further Deposit with the said Commissioners without the Consent of the said Commissioners, or of the Comptroller General or Assistant Comptroller under them.

Transfer of Stock.

XXXVI. Whenever it shall happen that any Person, being or having been a Trustee of any Society established under this Act or any Act hereby repealed, and whether he shall have been appointed before or after the legal Establishment thereof, in whose Name any Part of the several Stocks, Annuities, and Funds belonging to any such Society, transferable at the Bank of *England* or *Ireland*, or in the Books of the Governor and Company of the Bank of *England* or *Ireland*, or in any Savings Bank, is or shall be standing, shall be out of *England* or *Ireland* or *Scotland* respectively, or shall have been removed from his Office of Trustee, or shall be a Bankrupt, Insolvent, or Lunatic, or it shall be unknown whether such Trustee is living or dead, it shall be lawful for the Registrar, after receiving an Application in Writing from the Secretary of the Society and Three Members thereof, and upon Proof satisfactory to such Registrar, to direct the Accountant General or other proper Officer for the Time being of the said Governor and Company of the Bank of *England* or *Ireland*, or of any Savings Bank, to transfer in the Books of the said Company or of the said Savings Bank such Stocks, Annuities, or Funds, standing as aforesaid, into the Name of the Trustee who shall be newly appointed, and to pay to him from Time to Time the Dividends thereof; and if One of Two or more such Trustees shall die, or be removed from his Office of Trustee, or become bankrupt or insolvent, it shall be lawful for the Registrar, on the like Application, to direct that the other or others of the Trustees shall transfer such Stock, Annuities, or Funds into the Name of such Person as may have been appointed in his Stead, jointly with the continuing Trustee or Trustees.

Power of Attorney, &c. not liable to Stamp Duty.

XXXVII. No Copy of Rules, nor Power, Warrant, or Letter of Attorney granted by any Person as Trustee of any Society established under this Act or any of the Acts hereby repealed, for the Transfer of any Share in the Public Funds standing in the Name of such Trustee, nor any Order or Receipt for Money

Money contributed to or received from the Funds of any such Society, by any Person liable or entitled to pay or receive the same by virtue of the Rules thereof or of this Act, nor any Bond to be given to or on account of any such Society, or by the Treasurer or any Officer thereof, nor any Draft or Order, nor any Form of Policy, nor any Appointment of any Agent, nor any Certificate or other Instrument for the Revocation of any such Appointment, nor any other Document whatever required or authorized by or in pursuance of this Act or the Rules of any Society, shall be liable to Stamp Duty: Provided, that no Exemption from any of the Duties granted by any Act or Acts relating to Stamp Duties shall be deemed to extend to any Society which shall assure the Payment of Money exceeding Two hundred Pounds, or which shall assure the Payment of any Money on the Death of a Member to any Person, except Executors, Administrators, or Assigns of such Member, or the Husband, Wife, Father, Mother, Child, Brother, Sister, Nephew, or Niece of such Member.

Limitation of Exemptions to Societies not assuring above 200*l.*

XXXVIII. If any Person shall become a Member of more than One Society, whereby certain Benefits shall accrue on account of the same Kind of Assurance from more than One Society, it shall not be lawful for him, or for any Person entitled through or under him or by reason of his Membership, or for any Number of such Persons in the aggregate, to receive more than Two hundred Pounds, or, in the Case of Annuities, Thirty Pounds a Year, from such Societies collectively; and in any Case where a Person shall so as aforesaid be a Member of more than One Society, and he, or any other Person or Persons, shall be entitled to any Benefit in gross or by way of Annuity from any such Society, he, or (as the Circumstances may require) every such other Person, shall, before he shall receive any such Benefit from any of such Societies, make and sign a Declaration that the total Value of all Benefits accruing or which shall have accrued in respect of any One Kind of Assurance does not exceed the Value of Two hundred Pounds, or, in the Case of Annuities, Thirty Pounds a Year; and it shall be lawful for any Society to require any Member or any other Person who shall be entitled to any such Benefit, before he shall receive the same, to make and sign a Declaration to the same Effect, or that such Member was not, when the Benefit accrued, a Member of any other Association; and if any Person shall knowingly make any false or fraudulent Declaration in any such Case he shall be guilty of Misdemeanor.

No Member to receive more than 200*l.* or 30*l.* a Year from any Number of Societies.

XXXIX. The Trustees of any Friendly Society may, out of the Funds thereof, subscribe to any Hospital, Infirmary, Charitable or other Provident Institution, such annual or other Sum as may be agreed upon by the Committee of Management, or by a Majority of the Members at a Meeting called for that Purpose, in consideration of any Member of such Society, his Wife, Child, or other Person nominated, being eligible to receive the Benefits of such Hospital or other Institution, according to the Rules thereof.

Trustees may subscribe to a Hospital or Provident Institution.

XL. Every Dispute between any Member or Members of any Society established under this Act or any of the Acts hereby repealed, or any Person claiming through or under a Member, or under the Rules of such Society, and the Trustee, Treasurer, or other Officer, or the Committee thereof, shall be decided in manner directed by the Rules of such Society, and the Decision so made shall be binding and conclusive on all Parties, without Appeal: Provided that where the Rules of any Society established under any of the Acts hereby repealed shall have directed Disputes to be referred to Justices, such Disputes shall, from and after the First Day of *August* One thousand eight hundred and fifty-five, be referred to and decided by the County Court as herein-after mentioned.

As to the Determination of Disputes according to the Rules.

XLI. In all Friendly Societies established under this Act or any of the said repealed Acts, all Applications for the Removal of any Trustee, or for any other Relief, Order, or Direction, or for the Settlement of Disputes that may arise or may have arisen in any Society the Rules of which do not prescribe any other Mode of settling such Disputes, or to enforce the Decision of any Arbitrators, or to hear or determine any Dispute, if no Arbitrator shall have been appointed or if no Decision shall be made by the said Arbitrators within Forty Days after Application has been made by the Member or Person claiming through or under a Member or under the Rules of the Society, shall be made to the County Court of the District within which the usual or principal Place of Business of the Society shall be situate; and such Court shall, upon the Application of any Person interested in the Matter, entertain such Application, and give such Relief, and make such Orders and Directions in relation to the Matter of such Application, as herein-after mentioned, or as may now be given or made by the Court of Chancery in respect either of its ordinary or its special or statutory Jurisdiction; and the Decision of such County Court upon and in relation to such Application as aforesaid shall not be subject to any Appeal: Provided always, that in *Scotland* the Sheriff within his County, and in *Ireland* the Assistant Barrister within his District, shall have the same Jurisdiction as is hereby given to the Judge of a County Court.

In what Cases by the County Court.

XLII. In all Cases where the Order of such County Court shall be for the Payment of Money, the same may be enforced in the same Manner as the ordinary Judgments of such Court are enforced; but where the Order of the said Court shall be for the doing of some Act, not being for the Payment of Money, it shall be lawful for the Judge of such County Court in his said Order to order the Party to do such Act, or that in default of his doing it he shall pay a certain Sum of Money; and in case he refuse or neglect to do the Act required, upon Demand in that Behalf, the Sum of Money or Penalty in the said Order may then be recovered in the same Manner as a Judgment for Debt or Damages in such Court; and it shall not be lawful to remove the same by Certiorari or other Writ or Process to any Superior Court of Record.

Order of County Court, how enforced.

XLIII. Provided, however, That the Lord Chancellor may make such Orders for regulating the Proceedings by and before the Judges of County Courts under this Act as he may think fit; and in *Scotland*

Lord Chancellor may make Orders for regu-

lating the Proceedings in this respect.

Scotland the Court of Session shall have the like Power by Act of Sederunt as regards Proceedings before Sheriffs under this Act; and, subject to such Orders and Acts of Sederunt respectively, such Judges and Sheriffs may regulate the Proceedings before them respectively so as to render them as summary and inexpensive as conveniently may be.

In the Case of Societies whose Rules are not certified, Disputes between the Society and its own Members to be settled as in Cases of certified Societies.

XLIV. In the Case of any Friendly Society established for any of the Purposes mentioned in Section IX. of this Act, or for any Purpose which is not illegal, having written or printed Rules, whose Rules have not been certified by the Registrar, provided a Copy of such Rules shall have been deposited with the Registrar, every Dispute between any Member or Members of such Society, and the Trustees, Treasurer, or other Officer, or the Committee of such Society, shall be decided in manner herein-before provided with respect to Disputes, and the Decision thereof, in the Case of Societies to be established under this Act, and the Sections in this Act provided for such Decision, and also the Section in this Act which enacts a Punishment in case of Fraud or Imposition by an Officer, Member, or Person, shall be applicable to such uncertified Societies: Provided always, that nothing herein contained shall be construed to confer on any such Society whose Rules shall not have been certified by the Registrar, or any of the Members or Officers of such Society, any of the Powers, Exemptions, or Facilities of this Act, save and except as in and by this Section is expressly provided.

Returns to the Registrar, when and how to be made.

XLV. The Trustees of Friendly Societies established under this Act or under any of the repealed Acts, or the Officer thereof appointed to prepare Returns, shall, once in every Year, in the Months of *January, February,* or *March,* transmit to the Registrar a General Statement of the Funds and Effects of such Society during the past Twelve Months, or a Copy of the last annual Report of such Society, and shall also, within Three Months after the Expiration of the Month of *December* One thousand eight hundred and fifty-five, and so again within Three Months after the Expiration of every Five Years succeeding, transmit to the said Registrar a Return of the Rate or Amount of Sickness and Mortality experienced by such Society within the preceding Five Years, in such Form as shall be prepared by the said Registrar, and an Abstract of the same shall be laid before Parliament; and the Registrar shall also lay before Parliament every Year a Report of his Proceedings, in his Office of Registrar, and of the principal Matters transacted by Friendly Societies which have come under his Cognizance during the past Year.

Certain Societies established for granting annual Payments to Nominees before the Year 1850 to have Privileges of this Act.

XLVI. 'And whereas under the Provisions of the Acts hereby repealed, or some of them, certain 'Associations or Societies have been formed in *England* and *Ireland* for the provident and charitable 'Purpose of securing annual Payments to the Nominees of the Members thereof, contingent upon the 'Death of such Members, and have invested their Funds in the Manner provided by such Acts, and 'Doubts may arise whether such Associations or Societies will be entitled to the Exemptions and 'Privileges by this Act conferred in the event of such annual Payments amounting in the aggregate 'to more than Thirty Pounds; and it is expedient to remove such Doubts, and to give Protection to 'such Associations or Societies, and to the Funds thereof:' Be it therefore enacted, That notwithstanding anything in this Act contained to the contrary, all such Associations or Societies as were founded and subsisting under the Provisions of the said Acts previously to the Fifteenth Day of *August* One thousand eight hundred and fifty, shall enjoy the Exemptions and Privileges by this Act conferred on Societies to be established under the Provisions of this Act as fully as if they had been registered and certified under this Act, and notwithstanding that the contingent annual Payments to which the Nominees of the present or future Members of such Associations or Societies may become entitled shall exceed in the aggregate the Sum of Thirty Pounds.

Extra Contribution may be demanded of a Member serving in the Militia.

XLVII. In any Case where the Rules of any Society already enrolled or certified have provided that a Member shall be deprived of any Benefit by reason of his Enrolment or Service in the Militia, it shall be lawful for the Trustees of such Society to require of any Member a Contribution exceeding the Rate of Contribution hitherto payable by such Member, to an Amount not exceeding One Tenth of such Rate, during the Time such Member shall be serving out of the United Kingdom, or to suspend all Claim of such Member to any Benefits of such Society, and all Claim of the Society to any Contributions payable by such Member, during the Time he may be serving in the Militia out of the United Kingdom, provided that such Suspension shall cease so soon as the said Member shall return to the United Kingdom, and he shall thereupon be replaced on the same Footing as before he went abroad with the Regiment to which he belongs.

Act to apply to Societies constituted under the Industrial and Provident Societies Act, 1852.

XLVIII. All the Provisions of this Act shall apply to all Societies constituted under the Industrial and Provident Societies Act, 1852, in the same Manner as the Laws in force relating to Friendly Societies at the Date of the passing of the said Industrial and Provident Societies Act, 1852, are by the said last-mentioned Act directed to apply to Societies constituted thereunder; and the Limitation herein-before contained of the Amount of Annuities and Sums payable on the Death of any Person, or on any other Contingency, in the Case of Societies established under this Act, shall apply to all Societies constituted under the said Industrial and Provident Societies Act, 1852.

Interpretation of "Society."

XLIX. The Word "Society" shall extend to and include every Branch of a Society, by whatever Name it may be designated.

Extent of Act.

L. This Act shall extend to *Great Britain* and *Ireland*, and the Channel Isles, and the *Isle of Man*.

Commencement of Act.

LI. This Act shall commence and take effect from the First Day of *August* One thousand eight hundred and fifty-five.

SCHE-

SCHEDULES referred to by the foregoing Act.

FIRST SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
33 Geo. 3. c. 54. - -	An Act for the Encouragement and Relief of Friendly Societies.	The whole Act.
35 Geo. 3. c. 111. -	An Act for more effectually carrying into execution an Act made in the Thirty-third Year of the Reign of His present Majesty, intituled "An Act for the Encouragement and Relief of Friendly Societies," and for extending so much of the Powers thereof as relates to the framing Rules and Regulations for the better Management of the Funds of such Societies, and the Appointment of Treasurers to other Institutions of a charitable Nature.	The whole Act.
36 Geo. 3. c. 68. (Irish)	An Act for the Encouragement and Relief of Friendly Societies.	The whole Act.
43 Geo. 3. c. 111. -	An Act for enabling Friendly Societies intended to be established under an Act passed in the Thirty-third Year of the Reign of His present Majesty to rectify Mistakes made in the Registry of their Rules.	The whole Act.
49 Geo. 3. c. 58. - -	An Act to explain and render more effectual an Act passed in the Parliament of Ireland, in the Thirty-sixth Year of His present Majesty's Reign, for the Encouragement and Relief of Friendly Societies.	The whole Act.
49 Geo. 3. c. 125. -	An Act to amend an Act made in the Thirty-third Year of His present Majesty for the Encouragement and Relief of Friendly Societies.	The whole Act.
59 Geo. 3. c. 128. -	An Act for further Protection and Encouragement of Friendly Societies, and for preventing Frauds and Abuses therein.	The whole Act.
6 Geo. 4. c. 74. - -	An Act for consolidating and amending the Laws relating to Conveyances and Transfers of Estates and Funds vested in Trustees who are Infants, Idiots, Lunatics, or Trustees of unsound Mind, or who cannot be compelled or refuse to Act; and also the Laws relating to Stocks and Securities belonging to Infants, Idiots, Lunatics, and Persons of unsound Mind.	So much of Section 11. as relates to Friendly Societies.
10 Geo. 4. c. 56. - -	An Act to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
2 W. 4. c. 37. - -	An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, by extending the Time within which pre-existing Societies must conform to the Provisions of that Act.	The whole Act.
4 & 5 W. 4. c. 40. -	An Act to amend an Act of the Tenth Year of His late Majesty King George the Fourth, to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
3 & 4 Vict. c. 73. -	An Act to explain and amend the Acts relating to Friendly Societies.	The whole Act.
9 & 10 Vict. c. 27. -	An Act to amend the Laws relating to Friendly Societies.	The whole Act.
13 & 14 Vict. c. 115. -	An Act to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
15 & 16 Vict. c. 65. -	An Act to continue and amend an Act passed in the Fourteenth Year of the Reign of Her present Majesty, to consolidate and amend the Laws relating to Friendly Societies.	The whole Act.
16 & 17 Vict. c. 123. -	An Act to amend the Laws relating to the Investments of Friendly Societies.	The whole Act.

Reference to Act.	Title of Act.	Extent of Repeal.
17 & 18 Vict. c. 50. -	An Act to continue an Act of the Twelfth Year of Her present Majesty, for amending the Laws relating to Savings Banks in Ireland, and to authorize Friendly Societies to invest the whole of their Funds in Savings Banks.	Section 2.
17 & 18 Vict. c. 101. -	An Act to continue and amend the Acts now in force relating to Friendly Societies.	The whole Act.

SECOND SCHEDULE.

FORM of REGISTRAR'S CERTIFICATE to RULES of FRIENDLY SOCIETIES.

I HEREBY certify, That the foregoing Rules [*or* the Alterations or Amendments of the Rules] of the Society at in the County of are in conformity with Law, [*and in the Case of a new Society*] and that the Society is duly established from the present Date, and is subject to the Provisions and entitled to the Privileges of the Acts relating to Friendly Societies.

The Rates of Contributions and Payments are stated to have been prepared by *A.B.*, Actuary of *or* [*as the Case may be*] are not stated to have been prepared by any Actuary.

THIRD SCHEDULE.

FORM of BOND.

KNOW all Men by these Presents, That we, *A.B.* of Treasurer, *&c.* [*as the Case may be*] of the Society, established at in the County of and *C.D.* of (as Surety on behalf of the said *A.B.*) are jointly and severally held and firmly bound to *A.B.* of *C.D.* of and *E.F.* of the Trustees of the said Society, in the Sum of to be paid to the said *A.B.*, *C.D.*, and *E.F.* as such Trustees, or their Successors, Trustees for the Time being, or their certain Attorney, for which Payment well and truly to be made we jointly and severally bind ourselves, and each of us by himself, our and each of our Heirs, Executors, and Administrators, firmly by these Presents, sealed with our Seals. Dated the Day of in the Year of our Lord

Whereas the above-bounden *A.B.* hath been duly appointed Treasurer, *&c.* [*as the Case may be*] of the Society, established as aforesaid, and he, together with the above-bounden *C.D.* as his Surety, have entered into the above-written Bond, subject to the Condition herein-after contained: Now therefore the Condition of the above-written Bond is such, that if the said *A.B.* shall and do justly and faithfully execute his Office of Treasurer, *&c.* [*as the Case may be*] of the said Society established as aforesaid, and shall and do render a just and true Account of all Monies received and paid by him, and shall and do pay over all the Monies remaining in his Hands, and assign and transfer or deliver all Securities and Effects, Books, Papers, and Property of or belonging to the said Society in his Hands or Custody, to such Person or Persons as the said Society shall appoint, according to the Rules of the said Society, together with the proper or legal Receipts or Vouchers for such Payments, and likewise shall and do in all respects well and truly and faithfully perform and fulfil his Office of Treasurer, *&c.* [*as the Case may be*] to the said Society, according to the Rules thereof, then the above-written Bond shall be void and of no Effect; otherwise shall be and remain in full force and virtue.

C A P. LXIV.

An Act to settle Annuities on *Emily Harriet* Lady *Raglan* and *Richard Henry Fitzroy* Lord *Raglan*, and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord *Raglan*. [23d *July* 1855.]

'Most Gracious Sovereign,

'WHEREAS Your Majesty, by Your most gracious Message, hath been pleased to signify that Your 'Majesty, taking into consideration the great and brilliant Services performed by the late *Fitzroy* '*James Henry* Lord *Raglan*, Field Marshal in Your Majesty's Army, and Commander-in-Chief of Your 'Majesty's Forces at the Seat of War in the East, in the course of the Hostilities which have taken place 'in the *Crimea*, and being desirous, in recognition of these and his other distinguished Merits, to confer 'some signal Mark of Your Favour upon his Widow *Emily Harriet* Lady *Raglan*, upon his Son and

'Successor

'Successor to the Title *Richard Henry* Lord *Raglan*, and the next surviving Heir Male of the Body of 'the said *Richard Henry* Lord *Raglan*, "recommended to Your faithful Commons the Adoption of such '"Measures as might be necessary for the Accomplishment of that Purpose:"' Therefore we, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, duly considering Your Majesty's gracious Intention, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

An Annuity of 1,000*l.* to be paid to Lady Raglan, and an Annuity of 2,000*l.* to Lord Raglan and his next Heir Male.

I. An Annuity of One thousand Pounds shall be paid to *Emily Harriet* Lady *Raglan*, Widow of the late *Fitzroy James Henry* Lord *Raglan*, for her natural Life, and an Annuity of Two thousand Pounds shall be paid to *Richard Henry Fitzroy* Lord *Raglan* for his natural Life, and after his Decease to the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* who may succeed to the Title of Lord *Raglan*, for the natural Life of such Successor; and the said Annuities shall be deemed to have commenced and taken effect upon the Second Day of *July* One thousand eight hundred and fifty-five, and the First Payment of a proportionate Part thereof respectively for the Period from such Commencement thereof to the Tenth Day of *October* One thousand eight hundred and fifty-five shall be made on the said Tenth Day of *October* One thousand eight hundred and fifty-five; and the said Annuities respectively shall thereafter be paid quarterly on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year; and such Annuities respectively shall be payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, (after paying or reserving sufficient to pay all such Sums of Money as have been directed to be paid out of the same by former Acts of Parliament, but with Preference to all other Payments which shall hereafter be charged upon and payable out of the said Fund,) and the Receipts of the said *Emily Harriet* Lady *Raglan* (as to the said Annuity of One thousand Pounds), and of the said *Richard Henry Fitzroy* Lord *Raglan* and the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* on whom the Title shall descend (as to the said Annuity of Two thousand Pounds), or of such other Person as shall be duly authorized and appointed by the Person for the Time being entitled to such respective Annuity to receive the same, shall be good and sufficient Discharges for the Payments thereof; the said Annuities to be free and clear from all Taxes, Rates, and Assessments, and all other Charges whatsoever, except Income Tax.

Treasury to direct Payment of the Annuity.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to direct the Payment of the said Annuities according to the Provision herein-before contained.

Annuity of 2,000*l.* not to be aliened or incumbered.

III. The said Annuity of Two thousand Pounds shall be vested in the said *Richard Henry Fitzroy* Lord *Raglan* and the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* to whom the said Title of Lord *Raglan* shall descend, and shall not be aliened, charged, or incumbered by the said *Richard Henry Fitzroy* Lord *Raglan* for any greater or larger Estate or Time than during the natural Life of the Person so aliening, conveying, disposing, charging, or incumbering the same, so as to prevent the same from descending to the next surviving Heir Male of the Body of the said *Richard Henry Fitzroy* Lord *Raglan* to whom the said Title of Lord *Raglan* shall descend according to the Limitation aforesaid.

CAP. LXV.

An Act to amend the *Dublin* Carriage Acts. [23d *July* 1855.]

'WHEREAS Doubts have arisen with respect to the Construction of the *Dublin* Carriage Act, 1853, 'and the *Dublin* Amended Carriage Act, 1854, and it is expedient to remove such Doubts, and to 'amend the said Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Enactments of 16 & 17 Vict. c. 112. and 17 & 18 Vict. c. 45. to apply to Cabriolets.

I. That all the Enactments contained in the *Dublin* Carriage Act, 1853, and the *Dublin* Amended Carriage Act, 1854, save in reference to the Sums directed to be paid for Licences and as annual Rents, in anywise relating to the Carriages therein designated as Hackney Carriages, or to the Persons therein designated and referred to as the Proprietors or Drivers thereof, shall be deemed and taken to apply to and include as well the Carriages by the said last-mentioned Act designated as Cabriolets, and the Proprietors and Drivers thereof, as the Carriages thereby designated as Hackney Carriages, and the Proprietors and Drivers thereof, anything in the said last-mentioned Acts to the contrary notwithstanding.

Acts construed together.

II. The said Acts and this Act shall be construed together as One Act.

Short Title.

III. In citing this Act in any other Act of Parliament, legal Instrument, or Proceeding whatever, it shall be sufficient to use the Expression "The *Dublin* Amended Carriage Act, 1855."

CAP. LXVI.

An Act to render valid certain Marriages in *Christ Church* in the Chapelry of *Todmorden* and Parish of *Rochdale*, in the Counties of *Lancaster* and *York*. [23d *July* 1855.]

'WHEREAS the Church called *Christ Church* in the Chapelry of *Todmorden* and Parish of *Rochdale* in the Counties of *Lancaster* and *York* was erected and built some Time in or about the Year One thousand eight hundred and thirty-two, and was duly consecrated for the Performance of Divine Service therein: And whereas divers Marriages have been solemnized in the said Church by the Minister thereof and by other Clergymen, under the Opinion that according to the Terms of the Sentence of Consecration of the said Church, or otherwise, Marriages might be lawfully solemnized therein, and Entries of the said Marriages so solemnized have been from Time to Time made in Register Books kept at the said Church, in compliance with the Provisions concerning Registry of Marriages: And whereas it is expedient, under the Circumstances aforesaid, to confirm the Marriages so as aforesaid solemnized in the said Church:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages solemnized in Christ Church, Todmorden, declared valid.

I. All Marriages heretofore solemnized in the said Church, and the Publication of Banns in such Church previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Parish Church of *Rochdale*, or in the Church of the ancient Chapelry of *Todmorden*.

Indemnification of Ministers.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so as aforesaid solemnized the same respectively.

Registers to be Evidence.

III. The Registers of the Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

CAP. LXVII.

An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes by the Prevention of frivolous or fictitious Defences to Actions thereon. [23d *July* 1855.]

'WHEREAS *bonâ fide* Holders of dishonoured Bills of Exchange and Promissory Notes are often unjustly delayed and put to unnecessary Expense in recovering the Amount thereof by reason of frivolous or fictitious Defences to Actions thereon, and it is expedient that greater Facilities than now exist should be given for the Recovery of Money due on such Bills and Notes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by Authority of the same, as follows:

From Oct. 24, 1855, all Actions upon Bills of Exchange, &c. may be by Writ of Summons as Form in Schedule A.

Plaintiff, on filing Affidavit of personal Service, may at once sign final Judgment as Form in Schedule B.

I. From and after the Twenty-fourth Day of *October* One thousand eight hundred and fifty-five, all Actions upon Bills of Exchange or Promissory Notes commenced within Six Months after the same shall have become due and payable may be by Writ of Summons in the special Form contained in Schedule A. to this Act annexed, and indorsed as therein mentioned; and it shall be lawful for the Plaintiff, on filing an Affidavit of personal Service of such Writ within the Jurisdiction of the Court, or an Order for Leave to proceed, as provided by the Common Law Procedure Act, 1852, and a Copy of the Writ of Summons and the Indorsements thereon, in case the Defendant shall not have obtained Leave to appear and have appeared to such Writ according to the Exigency thereof, at once to sign final Judgment in the Form contained in Schedule B. to this Act annexed (on which Judgment no Proceeding in Error shall lie) for any Sum not exceeding the Sum indorsed on the Writ, together with Interest, at the Rate specified (if any), to the Date of the Judgment, and a Sum for Costs to be fixed by the Masters of the Superior Courts or any Three of them, subject to the Approval of the Judges thereof or any Eight of them (of whom the Lord Chief Justices and the Lord Chief Baron shall be Three), unless the Plaintiff claim more than such fixed Sum, in which Case the Costs shall be taxed in the ordinary Way, and the Plaintiff may upon such Judgment issue Execution forthwith.

Defendant showing a Defence upon the Merits to have Leave to appear.

II. A Judge of any of the said Courts shall, upon Application within the Period of Twelve Days from such Service, give Leave to appear to such Writ, and to defend the Action, on the Defendant paying into Court the Sum indorsed on the Writ, or upon Affidavits satisfactory to the Judge, which disclose a legal or equitable Defence, or such Facts as would make it incumbent on the Holder to prove Consideration, or such other Facts as the Judge may deem sufficient to support the Application, and on such Terms as to Security or otherwise as to the Judge may seem fit.

Judge may, under special Cir-

III. After Judgment, the Court or a Judge may, under special Circumstances, set aside the Judgment, and, if necessary, stay or set aside Execution, and may give Leave to appear to the Writ, and to defend the

the Action, if it shall appear to be reasonable to the Court or Judge so to do, and on such Terms as to the Court or Judge may seem just. cumstances, set aside Judgment.

IV. In any Proceedings under this Act it shall be competent to the Court or a Judge to order the Bill or Note sought to be proceeded upon to be forthwith deposited with an Officer of the Court, and further to order that all Proceedings shall be stayed until the Plaintiff shall have given Security for the Costs thereof. Judge may order Bill to be deposited with Officer of Court.

V. The Holder of every dishonoured Bill of Exchange or Promissory Note shall have the same Remedies for the Recovery of the Expenses incurred in noting the same for Nonacceptance or Nonpayment, or otherwise, by reason of such Dishonour, as he has under this Act for the Recovery of the Amount of such Bill or Note. Remedy for Recovery of Expenses of noting Nonacceptance.

VI. The Holder of any Bill of Exchange or Promissory Note may, if he think fit, issue One Writ of Summons, according to this Act, against all or any Number of the Parties to such Bill or Note, and such Writ of Summons shall be the Commencement of an Action or Actions against the Parties therein named respectively, and all subsequent Proceedings against such respective Parties shall be in like Manner, so far as may be, as if separate Writs of Summons had been issued. Holder may issue One Summons against all or any of the Parties to Bill.

VII. The Provisions of the Common Law Procedure Act, 1852, and the Common Law Procedure Act, 1854, and all Rules made under or by virtue of either of the said Acts, shall, so far as the same are or may be made applicable, extend and apply to all Proceedings to be had or taken under this Act. Incorporation of Common Law Procedure Acts and Rules.

VIII. The Provisions of this Act shall apply, as near as may be, to the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham*, and the Judges of such Courts, being Judges of One of the Superior Courts of Common Law at *Westminster*, shall have Power to frame all Rules and Process necessary thereto. Act to apply to Courts of Common Pleas, Lancaster and Durham.

IX. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act shall apply to all or any Court or Courts of Record in *England* and *Wales*, and within One Month after such Order shall have been made and published in the *London Gazette* such Provisions shall extend and apply in manner directed by such Order, and any such Order may be, in like Manner, from Time to Time altered and annulled; and in and by any such Order Her Majesty may direct by whom any Powers or Duties incident to the Provisions applied under this Act shall and may be exercised with respect to Matters in such Court or Courts, and may make any Orders or Regulations which may be deemed requisite for carrying into operation in such Court or Courts the Provisions so applied. Her Majesty may direct Act to apply to Courts of Record in England and Wales.

X. Nothing in this Act shall extend to *Ireland* or *Scotland*. Extent of Act.

XI. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Summary Procedure on Bills of Exchange Act, 1855." Short Title.

SCHEDULES referred to in the foregoing Act.

A.

VICTORIA, by the Grace of God, &c.

To *C.D.*, of , in the County of . We warn you, That unless within Twelve Days after the Service of this Writ on you, inclusive of the Day of such Service, you obtain Leave from One of the Judges of the Courts at Westminster to appear, and do within that Time appear in Our Court of in an Action at the Suit of *A.B.*, the said *A.B.* may proceed to Judgment and Execution.

Witness, *&c.*

Memorandum to be subscribed on the Writ.

N.B.—This Writ is to be served within Six Calendar Months from the Date hereof, or if renewed, from the Date of such Renewal, including the Day of such Date, and not afterwards.

Indorsement to be made on the Writ before Service thereof.

This Writ was issued by *E.F.*, of , Attorney for the Plaintiff. *Or*, This Writ was issued in Person by *A.B.*, who resides at [*mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence*].

Indorsement.

The Plaintiff claims [Pounds Principal and Interest], *or* Pounds Balance of Principal and Interest due to him as the Payee [*or* Indorsee] of a Bill of Exchange or Promissory Note, of which the following is a Copy:—

[*Here copy Bill of Exchange or Promissory Note, and all Indorsements upon it.*]

And if the Amount thereof be paid to the Plaintiff or his Attorney within Days from the Service hereof, further Proceedings will be stayed.

NOTICE.

NOTICE.

Take notice, That if the Defendant do not obtain Leave from One of the Judges of the Courts within Twelve Days after having been served with this Writ, inclusive of the Day of such Service, to appear thereto, and do within such Time cause an Appearance to be entered for him in the Court out of which this Writ issues, the Plaintiff will be at liberty at any Time after the Expiration of such Twelve Days to sign final Judgment for any Sum not exceeding the Sum above claimed, and the Sum of Pounds for Costs, and issue Execution for the same.

Leave to appear may be obtained on an Application at the Judges Chambers, Serjeants Inn, London, supported by Affidavit showing that there is a Defence to the Action on the Merits, or that it is reasonable that the Defendant should be allowed to appear in the Action.

Indorsement to be made on the Writ after Service thereof.

This Writ was served by *X.Y.* on *L.M.* (the Defendant the Defendants), on *Monday* the Day of 18 ,

By *X.Y.*

B.

In the Queen's Bench.

On the Day of in the Year of our Lord 18 [*Day of signing Judgment*].

ENGLAND (to wit). *A.B.* in his own Person [*or* by his Attorney] sued out a Writ against *C.D.*, indorsed as follows:—

[*Here copy Indorsement of Plaintiff's Claim.*]

and the said *C.D.* has not appeared:

Therefore it is considered that the said *A.B.* recover against the said *C.D.* Pounds, together with Pounds for Costs of Suit.

CAP. LXVIII.

An Act to amend the Laws concerning the Burial of the Dead in *Scotland.* [23d *July* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited as the "Burial Grounds (*Scotland*) Act, 1855."

Parochial Board to carry into execution this Act.

II. In the Execution of this Act in Parishes not within the Limits, prescribed or established under the Act passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland, of any Burgh sending or contributing to send a Member to Parliament, "Parochial Board" shall be held to signify the Parochial Board for the Management of the Poor, where such Parishes are not combined for such Management, and where such Parishes are so combined the Parochial Board under this Act shall signify and be composed of such Members of the combined Board as are assessed for Relief of the Poor either in respect of Occupancy or Ownership within each Parish respectively; and the Manner of holding and of transacting Business at Meetings of such Parochial Boards under this Act shall be similar to the Manner in use in respect of the Management of the Poor; and in Parishes within the aforesaid Limits of any Burgh aforesaid the Town Council of the Burgh shall be held to be the Parochial Board of such Parish under this Act: Provided always, that where, within the aforesaid Limits of any Burgh aforesaid, there is included a Burgh of Regality, the Magistrates of such Burgh of Regality shall, notwithstanding anything herein-before enacted, be held to be the Parochial Board of any Parish within, or forming Part of such Burgh of Regality.

Provision as to Parishes partly burghal.

III. Where any Parish is partly within and partly without the Limits of such Burgh aforesaid, it shall be lawful for the Sheriff of the County within which such Parish or the greater Part thereof is situated, on Application to him by any Two Members of the Parochial Board of such Parish, or by any Ten Persons assessed for Relief of the Poor within such Parish, or by any Two or more Householders residing within One hundred Yards of any Burial Ground or proposed Burial Ground within such Parish, and on giving Notice by Advertisement in the *Edinburgh Gazette* and such Newspapers of local Circulation as he may deem fitting, and hearing any Parties having Interest, to determine whether such Parish shall be held to be a Parish within or without the Limits of the said Burgh for the Purposes of this Act, and an Interlocutor so determining shall receive Effect and be as valid as if the same was set forth in this Act; and it shall not be competent to make any new Application to the Sheriff for his Determination in respect to such Parish till after the Lapse of Five Years from the Date of his last Determination respecting the same.

Proceedings on Complaints of

IV. It shall be lawful for any Two Members of the Parochial Board of any Parish in *Scotland*, or for any Ten Persons assessed for Relief of the Poor within such Parish, or for any Two Householders residing

residing within One hundred Yards of any Burial Ground or proposed Burial Ground, to present a Petition to the Sheriff of the County within which such Burial Ground or proposed Burial Ground is situated, setting forth that a Burial Ground within such Parish or such Distance is or would be dangerous to Health, or offensive or contrary to Decency, and the Sheriff shall thereupon fix a Day, being not less than Ten nor more than Twenty Days after such Petition is presented, for inquiring into the Allegations contained therein, and shall appoint Intimation thereof to be made by Advertisement in the *Edinburgh Gazette* and in such Newspapers of local Circulation as he shall deem fitting, and on hearing the Petition shall permit all Parties whom he shall judge to have an Interest to appear and be heard in such Manner as he shall deem fitting, and if on such Hearing he shall be of opinion that any of the aforesaid Allegations are true, he shall pronounce an Interlocutor to such Effect, and shall transmit a Copy thereof to One of Her Majesty's Principal Secretaries of State: Provided that it shall not be competent to present any such Petition to the Sheriff, except with Concurrence of the Procurator Fiscal, till after the Lapse of Five Years from the Date of any Petition to the like Effect having been dismissed.

Danger to Health.

V. It shall be lawful for Her Majesty, from Time to Time, by Order in Council, upon the Representation of One of Her Principal Secretaries of State that a Copy of such Interlocutor of a Sheriff has been received by him, in pursuance thereof to order that no new Burial Ground shall be opened within certain Limits specified in such Order, save with the previous Approval of One of such Secretaries of State, or (as the Case may require) that after a Time mentioned in the Order Burials within certain Limits, or in certain Burial Grounds or Places of Burial, shall be discontinued wholly, or subject to any Exceptions or Qualifications mentioned in such Order, and such Order in Council shall thereupon have like Force and Effect as if the same were embodied in this Act: Provided always, that Notice of such Representation, and of the Time it shall please Her Majesty to order the same to be taken into consideration by the Privy Council, shall be transmitted to the Crown Agent in *Edinburgh* and the Sheriff Clerk of the County in which such Burial Ground is situated; and the same shall be by them respectively published in the *Edinburgh Gazette*, and fixed on the Doors of the Church of or on some other conspicuous Places within the Parishes affected by such Representation, One Month before such Representation is so considered.

On Representation of Secretary of State, Her Majesty in Council may restrain the opening of new Burial Grounds, and order Discontinuance of Burials in specified Places.

VI. Every Person who shall after the Time mentioned in such Order in Council bury any Body, or in anywise act or assist in or permit the Burial of any Body, in any way contrary to such Order, shall be liable for each such Offence to be imprisoned for any Period not exceeding Two Calendar Months, or to pay a Penalty not exceeding Twenty Pounds.

Penalties.

VII. No such Order in Council as aforesaid shall be deemed to extend to any Burial Ground of the People called Quakers, or of the Persons of the Jewish Persuasion, used solely for the Burial of the Bodies of such People and Persons respectively, unless the same be expressly mentioned in such Order, or shall be deemed to extend to any Non-parochial Burial Ground, being the Property of any private Person, unless the same be expressly mentioned in such Order.

Order not to extend to Burial Grounds of Quakers or Jews, unless expressly included

VIII. Provided always, That, notwithstanding any such Order in Council, where at the Time of the passing of this Act any Person shall be entitled to any Right of Interment in or under any Church or Chapel or within any Churchyard or Burial Ground affected by such Order, it shall be lawful for One of Her Majesty's Principal Secretaries of State, from Time to Time, on Application being made to him, and on being satisfied that the Exercise of such Right will not be injurious to Health, to grant Licence for the Exercise of such Right during such Time and subject to such Conditions and Restrictions as such Secretary of State may think fit, but such Licence shall be revocable at any Time, and shall not give to the Holder of such Right, or to any other Party, any other Power than he would have had if this Act had not been passed.

Saving of certain Rights to bury in Vaults, &c.

IX. Although no Burial Ground in the Parish has been closed by Order in Council, the Inspector of the Poor of any Parish not within Burgh, and the Town Clerk in the Case of any Parish within Burgh, shall be bound, upon the Requisition in Writing of Ten or more Persons assessed for Relief of the Poor of the Parish, or upon the Requisition in Writing of any Two or more Members of the Parochial Board of the Parish, to convene a Special Meeting of the Parochial Board of such Parish, for the Purpose of determining whether a Burial Ground shall be provided under this Act for the Parish; and if a Majority of such Meeting of the Parochial Board shall resolve that a Burial Ground shall be provided under this Act for the Parish, such new Burial Ground shall be provided in the same Manner as if an old Burial Ground had been closed by Order in Council.

Upon Requisition of Ratepayers, &c. Meeting of Parochial Board to be convened, to determine whether Burial Ground shall be provided.

X. Whenever any Burial Ground shall have been closed by Order in Council, the Parochial Board shall forthwith proceed to provide a suitable and convenient Burial Ground for the Parish, and to make Arrangements for facilitating Interments therein; and in the event of a suitable Burial Ground not being provided by the Parochial Board within Six Months after such Order or Requisition as aforesaid, it shall be lawful for such Board, or for any Ten or more Persons assessed for Relief of the Poor in the Parish, or any Two or more Members of the Parochial Board, to apply by summary Petition to the Sheriff to have a suitable Portion of Land designated for the Purpose of a Burial Ground; and the Sheriff shall examine such Witnesses and make such Inquiry as he shall think proper, and shall keep a Note of such Evidence as may be adduced, and, if he thinks fit, shall thereupon proceed to designate and set apart such Portion as he may deem necessary of any Lands in such Parish suitable for the Purpose, not

When Burial Grounds are closed by Order in Council, Board to provide suitable Burial Grounds, &c.

not being Part of any Policy, Pleasure Ground, or Garden attached to any Dwelling House: Provided always, that due Intimation shall have been given of not less than Ten Days to the Owner of such Lands, that he may be heard for his Interest before such Designation is actually made, subject always to an Appeal to any of the Lords Ordinary of the Court of Session, whose Decision shall be final, such Appeal always being presented within Fourteen Days of the Date of the Sheriff's Judgment; and provided also, that no Land shall be so designated nearer than One hundred Yards to any Dwelling House without the Consent in Writing of the Owner of such Dwelling House; and on such Land being so designated the Parochial Board shall proceed to acquire the same in manner herein-after provided.

Consent of Owners of Houses to new Burial Grounds, where necessary.

XI. Any Burial Ground may be provided under this Act either within or without the Limits of the Parish for which the same is provided; but no Ground not already used as or appropriated for a Cemetery shall be appropriated as a Burial Ground, or as an Addition to a Burial Ground, under this Act, nearer than One hundred Yards to any Dwelling House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling House.

Board may purchase Land for Cemeteries, or contract with Cemetery Companies.

XII. For the providing such Burial Ground, it shall be lawful for the Parochial Board of the Parish to contract for and purchase or take any Lands and Buildings thereon for the Purpose of forming a Burial Ground, or for making Additions to any Burial Ground to be formed or purchased under this Act, as such Board may think fit, or to purchase from any Company or Persons entitled thereto any Cemetery or Cemeteries, or Part or Parts thereof, subject to the Rights in Vaults and Graves and other subsisting Rights which may have been previously granted therein: Provided always, that it shall be lawful for such Board, in lieu of providing any such Burial Ground, to contract with any such Company or Persons entitled as aforesaid for the Interment in such Cemetery or Cemeteries, and either in any allotted Part of such Cemetery or Cemeteries or otherwise, and upon such Terms as the Parochial Board may think fit, of the Bodies of Persons who would have had Rights of Interment in the Burial Grounds of such Parish.

Certain Provisions of 8 & 9 Vict. c. 19. incorporated with this Act.

XIII. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," except the Provisions of that Act "with respect to the Provisions to be made for affording Access to the Special Act by all Parties "interested," shall be incorporated with this Act; and, for the Purposes of this Act, the Expression "the Promoters of the Undertaking," wherever used in the said "Lands Clauses Consolidation (*Scotland*) Act, 1845," shall mean any Parochial Board under this Act: Provided always, that the Provisions in the said Act "with respect to the Purchase and taking of Lands otherwise than by Agreement" shall have Effect only in respect of such Lands as the Sheriff of the County shall have designated as fitting for a Burial Ground in manner aforesaid: Provided further, that the Provisions in the said Act "with "respect to Lands acquired by the Promoters of the Undertaking under the Provisions of this or the "Special Act, or any Act incorporated therewith, but which shall not be required for the Purposes "thereof," shall be held to apply only to such Lands or Portions thereof in which no Burial shall have taken place, and such Provisions shall not be restricted in operation to any fixed Period after the Purchase of such Lands.

Parochial Boards may concur in providing a Burial Ground for the common Use of their Parishes.

XIV. The Parochial Boards of any Parishes which shall have respectively resolved to provide Burial Grounds under this Act may concur in providing One Burial Ground for the common Use of such Parishes, in such Manner, not inconsistent with the Provisions of this Act, as they shall mutually agree on, and may agree as to the Proportions in which the Expenses of such Burial Ground shall be borne by such Parishes; and the Proportion of each of such Parishes of such Expenses shall be raised by Assessments in manner after mentioned; and, according and subject to the Terms which shall have been so agreed on, the Parochial Boards for such Parishes respectively shall, for the Purpose of providing and managing such One Burial Ground, and taking and holding Land for the same, act as One joint Board for all such Parishes, and may have a joint Office, Clerk, and Offices, and all the Provisions of this Act shall apply to such joint Board accordingly.

Burial Ground to be the Burial Ground of the Parish or Parishes for which it is provided.

XV. When any Burial Ground shall have been provided in Terms of this Act, such Burial Ground shall, from and after such Time as the Sheriff of the County shall appoint, be deemed the Burial Ground, or Part thereof, of the Parish for which the same is provided; and where the same is provided for Two or more Parishes such Burial Ground shall be in Law as if such Parishes were One Parish, and as if such Burial Ground were the Burial Ground of such One Parish; and the Parishioners and Inhabitants of such Parish, or of each of such Parishes, shall have the same Rights of Sepulture in such Burial Ground as they respectively would have had in the Burial Ground or Burial Grounds in and for their respective Parish, subject to the Provisions herein contained.

Liabilities of old Burial Grounds transferred to new Burial Grounds.

XVI. Where any Burial Ground shall be closed in Terms of this Act, and a new Burial Ground provided in place thereof, the whole Burdens upon, and Liabilities attaching to, the Burial Ground so closed, shall be transferred to, and become Burdens upon, the Burial Ground provided in room thereof; and the Revenues of the new Burial Ground shall be liable for the same, in like Manner as the Revenues of the Burial Ground so closed were liable.

Management to be vested in Parochial Boards.

XVII. The general Management, Regulation, and Control of the Burial Grounds provided under this Act shall, subject to the Provisions of this Act and the Regulations to be made thereunder, be vested in and exercised by the respective Parochial Boards providing the same.

Boards may sell exclusive Rights of Burial

XVIII. Any Parochial Board, under such Restrictions and Conditions as they think proper, may sell the exclusive Right of Burial, either in perpetuity or for a limited Period, in such Parts of any Burial Ground

Ground provided by such Board as may with the Sanction of the Sheriff be appropriated to that Purpose, and also the Right of constructing any Chapel, Vault, or Place of Burial, with the exclusive Right of Burial therein in perpetuity or for a limited Period, and also the Right of erecting and placing any Monument, Gravestone, Tablet, or Monumental Inscription in such Burial Ground; provided always, that such exclusive Rights shall not extend in all to a Space greater than One Half of such Burial Ground. rial, and Right to erect Monuments, &c.

XIX. Any Parochial Board may make such Arrangements as they may from Time to Time think fit for facilitating the Conveyance of the Bodies of the Dead from the Parish or the Place of Death to the Burial Ground which shall be provided under this Act, or to any other Place of Burial, subject to the Provisions of this Act and the Regulations to be made thereunder; and it shall be lawful for any of the aforesaid Cemetery Companies to undertake any such Arrangement, and to carry the same into effect, subject to the Provisions and Regulations as aforesaid. Boards may make Arrangements for facilitating the Conveyance of Bodies to Burial Grounds.

XX. It shall be lawful for any Parochial Board, subject to the Provisions of this Act and the Regulations to be made thereunder, to hire, take on Lease, or otherwise to provide fit and proper Places in which Bodies may be received and taken care of previously to Interment, and to make Arrangements for the Reception and Care of the Bodies to be deposited therein, and for providing such Places such Boards may exercise the Powers vested in them under this Act for providing Burial Grounds. Places may be provided for Reception of Bodies until Interment.

XXI. It shall be lawful for One of Her Majesty's Principal Secretaries of State, from Time to Time, to make such Regulations in relation to the Burial Grounds and Places of Reception of Bodies previous to Interment which may be provided under this Act, as to him may seem proper for the Protection of the Public Health and the Maintenance of Public Decency; and the Parochial Boards and all other Persons having the Care of such Burial Grounds and Places for the Reception of Bodies shall conform to and obey such Regulations. Secretary of State may make Regulations as to Burial Grounds, &c.

XXII. No Funeral Procession, or Carriage in such Procession, and no Foot Passenger, shall, while going to or returning from the Place of Interment on the Occasion of any Interment, be liable in any Toll or Pontage. Exemption of Burials from Toll.

XXIII. It shall be lawful for any Parochial Board to enclose, lay out, and embellish any Burial Ground provided by such Board in such Manner as may be fitting and proper. Board may lay out, &c. Burial Ground.

XXIV. Every Parochial Board under this Act shall, subject to the Approval of the Sheriff of the County, fix and receive such Fees and Payments in respect of Interments in any Burial Ground provided by such Board as they shall think fit, and from Time to Time revise and alter such Fees and Payments, and a Table showing such Fees and Payments shall be printed and published, and shall be affixed and at all Times continued on some conspicuous Part of such Burial Ground. Board to fix Payments for Interments in Burial Ground.

XXV. The Provisions of "The Cemeteries Clauses Act, 1847," with respect to the Protection of the Cemetery, shall be incorporated with this Act, and be applicable to any Burial Ground provided under this Act, and "the Company" in these Clauses shall signify the Parochial Board under this Act. Certain Provisions of 10 & 11 Vict. c. 65. incorporated.

XXVI. The Expenses incurred by the Parochial Board of any Parish in carrying this Act into execution, in so far as the Sums received for exclusive Right of Burial or as Fees or other Payments in respect of Interments shall be insufficient, shall be raised by Assessment, to be levied in the same Way as that which may be in force for the Time being for the Relief of the Poor within the Parish; and the Parochial Board shall have like Powers for the levying of such Assessments as Parochial Boards have for the levying of Assessments for the Relief of the Poor. Expenses to be paid by Assessments.

XXVII. Provided always, That it shall be lawful for the Parochial Board to borrow any Money required for providing and laying out any Burial Ground under this Act, and to charge the future Assessments under this Act with the Payment of such Money and Interest thereon: Provided that there shall be paid in every Year, in addition to the Interest of the Money borrowed and unpaid, not less than One Twentieth of the Principal Sum borrowed, until the whole is discharged. Power to borrow Money.

XXVIII. The Commissioners for carrying into execution an Act of the Session of Parliament holden in the Fourteenth and Fifteenth Year of Her Majesty, Chapter Twenty-three, "to authorize for a "further Period the Advance of Money out of the Consolidated Fund to a limited Amount for carrying "on Public Works and Fisheries and Employment of the Poor," and any Act or Acts amending or continuing the same, may from Time to Time make to the Parochial Board of any Parish, for the Purposes of this Act, any Loan, under the Provisions of the recited Act or the several Acts therein recited or referred to, upon Security of the Assessments for the Relief of the Poor of the Parish. The Public Works Loan Commissioners may advance Money for the Purposes of this Act.

XXIX. Minutes of all Proceedings of the Parochial Board, under this Act, with the Names of the Members who attend each Meeting, shall be kept; and the Parochial Board shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid for or on account of the Purposes of this Act in the Parish, and of all Liabilities incurred by them for such Purposes, and of the several Purposes for which such Sums of Money are paid and such Liabilities incurred; and all such Books shall at all reasonable Times be open to the Examination of every Member of the Parochial Board and Ratepayer, without Fee, and they may take Copies of or Extracts from such Books or any Part thereof, without paying for the same. *Minutes of Proceedings of Board to be entered in a Book.* Board to keep Accounts, which shall be open to Inspection.

XXX. The Parochial Board may appoint and may remove, at pleasure, a Clerk and such other Officers and Servants as shall be necessary for the Business of the Board in respect of and for the Purposes Board may appoint and remove Officers, &c.

poses of their Burial Ground, and may appoint reasonable Salaries, Wages, and Allowances for such Clerk, Officers, and Servants, and, when necessary, may hire a sufficient Office for transacting their Business.

Register of Burials to be kept in every Ground provided under this Act.

XXXI. All Burials within any Burial Ground provided under this Act shall be registered in a Register Book to be provided by the Parochial Board providing such Ground, and kept for that Purpose; and such Register Book shall be so kept by some Officer appointed by the said Board to that Duty; and in such Register Books shall be distinguished in what Parts of the Burial Ground the several Bodies (the Burials of which are entered in such Register Books) are buried; and in case such Burial Ground has been provided for more than One Parish, such Register shall be kept or indexed so as to facilitate Searches for Entries in such Books in respect of Bodies from the several Parishes; and such Register Books, or Copies or Extracts purporting to be thereof, shall be received in all Courts as Evidence of the Burials entered therein.

Registers to be Evidence.

Sheriff's Decisions to be final.

XXXII. No Interlocutor or Deliverance of a Sheriff under this Act, excepting as herein provided, shall be in any way subject to Review, or to be set aside by reason of any Defect of Form therein or in the Procedure on which it followed.

CAP. LXIX.

An Act to discontinue the taking of Toll on the Turnpike Roads leading from the City of *Dublin* and on the Turnpike Road from *Kinnegad* to *Athlone*, and to provide for the Maintenance of such Roads as public Roads, and for the Discharge of the Debts due thereon, and other Purposes. [16th *July* 1855.]

'WHEREAS, under the Provisions of the Acts recited in the Schedule (A.) to this Act annexed, 'Trustees were appointed for the Management and Maintenance of the Roads next herein-after 'mentioned, with Power to levy Tolls thereon: And whereas Her Majesty was, on the Thirteenth Day 'of *June* in the Year One thousand eight hundred and fifty-four, pleased to issue a Commission under 'the Great Seal to certain Persons therein named, directing them, amongst other things, to inquire into 'and to report upon the Propriety of maintaining or abolishing the said Turnpike Trust Roads, namely, 'the *Dublin, Malahide, Howth and Clontarf*, the *Dublin and Dunleer*, the *Dublin and Knocksedan*, the '*Dublin by Ashbourne to Slane and Drogheda*, the *Ratoath*, the *Dublin and Navan*, the *Dublin and* '*Mullingar*, and the Road branching from same by *Kinnegad* to *Athlone*, and the *Dublin and Carlow*, 'and to further report upon the Receipt and Expenditure and the Accounts of each Trust aforesaid, and 'upon the Debts and Charges thereon, and upon the actual Value in each of the last Ten Years of the 'Debentures and Charges due by the said Trusts respectively, and the Mode of paying off the said 'Debentures and Charges which should appear to the said Commissioners most just and equitable, and 'the Proportion thereof which should be charged to the respective Counties or Baronies concerned: 'And whereas the said Commissioners have since made their Reports to Her Majesty, and have reported 'in favour of abolishing the Turnpikes on the said Roads, and have recommended that the said Roads 'should be maintained as the other free Highways of the Counties in which they may be situated, and 'have offered Suggestions as to the Mode in which the said Turnpike Trusts should be abolished, and 'the Debentures and Debts due thereon should be valued, apportioned, and discharged: And whereas 'it is expedient that certain Recommendations of the said Commissioners should be adopted, with Modi-'fications thereof; but such Purposes cannot be effected without the Aid and Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Short Title.

I. This Act may be cited for all Purposes as "The *Dublin* and other Roads Turnpikes Abolition Act, 1855."

Interpretation of Terms.

II. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings herein-after assigned to them; that is to say,

The Word "Person" shall include Corporation, whether sole or aggregate:

"The Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor of *Ireland* for the Time being:

"Rents" shall mean any Rents or Annuities secured upon or payable out of the Tolls levied under any of the Acts mentioned in the Schedule (A.) to this Act annexed:

"Rentholder" shall mean any Person entitled to any such Rents:

"Mortgage" shall mean any Security for Monies secured upon the Tolls levied under the Provisions of any of the Acts mentioned in the Schedule (A.) to this Act annexed:

"Mortgagee" shall mean any Person entitled to any such Security:

"Trustees," as regards Turnpike Trusts, shall include Commissioners and Directors:

"Barony" shall include Half Barony:

"Officer"

"Officer" shall include Secretary, Treasurer, Clerk, Surveyor, and Toll Collector:
"Road" shall include Bridges and all other Works appertaining to the Road:
"Treasurer of the County" shall, as regards the County of *Dublin*, mean the Finance Committee, or Secretary of the Grand Jury, as the Case may be:
"Half-yearly," when used with reference to Presentments to be made under this Act, shall, as regards the County of *Dublin*, be understood to mean yearly: And
"Assizes," as regards the County of *Dublin*, shall be held to mean Presenting Term.

Appointment of Commissioner for executing the Act.

III. It shall be lawful for the Lord Lieutenant, by Warrant under his Hand, to appoint any fit Person to be the Commissioner for carrying this Act into execution, and upon any Vacancy in the Office of such Commissioner to appoint some other fit Person to such Office, and the said Person so to be from Time to Time appointed shall be the Commissioner for executing this Act, and shall be styled "The *Dublin* Turnpikes Abolition Commissioner."

Authentication of Documents. To be Evidence.

IV. All Certificates, Awards, or other Instruments made by or proceeding from the Commissioner in pursuance of this Act shall be sufficiently authenticated if under the Hand of the Commissioner, and the same may be in Writing or in Print, or partly in Writing and partly in Print; and all such Certificates, Awards, and other Instruments, or Copies thereof, purporting to be executed by the Commissioner, shall be Evidence that such Certificates, Awards, or other Instruments were duly made and executed, and that all the Requisitions of this Act in relation thereto were complied with, unless the contrary be shown.

Proceedings, &c. of Commissioner to be binding, and not to be removed by Certiorari.

V. All Certificates, Awards, and other Instruments made or executed pursuant to this Act by the Commissioner, and all Proceedings under this Act of such Commissioner, shall be binding and conclusive (except as in this Act otherwise provided) on all Parties thereto, and to all Intents and Purposes whatsoever, and shall not be removed or removable by Certiorari or by any other Writ or Process into any of Her Majesty's Superior Courts at *Dublin*.

Notices may be sent by Post.

VI. All Notices and other Documents by this Act directed to be delivered or given, except such as are to be given by Advertisement, may be sent by Post.

Remuneration of Commissioner.

VII. It shall be lawful for the Lord Lieutenant to direct such Sum, not exceeding Two hundred Pounds, as he shall think fit, to be paid to the Commissioner to be appointed under this Act as a Remuneration for his Services in carrying this Act into execution, and in case of a Vacancy in the Office of such Commissioner, to direct a Sum not exceeding the said Sum of Two hundred Pounds to be paid to any other fit Person who shall be appointed to the Office of such Commissioner; and the Remuneration of every such Commissioner shall be provided and paid as Part of the Expenses of carrying this Act into execution: Provided, that if any such Commissioner shall die, be removed, or vacate his Office, before the making of a General Award as by this Act provided, then it shall be lawful for the Lord Lieutenant to direct that such Portion only as to the Lord Lieutenant shall seem just and reasonable of the Remuneration so originally directed to be paid to any Commissioner so dying, being removed, or vacating his Office, shall be paid in respect of the Services of such Commissioner.

Declaration to be taken by Commissioner.

VIII. Every Commissioner appointed under this Act shall, before he enters upon the Execution of his Office, make the following Declaration before One of the Justices of the Court of Queen's Bench or Common Pleas or One of the Barons of the Court of Exchequer in *Ireland;* that is to say,

'I *A.B.*, do solemnly declare, That I will faithfully, impartially, and honestly, according to the best of 'my Skill and Judgment, fulfil all the Powers and Duties of the Commission under "The Dublin and 'other Roads Turnpikes Abolition Act, 1855."'

And the Appointment of every such Commissioner, with the Time when and the Name of the Justice or Baron before whom he shall have made the said Declaration, shall be forthwith published in the *Dublin Gazette*.

Commissioner to carry Act into execution. Notice to be given of Sittings. Sittings may be adjourned.

IX. The Commissioner shall proceed, so soon as he conveniently can after the passing of this Act, to sit for the Execution thereof, and before proceeding to inquire into the Affairs of any Trust shall cause Notice to be given of the Day and Time at which he shall determine to hold any Sitting, other than adjourned Sittings, and of the Purpose thereof, by Advertisement to be inserted in some Newspaper circulating in the City of *Dublin*, and in some Newspaper or Newspapers circulating in each of the Counties in which may be situate the Turnpike Trusts in respect of which such Sitting may be intended to be held, Fourteen Days at least before the Time fixed for holding any such Sitting; and the Commissioner shall have Power to adjourn his Sittings from Time to Time and from Place to Place, as may be found necessary.

Commissioner to inquire into Debts, Conditions, &c. of Trusts.

X. The Commissioner shall make, so far as he shall deem necessary in order to the Execution of the several Powers and Duties hereby vested in him, full and diligent Inquiry into the Revenue and Debts of each of the several Turnpike Trusts to which the Acts of Parliament in Schedule (A.) to this Act annexed apply, and shall examine and ascertain the Amount and Nature of all Mortgages, Rents, and other Debts to which he shall consider each such Trust to be liable, and shall ascertain all Particulars relating to such Trust which he shall deem essential; and the Commissioner shall require to be produced, and shall examine and compare with the Registries thereof, all Mortgages or other Securities in respect of which any Claims upon the Tolls of such Turnpike Trusts shall be made; and in case it shall appear

When Securities lost Com-

missioner may include Holders amongst Creditors.

appear to the Commissioner, by the Books of such Trust, or by any other Evidence satisfactory to the Commissioner, that any Person is a *bonâ fide* Mortgagee, Rentholder, or Creditor of such Trust, though the Mortgage or Security of such Person may have been lost, mislaid, or destroyed, the Commissioner shall include such Person among the Mortgagees, Rentholders, or Creditors of such Trust in respect thereof.

Power to summon Witnesses, and to require Production of Documents.

XI. The Commissioner may, by Summons under his Hand, require the Attendance before him, at a Time and Place to be mentioned in such Summons, of any Trustee or Officer of any of the said Trusts, as well as of any other Person whom he may think fit to examine upon any Question or Matter connected with or relating to the Execution of this Act, and may examine upon Oath any such Trustee, Officer, or Person, and may require the Production of any Books, Accounts, Maps, Acts of Parliament, or other Documents which the Commissioner may consider to relate to any such Question or Matter: Provided always, that no Person shall be obliged by any such Summons to go or travel more than Sixty Miles from the Place of his usual Abode; and the Commissioner may allow to any Witness attending pursuant to any such Summons such Expenses as he may deem reasonable.

As to giving false Evidence, refusing to give Evidence, destroying Documents, &c.

XII. Every Person who, being examined under the Authority of this Act by the Commissioner, shall wilfully and corruptly give false Evidence, shall be deemed guilty of a Misdemeanor; and every Person who, being summoned as aforesaid, shall wilfully refuse or neglect to attend or to give Evidence, and every Person who shall wilfully alter, suppress, conceal, destroy, or refuse to produce any such Books, Accounts, Maps, Acts of Parliament, or other Documents as aforesaid, shall be liable for every such Offence to a Penalty not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Record of Proceedings.

XIII. The Commissioner shall make a full and particular Record in Writing of such of his Proceedings in execution of this Act as he shall deem essential.

Commissioner to ascertain Mortgages charged on each Trust, and Sums to be payable in respect of such Mortgages.

XIV. So soon as the Commissioner shall have ascertained all such Particulars relating to any such Turnpike Trust as he shall deem essential, he shall proceed to estimate and determine the Sums to be payable in respect of the Mortgages to the Payment of which he shall consider such Trust to be liable, in the Manner next herein-after provided; that is to say, firstly, all Interest which shall be due and unpaid upon such Mortgages upon the Fifth Day of *January* next after the passing of this Act shall be extinguished; secondly, the Sums to be payable in respect of the Mortgages of the several Trust Roads following, namely, the *Dublin and Knocksedan*, the *Dublin by Ashbourne to Slane and Drogheda*, and the *Dublin and Mullingar*, shall be the full Amount of the Principal Monies secured by such Mortgages; thirdly, the Sums to be payable in respect of the Mortgages of the said Trust Road from *Dublin* to *Dunleer* shall be One Twentieth Part of the Principal Monies secured by such Mortgages; fourthly, the Sums to be payable in respect of the Mortgages of the said Trust Road from *Kinnegad* to *Athlone* shall be One Moiety of the Principal Monies secured by such Mortgages; fifthly, the Sums to be payable in respect of the Mortgages or Sums advanced by the Exchequer Loan Commissioners to the Trustees of the said Trust Road from *Dublin* to *Navan* shall be the Sum of Six thousand Pounds, and the Residue of the Principal Monies so advanced, and all other Mortgages upon the said last-mentioned Trust Road, shall be extinguished; and, lastly, no Sum shall be payable in respect of the Mortgages of the said Trust Road from *Dublin* to *Carlow*.

Commissioner to ascertain Rents payable by each Trust.

XV. The Commissioner shall in like Manner ascertain the Nature and Amount of all Rents charged upon and payable out of the Tolls of any such Trust, and all Rents reserved on Leases, and the Sums to be payable in respect of every such Rent shall be an Annuity of the same annual Amount as such Rent, and for the same Term as such Rent may have been made payable: Provided, that when such Rent shall be payable or reserved during the Continuance of any Act or Acts of Parliament, such Rent shall be deemed a perpetual Rent: Provided also, that when the Interest in any such Lease shall be sold under this Act, no Annuity shall be payable in respect of the Rent thereby reserved.

Commissioner to ascertain certain Debts due on such Trusts.

XVI. The Commissioner shall in like Manner ascertain the Nature and Amount of all Debts, other than Mortgages, to the Payment of which he shall consider each such Trust to be justly and properly liable; and the Sums to be payable in respect of all such Debts, other than Mortgages, shall be the full Amount of such Debts.

Debts so ascertained to be charged on Counties and Baronies. Apportionment of Charges and Annuities.

XVII. The Sums and Annuities which the Commissioner shall so determine to be payable in respect of any such Turnpike Trust shall be charged upon the Counties and Baronies of the Counties in which the Roads comprised in such Trust are locally situate as next herein-after provided; that is to say, where the whole of the Roads comprised in any such Trust shall be locally situate in One County only, One Half of such Charges and Annuities shall be apportioned to the County (except in the County of *Dublin*), and the other Half to and between the Baronies thereof in which such Roads are situate, in proportion to the Length of such Roads in each such Barony; and where the Roads comprised in any such Trust shall be locally situate in more Counties than One, such Charges and Annuities shall be divided, first between such Counties, by allotting specific Charges and Annuities to each such County as nearly in proportion to the Length of such Roads in each such County as the Number and Amount of such Charges and Annuities will admit, and the specific Charges and Annuities so allotted to each such County shall (except in the County of *Dublin*) be then apportioned between such County and the Baronies thereof as herein-before provided with respect to Trusts locally situate in One County only: Provided, that, as regards

regards the County of *Dublin*, no Portion of such Charges and Annuities shall be apportioned to the said County, but the whole thereof shall be apportioned to and between the Baronies thereof in proportion to the Length of such Roads in each such Barony: Provided also, that when in the Division between such Counties of the Charges and Annuities in respect of any particular Trust any greater Proportion of such Charges and Annuities shall have been allotted to any such County than in the Proportion of such Roads therein, it shall be lawful for the Commissioner to take the same into account in dividing the Charges and Annuities in respect of any other of such Trusts, or in the apportioning of the Costs, Charges, and Expenses herein-after mentioned, so as to make the aggregate of Charges and Annuities upon each such County in respect of such Roads therein locally situate as nearly as possible in the Proportions herein-before provided: Provided also, that when the Sum payable in respect of any specific Mortgage shall be of such Amount that the same cannot be properly allotted in the Manner aforesaid, then it shall be lawful for the Commissioner to divide the same rateably between Counties and Baronies, anything herein contained with regard to allotting specific Sums to each County or Barony to the contrary notwithstanding.

Award of Commissioner.

XVIII. The Commissioner shall thereupon make, in the Case of each Turnpike Trust, a separate Award in Writing, and shall specify therein the Names of all such Persons as he shall have determined to be entitled to any Monies as Mortgagees or Creditors of such Trust, or to any Annuities, together with the Sums of Money or Annuities to which, in the Judgment of the Commissioner, the said Persons shall be respectively entitled, and shall also specify therein the Names of all such Persons as shall have claimed or who shall appear to be Creditors or Mortgagees or Rentholders of such Trust to whom the Commissioner shall have determined to award no Sum, and shall also specify therein the Apportionment which the Commissioner shall have made as aforesaid of the Sums of Money or Annuities payable in respect of such Trust by the Counties or Baronies in which such Trust Roads shall be situate; and the Commissioner shall forthwith deliver a Copy of his Award to the Clerk or other Officer of such Trust, and the said Clerk or other Officer shall, within Three Days from the Delivery of such Award, give Notice in Writing to the several Persons therein named of the Particulars of such Award regarding such Persons respectively.

Notice of Award to be sent to Parties interested.

Awards may be to Representatives of Persons under Disabilities.

XIX. Where any Monies or Annuities shall be due to any Infant, the Award may be made for the Payment of the Sum or Annuity therein specified to the Guardian of such Infant, or if there shall be no Guardian then to any Trustee for such Infant; and if any Monies or Annuities shall be due to a Lunatic or Idiot, then the Award may be made for such Payment to the Committee of such Lunatic or Idiot; and where any Monies or Annuities shall be due to any Person, in trust for others, the Award may be made for such Payment to the Trustee; or in case of the Refusal to act or Incapacity of any such Trustee, or if for any other Cause it shall to the Commissioner appear expedient, then the Commissioner by his said Award or by any Writing under his Hand may appoint another Trustee for the Purpose of receiving such Payment.

Provisions as to Payment of Expenses of Act, &c.

XX. All the Costs, Charges, and Expenses attending or incident to the applying for and obtaining this Act, and the Expenses of the Commissioner in carrying this Act into execution, shall be paid as by this Act provided; and it shall be lawful for all Persons having Claims in respect of such Costs, Charges, and Expenses, at any Time within Twelve Months after the passing of this Act, to deliver to the Commissioner an Account thereof; and it shall be lawful for the Commissioner, if he shall so think fit, to cause the same or any Part thereof to be taxed by the proper Officer or Officers; and the Commissioner shall award to the Persons entitled thereto the Amount of such Accounts, or in case of Taxation the Amount thereof as taxed; and the Commissioner shall keep an Account of all Expenses incurred by him in carrying this Act into execution, and may by his Award certify the Amount thereof; and the Commissioner shall apportion the Sums so awarded and the Amount of such Expenses so certified between the Counties and the Baronies of the Counties in which the said Turnpike Trusts are situate, as herein provided with respect to Charges for Roads locally situate in more than One County; and the said Awards of the Commissioners shall have the same Force and Effect as any other Awards made in pursuance of this Act: Provided that in dividing between Counties such Sums and Expenses the Commissioner may divide the same rateably, and without allotting specific Sums, anything herein-before contained to the contrary notwithstanding; provided also, that the Sums so awarded, and the said Expenses of the Commissioner, so certified, shall be the First Charge on all Monies applicable to such Purpose which shall come to the Hand of the Commissioner by virtue of this Act, in preference to all other Claims whatsoever.

Commissioner to make a General Award.

XXI. So soon as conveniently may be after the Amount of the Sums and Annuities payable to the several Mortgagees, Creditors, and Rentholders of the Trusts, to which the Acts in Schedule (A.) to this Act apply, shall have been ascertained under this Act so far as the Commissioner may be enabled to ascertain the same, and after the Commissioner shall have ascertained the Amount of the Costs, Charges, and Expenses last aforesaid, and of the Expenses of carrying this Act into execution, and shall have made the several Awards by this Act directed, the Commissioner shall draw up a General Award, which shall specify the specific Sums and Annuities payable to the Mortgagees, Creditors, and Rentholders of the said Trusts allotted by the Commissioner to each County, and the Apportionment of each such specific Sum and Annuity between such County and the Baronies thereof, and in like Manner the Division and Apportionment

ment made by the Commissioner of all Sums payable in respect of such Costs, Charges, and Expenses, and the Persons to whom the said Sums, Annuities, Costs, and Expenses shall be respectively payable, and as regards the said Annuites the said Award shall specify the Terms or Periods during which they shall be respectively payable: Provided always, that the Sums payable in respect of such Costs, Charges, and Expenses, and of all Debts, other than Mortgages and Rents, shall be payable in One Instalment, and not otherwise, and the said Award shall specify that such Sums shall be so payable: Provided also, that in such General Award the Commissioner may make such Alterations in the Divisions and Apportionments made in his previous Awards under this Act as he may deem necessary to render the aggregate of the Charges upon each County and the Baronies thereof as nearly as possible in the Proportion by this Act directed.

Award to be enrolled, &c.

XXII. Such General Award, when executed by the Commissioner, shall be enrolled in the Rolls Office of Her Majesty's Court of Chancery in *Ireland* within Three Months after the Execution thereof, and a Copy thereof shall be deposited with the Clerk of the Peace of each County in which may be situate any of the said Trusts, and the said Clerk of the Peace is hereby authorized and required to receive and deposit the same amongst the Records of the County; and such Award, when so executed and enrolled, shall be binding and conclusive upon all Persons whomsoever; and a Copy thereof, certified by the proper Officer of Her Majesty's Rolls Office, shall be Evidence that it was duly made, and that all the Requisitions of this Act in relation thereto were complied with.

Commissioner may make Supplemental Awards.

XXIII. In case, after such General Award shall have been so made, any Claims shall be made in respect of Debts, Mortgages, or Rents not included in such General Award, it shall be lawful for the Commissioner to entertain the same, and to make Supplemental Awards in relation thereto, as herein-before provided with respect to the General Award under this Act, which Supplemental Awards shall be considered Amendments of or Additions to such General Award, and shall be enrolled and deposited with the Clerk of the Peace in like Manner, and the Creditors, Mortgagees, and Rentholders included in such Supplemental Awards shall for the Purposes of this Act be considered as included in such General Award.

Grand Juries to present Interest, Annuities, &c.

XXIV. The Sums and Annuities which the Commissioner shall have ascertained by the said General Award to be payable by any such County or any Barony thereof shall be payable by the Grand Jury of such County; and the Commissioner shall certify to the Secretary of such Grand Jury the Amount of such Sums of Money and Annuities, and the Manner by and in which the same are to be payable, pursuant to this Act; and such Grand Jury is hereby empowered and required, without Application at Presentment Sessions, from Time to Time to make Presentment of Interest, from the Fifth Day of *January* next after the passing of this Act, at the Rate of Three Pounds *per Centum per Annum*, upon the Sums payable in respect of the said Mortgages, and of the Amount of the Gales from Time to Time due of such Annuities, and at the Assizes or Presenting Term next after the said Commissioner shall have so certified to present the whole Sums certified to be payable in respect of such Costs, Charges, and Expenses as aforesaid, and also in respect of any Debts, other than Mortgages and Rents, to be raised off the County at large or any Barony thereof, pursuant to the said Certificate; and in default of such Presentment the Court at the Assizes, or in the County of *Dublin* at the Presenting Term, shall order the Amount of such Interest, Gales of Annuity, Costs, Expenses, or Debts, as the Case may be, to be raised off such County or any Barony thereof, and such Order shall have the Force of a Presentment; and the Treasurer of such County shall insert the Amount of such Interest, Gales of Annuity, Costs, Expenses, or Debts, as the Case may be, in his Warrants, and the same shall be applotted, raised, and levied as if the same had been duly presented; and when and so soon as the Amount of such Interest, Gales of Annuity, Costs, Expenses, or Debts shall be raised and received by the Treasurer of the County, such Treasurer shall immediately pay the same to the Persons entitled thereto: Provided nevertheless, that nothing in this Act contained shall authorize any Mortgagee to enforce Payment of the Principal Sum due upon and secured by any Mortgage.

Commissioner to give Mortgagees Certificate of Amount due.

XXV. So soon as the said General Award shall have been executed by the Commissioner, he shall cause to be prepared, and shall deliver to every Mortgagee and Rentholder entitled under the said General Award to any Monies or Annuities allotted to any particular County, a Mortgage or Security, setting forth the Principal Sum secured by such Mortgage, and the Rate of Interest payable thereon, or the Annuity to which such Rentholder may be entitled, as the Case may be, and the Counties to which the same have been respectively allotted; and such Mortgage may be in the Form in Schedule (B.) and such Annuity in the Form in Schedule (D.) to this Act annexed: Provided always, that no Mortgage or Security shall be given to any such Mortgagee or Rentholder until he shall have delivered up to the said Commissioner every Mortgage or other Security in his Possession or Power, whereby the Debt or Rent in respect of which such General Award was made may have been secured.

Register to be kept.

XXVI. The Treasurer of the County shall keep a Register of all Mortgages and Securities under this Act affecting the County, and before he shall make any Payment on Foot thereof to the Parties entitled thereto he shall enter in such Register the Number and Date thereof, and the Sums or Annuity therein specified, and the Name and Description of the Party to whom the same is or are payable; and every such Register shall be open to public Inspection during Office Hours at the Office of such Treasurer, without Fee or Reward.

XXVII. Any

Register of Transfers.

XXVII. Any Mortgagee or Rentholder entitled to any Mortgage or Annuity under this Act may transfer his Estate and Interest therein to any other Person by Deed duly stamped, truly stating his Name, the Date of his Mortgage or Security, the Name and Description of the Parties thereto, and the Consideration for such Transfers; and such Transfer of a Mortgage may be in the Form in Schedule (C.) and such Transfer of an Annuity in the Form in Schedule (E.) to this Act annexed, or to the like Effect, and the Treasurer of the County shall keep a Register of such Transfers; and all such Transfers shall, previous to Payment of any Sum on Foot of the Mortgage or Annuity therein expressed to be transferred, be produced to the Treasurer of the County, and such Treasurer shall, without Fee or Reward, cause an Entry to be made in such Register of its Date, and of the Names and Descriptions of the Parties thereto, as stated in the Transfer; and upon any Transfer being so registered the Transferee, his Heirs, Executors, Administrators, or Assigns, shall be entitled to the full Benefit of the Mortgage or Annuity so transferred; and every such Transferee may in like Manner transfer his Estate and Interest in any such Mortgage.

Payment to be a Discharge.

XXVIII. Payment to the Persons named in the said Certificates, Awards, Mortgages, or Securities respectively, their Heirs, Executors, Administrators, or Assigns respectively, or to the Guardian of any Infant, or to the Committee of any Idiot or Lunatic, shall be a valid and effectual Payment and Discharge of and in respect to the Monies and Annuities by the said Awards directed to be paid; and the Treasurer of the County may pay any such Monies and Annuities to the Persons whom it shall be made to appear to his Satisfaction are the Persons or Bodies beneficially or as Trustees entitled thereto, and notwithstanding any Error or Omission in the said Awards as to the Persons or the Names or Descriptions of the Persons entitled thereto.

Treasurer of County may deposit Sums awarded in the Court of Chancery.

XXIX. If any Trustee entitled to any Money so awarded shall refuse to accept the same, or if it shall appear to the Treasurer of the County that there is no Person to whom Payment thereof can be lawfully made, as herein-before provided, it shall be lawful for the Treasurer to deposit the said Monies in the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to the Credit (under any Description which shall appear to the said Treasurer sufficient) of the Persons entitled thereto, and upon any such Deposit being made the Cashier of the Bank of *Ireland* shall give the said Treasurer a Receipt for such Money, and thereupon the said Treasurer shall be discharged from all further Responsibility or Duty in regard to the Money so deposited; and upon the Application by Petition of any Party making Claim to such Money or any Part thereof, the said Court of Chancery may make such Order in relation thereto as to such Court shall seem fit.

Claims to be extinguished.

XXX. Upon Payment, pursuant to this Act, of the Sums in the said Award mentioned, the Claims of all Persons in respect of the Sums so awarded, and of the Securities or Demands in respect of which such Sums shall have been so awarded, shall be extinguished.

Grand Juries may present for Mortgages.

XXXI. In case any Grand Jury shall be desirous of purchasing, paying off, or redeeming the said Mortgages or Annuities, or any of them, it shall be lawful for any such Grand Jury to present such Sum as shall appear to be necessary for that Purpose, to be apportioned as between the County and the Baronies thereof in the same Proportions as the Mortgages or Annuities intended to be paid off or redeemed shall have been apportioned, and the Amount of such Presentment shall be raised and levied as any other Monies to be presented, raised, and levied by such Grand Jury.

Power to Grand Juries to borrow Money to pay off Mortgages, &c.

XXXII. In case any of the said Grand Juries should be desirous of raising the Amount necessary to purchase, pay off, or redeem the said Mortgages, Annuities, Debts, or any of them, by way of Loan from any Person willing to make Advances of Money for the Purpose, it shall thereupon be lawful for any such Grand Jury at any Assizes, or if in the County of *Dublin* at any Presenting Term, to present such Sum as shall be intended to be raised by Loan in order to obtain such Advance, and to set forth in such Presentment that the said Sum shall be raised and levied by half-yearly Instalments of not less than Ten Pounds *per Centum per Annum*, and likewise to present a Sum sufficient to pay the annual Interest of the Sum so advanced, and of the Balance thereof from Time to Time remaining due, at a Rate not exceeding Six Pounds *per Centum per Annum*, and also to set forth in such Presentment the Proportions thereof as directed by the said Certificate to be raised on the County at large or upon any Barony thereof; and it shall be lawful for any such Grand Jury in every such Presentment to nominate and appoint a Committee of not less than Three or more than Five Persons to treat, agree, and contract for a Loan with any Person willing to make the same on the Security of such Presentment, and otherwise to carry the said Presentment into effect; and every such Presentment may be in the Form in Schedule (F.) to this Act annexed.

Grand Jury to nominate Committee to treat, &c. for a Loan.

Committee to negotiate Loan.

XXXIII. And it shall be lawful for the Committee so nominated and appointed, or any Three or more of them, to treat, agree with, and contract for a Loan with any Person willing to make the same on the Faith of such Presentment, and for the Rate of Interest not exceeding the Limit aforesaid to be paid in respect of such Loan; and the Terms of every such Contract shall be reduced to Writing on a certified Copy of such Presentment, and signed by the said Committee or any Three or more of them, and by the Person advancing such Money, and shall be delivered to such last-mentioned Person, and held by him as a Security for his Loan until the whole Amount thereof, with Interest as therein set forth, shall be fully paid off and discharged.

XXXIV. The

Loan to be paid to Treasurer.

XXXIV. The Loan shall be paid into the Account and to the Credit of the Treasurer of the County, and accounted for by him in like Manner as any other Monies by him received for the Use of the County, and all Securities given by him shall extend to such Monies; and the Treasurer, so soon as the said Loan shall have been so paid into his Credit as such Treasurer, shall pay and apply the same to and amongst the Persons entitled to the Sums in respect of which such Loan shall have been made.

Treasurer to insert in Warrants Instalments of Loan.

XXXV. The Treasurer of the County shall, without further Authority or Presentment in that Behalf, issue his Warrant for or include in his general Warrant at each Assizes, or, if in the County of *Dublin*, Presenting Term, such Portion of the whole Sum presented by the Grand Jury as aforesaid, together with such Sum for Interest thereon as may be necessary for the Purpose of paying to the Person so advancing Money the Instalments and Interest thereon as aforesaid, and it shall not be lawful for the Grand Jury to restrain the issuing of any such Warrant; and the Sum inserted in such Warrant shall be raised and levied as other Monies directed by any Warrant of such Treasurer are by Law raised and levied; and such Treasurer shall pay the Person so advancing Money all such Monies as shall be received by him by virtue of the Presentment and Warrants aforesaid, till the whole Loan, with the Interest thereon, shall be paid: Provided always, that all Monies in the Treasurer's Hands shall be applicable to pay the said Instalments of Principal, and the Interest thereon, according to the Terms of any such Loan, and if it shall happen that any Money shall be raised by virtue of any such Presentment which shall not be required for the Purposes for which it shall have been so raised, the same shall be carried to the Credit of the County or Barony from which it shall have been raised.

Grand Juries may redeem Mortgages or Annuities.

XXXVI. So soon as the Amount of the Presentment so made or the Loan so contracted for the Purpose of purchasing, paying off, or redeeming any such Mortgages or Annuities shall have been paid to or received by the Treasurer of the County, he shall apply the same in paying to such Mortgagees the Principal Sum due on Foot of their said Mortgages, or such less Sum as the said Mortgagees may be willing or shall have agreed to accept for their said Mortgages, or in redeeming the said Annuities, upon such Terms as the said Annuitants may be willing to accept: Provided always, that it shall not be lawful to pay the said Annuitants, in redemption of their said Annuities, any greater Sum than at the Rate of One hundred Pounds for every Four Pounds of Annuity.

Redeemed Mortgages or Annuities to be cancelled.

XXXVII. When any such Mortgage or Annuity shall have been paid off or redeemed, the same shall be transferred by the Mortgagee or Annuitant to the Treasurer in the Manner herein provided, and the Deed of Transfer shall express that the same has been transferred to the said Treasurer, in trust for the County, and thereupon the said Mortgage or Annuity shall be extinguished, and the Security therefor shall be cancelled by the Treasurer, and delivered to the Clerk of the Peace, to be kept among the Records of the County, and the said Treasurer shall enter in the said Transfer Book a Memorandum that said Security has been so cancelled and delivered.

Acts named in Schedule (A.) to be repealed. Tolls to cease, and Roads declared public Roads.

XXXVIII. On and after the Fifth Day of *January* next after the passing of this Act, the several Acts set forth in Schedule (A.) to this Act annexed are hereby repealed, and from thenceforth the Trustees appointed by the said Acts shall be discharged from the Execution of the Trusts and Powers thereby vested in them, and the Collection and taking of Tolls upon the Roads in the said Acts comprised shall absolutely cease; and upon and from the said Fifth Day of *January* the said Roads shall be and become and the same are hereby declared to be public Roads of the Counties in which such Roads are respectively situate, and shall be maintained and kept in repair in like Manner and shall be subject to the like Provisions as other public Roads within the said several Counties.

Officers to account, and deliver up Documents, &c.

XXXIX. The Officers employed under the said Acts hereby repealed shall, within Thirty Days after the said Fifth Day of *January*, make up, sign, and balance their Accounts up to the said Fifth Day of *January*, and shall lay the same before the Commissioner, who is hereby authorized to examine such Officers upon Oath as to the Truth of their Accounts, and to accept and receive any Balance that may be due by any such Officer; and every such Officer shall pay or deliver to the Commissioner, or to such Person as he shall direct and appoint to receive the same, all Monies, Balances, Securities, Vouchers, Receipts, Accounts, and other Documents, and also all Materials, Tools, Implements, and other Things in his Possession or Control by virtue of his said Office; and if any such Officer shall neglect or refuse to render such Accounts, or to pay any such Balance, or to deliver to the Commissioner or the Person appointed by him as aforesaid any of the Documents or Things aforesaid in his Possession or Control by virtue of his said Office, such Officer shall for every such Offence be liable to a Penalty not exceeding Ten Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

Penalty for not accounting.

Penalties, &c. how to be recovered.

XL. All Fines or Penalties inflicted or imposed by this Act may be sued for and recovered in a summary Way by the Order and Adjudication of any Justice or Justices of the Peace at Petty Sessions, under and subject to the several Provisions and Regulations relating to summary Jurisdiction contained in "The Petty Sessions (*Ireland*) Act, 1851," and shall be applied in the Manner by the said Act directed.

Property of Trusts to vest in Commissioner.

XLI. Upon and from the said Fifth Day of *January* all Lands, Quarries, Tenements, and Hereditaments, and all Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, Lamps, Lamp Posts, Monies, Choses in Action, and all other Property vested in or belonging to the Trustees of the several Roads, for the Purposes of the Trusts thereof, shall vest in the Commissioner for such Estate or Interest as the said Trustees shall have therein; and the said Trustees and their Officers and all other Persons in possession

possession thereof shall surrender the same, and all the Title Deeds, Leases, Contracts, Instruments, or Things relating thereto, to the Commissioner, to be by him applied as by this Act directed.

Trust Property to be sold.

XLII. The Commissioner shall, as soon as conveniently may be after the said Fifth Day of *January*, sell and dispose or authorize the Sale and Disposal of the Estate and Interest in such of the Lands or other Real Property of each of the said Turnpike Trusts so vested in him as shall not be required for the Purposes of the said Roads, and the Rights, Members, and Appurtenances thereof, and of such Personal Property as aforesaid, either by Public Auction or by Private Contract, and either in One Lot or in several Lots, as to him shall seem fit, to such Persons as shall be willing to become the Purchasers thereof or of any Part thereof; and the Commissioner shall have full Power and Authority to enter into all necessary Contracts for Sales, or to rescind or vary the same, and to give full and effectual Discharges for the Purchase Money thereof or any Part thereof, and to execute all necessary Conveyances for vesting the same in the Purchasers thereof, or any Part thereof, for all the Estate or Interest therein which shall be vested in the Commissioner; and the Commissioner shall and he is hereby authorized and required to take down and remove all or any Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, or other Things which shall encroach upon the Roads or any of them, and may, if he thinks fit, take down or remove all or any other Turnpikes, Toll Houses, Toll Bars, Toll Gates, Side Gates, Chains, or other Things the Property of the said Turnpike Trusts, and may sell and dispose of the Materials thereof in manner aforesaid: Provided always, that before the Commissioner shall sell and dispose of or offer for Sale and Disposal any Piece of Ground not wanted for the Purposes of the Road, he shall offer the same to the Person whose Lands shall adjoin thereto, and if such Person shall thereupon refuse or shall not agree to purchase the same such Land may be sold to any Person who may be willing to become the Purchaser thereof as aforesaid.

Application of Produce of Sales and Balances in Hands of Trustees.

XLIII. All Monies to arise from such Sales of the Property of any such Turnpike Trust, after deducting the necessary Expenses thereof, and all Monies to be received from the Trustees or Officers of any such Turnpike Trust, shall be applied by the Commissioner in the first instance in discharge of the Costs, Charges, and Expenses of obtaining and carrying into execution this Act; and the several Counties or the Baronies thereof wherein is situate the Turnpike Trust from which such Monies shall have arisen shall be entitled to Credit for the Amount of such Monies so applied, and the Commissioner shall allocate the same accordingly; and the Commissioner shall from Time to Time certify to the Treasurer of any such County the Sum to Credit for which such County or any Barony thereof shall be entitled, and thereupon it shall be lawful for such Grand Jury to deduct from any Presentment to be made and levied off any such County or Barony thereof, under the Provisions of this Act, the Amount to Credit for which such County or Barony shall be so certified to be entitled, and the Balance of all Monies so arising shall in like Manner be so allocated, and shall be paid to the Treasurers of the said Counties, and shall be by the said Treasurers applied in aid of the Presentments to be made under this Act in relation to such Trust.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Reference to Act.	Title.
10 G. 4. Chap. 75. (Local and Personal.)	An Act for making and maintaining the Road leading from Dublin through Blessington and Baltinglass to near the Town of Carlow.
10 G. 4. Chap. 63. (Local and Personal.)	An Act for more effectually repairing the Road from Dublin to Dunleer.
11 & 12 Vict. Chap. 107. (Local and Personal.)	The Dublin and Mullingar Turnpike Road Act, 1848.
12 & 13 Vict. Chap. 68. (Local and Personal.)	An Act to continue and amend the Powers of an Act for repairing and improving the Roads from Dublin by Ashbourne to Slane and Drogheda.
38 G. 3. Chap. 31. (Ireland.)	An Act for amending the Road from Dublin to Knocksedan in the County of Dublin.
40 G. 3. Chap. 48. (Ireland.)	An Act to amend an Act passed in the Thirty-eighth Year of the Reign of His present Majesty, entituled 'An Act for amending the Road from Dublin to 'Knocksedan in the County of Dublin.'
26 G. 3. Chap. 30. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates, and receiving Tolls thereout, in aid of the Barony Presentments, and for appointing Trustees for carrying the said Purposes into execution.
28 G. 3. Chap. 48. (Ireland.)	An Act for extending to the Roads leading from Dublin through Raheny and Clontarf the Provisions of an Act passed in the 26th Year of His present Majesty's Reign, intituled 'An Act for making, widening, and repairing the Road leading 'from Dublin to Malahide, and for erecting Turnpike Gates, and receiving Tolls 'thereout in aid of the Barony Presentments, and for appointing Trustees for 'carrying the said Purposes into execution.'

29 G. 3. Chap. 24. (Ireland.)	An Act for rendering more effectual Two several Acts, One passed in the 26th Year of His Majesty's Reign, intituled 'An Act for making, widening, 'and repairing the Road leading from the City of Dublin to Malahide, and for 'erecting Turnpike Gates, and receiving Tolls thereout in aid of the Barony 'Presentments, and for appointing Trustees for carrying the said Purposes into 'execution;' and the other Act passed in the 28th Year of His Majesty's Reign, intituled 'An Act for extending to the Roads leading from Dublin through 'Raheny and Clontarf the Provisions of an Act passed in the 26th Year of His 'Majesty's Reign, intituled "An Act for making, widening, and repairing the '"Road leading from Dublin to Malahide, and for erecting Turnpike Gates, and '"receiving Tolls thereout in aid of the Barony Presentments, and for appointing '"Trustees for carrying the said Purposes into execution, and also for continuing '"the said Act."'
31 G. 3. Chap. 50. (Ireland.)	An Act for amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, in the said Acts mentioned; and for enabling the Trustees for the said Purposes to borrow further Sums of Money for such Purposes; and for continuing the said Acts for a further Term; and for improving the Neighbourhood of Ballybough Bridge.
32 G. 3. Chap. 37. (Ireland.)	An Act for enabling the Trustees for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, pursuant to several Acts of Parliament more effectually to carry the said Acts into execution.
33 G. 3. Chap. 26. (Ireland.)	An Act for further amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge; and for enabling the Trustees for the said Purposes to borrow a further Sum, to complete a new Communication Eastward of Ballybough Bridge.
38 G. 3. Chap. 41. (Ireland.)	An Act for granting certain Tolls, Rates, and Duties to be taken at the Turnpikes on the Road leading over Ballybough and Annesley Bridges, in aid of the Barony Presentments, and in lieu of the Tolls formerly payable at such Turnpikes; and for amending the Laws for making, widening, and repairing the said Roads; and for making perpetual the several Acts of Parliament relating thereto.
56 G. 3. Chap. 71. (Local and Personal.)	An Act for altering and improving Part of the Turnpike Road leading from the City of Dublin to the New Packet Harbour at Howth, for the Conveyance of His Majesty's Mails, and for amending the several Laws relating to the said Road.
59 G. 3. Chap. 109. (Local and Personal.)	An Act for more effectually improving and repairing the Road leading from the City of Dublin to Navan in the County of Meath.
35 G. 3. Chap. 47. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony Presentments.
37 G. 3. Chap. 29. (Ireland.)	An Act for improving and repairing the Roads leading from the City of Dublin to Ratoath and Curragha, and for altering and amending an Act passed in the 35th Year of His present Majesty's Reign, intituled 'An Act for making, widening, 'and repairing the Road leading from the City of Dublin to Ratoath, and for 'erecting Turnpikes thereon in aid of Barony Presentments.'
39 G. 3. Chap. 46. (Ireland.)	An Act for amending an Act passed in the 37th Year of the Reign of His present Majesty, intituled 'An Act for improving and repairing the Roads leading from 'the City of Dublin to Ratoath and Curragha, and for altering and amending 'an Act passed in the 35th Year of His present Majesty's Reign, intituled '"An Act for making, widening, and repairing the Road leading from the City '"of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony '"Presentments."'
30 G. 3. Chap. 46. (Ireland.)	An Act for improving and repairing the Turnpike Road leading from Kinnegad to Athlone.
31 G. 3. Chap. 49. (Ireland.)	An Act to amend an Act for improving the Turnpike Road leading from Kinnegad to Athlone.
32 G. 3. Chap. 36. (Ireland.)	An Act to amend an Act made in the 30th Year of His present Majesty, intituled 'An Act for improving and repairing the Turnpike Road leading from Kinnegad 'to Athlone.'
50 G. 3. Chap. 134. (Local and Personal.)	An Act to amend an Act passed in the Parliament of Ireland in the 30th Year of His Majesty's Reign, for repairing the Turnpike Road leading from Kinnegad to Athlone.

SCHE-

SCHEDULE (B.)

FORM OF MORTGAGE.

Mortgage No.

I *A.B.*, the undersigned "Dublin Turnpikes Abolition Commissioner," acting in execution of "The Dublin and other Roads Turnpikes Abolition Act, 1855," do hereby certify that the Sum of £ , with Interest thereon from the Fifth Day of January 1856, at the Rate of Three Pounds per Centum per Annum till paid, has been ascertained by my Award, made in pursuance of the said Act, to be payable in the Manner in said Award specified by the Grand Jury of the County of to *C.D.*, his Executors, Administrators, and Assigns, in respect of certain Mortgages [*or* a certain Mortgage] in said Award specified; and I hereby direct that Interest at the Rate of Three Pounds per Centum per Annum from the Fifth Day of January 1856 on the said Sum of £ shall be paid by the Treasurer of the said County of to the said *C.D.*, his Executors, Administrators, and Assigns, till the said Principal Sum shall have been paid.

In witness whereof I the said Commissioner have hereunto set my Hand and Seal, this Day of .

A.B. (S.)

SCHEDULE (C.)

FORM OF TRANSFER OF MORTGAGE.

I *A.B.* of in consideration of the Sum of £ paid to me by *C.D.* of , do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number , bearing Date the Day of , and made by "the Dublin Turnpikes Abolition Commissioner" for charging and securing the Sum of £ , and Interest thereon from the Fifth Day of January 1856 at the Rate of Three Pounds per Centum per Annum, upon the County of [*or* upon the Barony *or* Baronies of in the County of] and all my Property, Right, and Interest in and to the Money thereby secured.

In witness whereof I have hereunto set my Hand and Seal, this Day of .

A.B. (S.)

SCHEDULE (D.)

FORM OF SECURITY FOR ANNUITY.

Annuity No.

I *A.B.*, the undersigned "Dublin Turnpikes Abolition Commissioner," acting in execution of "The Dublin and other Roads Turnpikes Abolition Act, 1855," do hereby certify that the annual Sum of £ has been ascertained by my Award, made in pursuance of the said Act, to be payable for in the Manner in said Award specified by the Grand Jury of the County of to *C.D.*, his Heirs and Assigns, in respect of certain Rents in said Award specified; and I hereby direct that the said annual Sum of £ shall be paid by the Treasurer of the said County of to the said *C.D.*, his Heirs and Assigns, by Two even and equal half-yearly Payments on every Day of and Day of in every Year, the first Payment thereof to be made on the Day of next after the Date hereof.

In witness whereof I have hereunto set my Hand and Seal, this Day of .

A.B. (S.)

SCHEDULE (E.)

FORM OF TRANSFER OF ANNUITY.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of , do hereby transfer to the said *C.D.*, his Heirs and Assigns, a certain Annuity of £ the Certificate of which is Number and bears Date the Day of and was executed by "the Dublin Turnpikes Abolition Commissioner" for charging and securing the said Annuity of £ upon the County of [*or* upon the Barony *or* Baronies of in the County of] and all my Property, Right, and Interest in and to the Annuity thereby secured.

In witness whereof I have hereunto set my Hand and Seal, this Day of .

A.B. (S.)

SCHEDULE (F.)

County of } Whereas the Dublin Turnpikes Abolition Commissioner, acting in execution of
to wit. } "The Dublin and other Roads Turnpikes Abolition Act, 1855," has, by his Certificate bearing Date the Day of , duly certified to the Grand Jury of the County of that the Sum of £ has, under the Provisions of the said Act, been apportioned upon the said County and the Baronies thereof [*or* upon the Barony *or* Baronies of in the County of] as in the said Certificate mentioned.

Now we the Grand Jury of the said County of duly assembled and sworn at the Assizes held at in and for the said County on the Day of pursuant to the Powers to us in that Behalf given by "The Dublin and other Roads Turnpikes Abolition Act, 1855," do present the Sum of £ in order to enable us to borrow the said Sum from any Person willing to advance the same; and in order to repay the said Sum we do present that the said Sum do be raised and levied as follows:

by half-yearly Instalments of each, the first of said Instalments to be raised after the present Assizes, and the remaining Instalments after the next and each and every successive Assizes, until the whole of the said Sum shall be raised and discharged; and further, in pursuance of the Powers in said Act contained, we do present the Sum of £ to be paid upon the to pay the annual Interest of the said Sum of £ , or of such Part of the same as shall from Time to Time remain due, at such Rate, not exceeding Six Pounds per Cent., as may be agreed on, and we present the said Sum of £ to be raised half-yearly in such Sums as may be from Time to Time required to satisfy the Interests of so much of the said Principal Sum as shall be and remain due after the Application of the Sums presented to be levied for its Satisfaction, One of such Sums or Instalments to be raised after the present and every future Assize, and the other after the next and every future Assizes in the next and each succeeding Year until such Principal Sum shall have been paid as aforesaid.

And we nominate and appoint to treat and agree and contract for a Loan with any Person willing to make the same on the Security of this Presentment, and for the Rate of Interest which shall be paid on such Loan, and otherwise to carry this Presentment into effect.

N.B.—In the County of Dublin for Assizes insert Presenting Term, and make the Instalments annual instead of half-yearly.

CAP. LXX.

An Act for further promoting the Establishment of Free Public Libraries and Museums in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes. [30th *July* 1855.]

'WHEREAS it is expedient to amend and extend the Public Libraries Act, 1850:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

13 & 14 Vict. c. 65. repealed.

I. The Public Libraries Act, 1850, is hereby repealed; but such Repeal shall not invalidate or affect anything already done in pursuance of the same Act, and all Libraries and Museums established under that Act or the Act thereby repealed shall be considered as having been established under this Act, and the Council of any Borough which may have adopted the said Act of One thousand eight hundred and fifty, or established a Museum under the Act thereby repealed, shall have and may use and exercise all the Benefits, Privileges, and Powers given by this Act; and all Monies which have been borrowed by virtue of the said repealed Acts or either of them, and still remaining unpaid, and the Interest thereof, shall be charged on the Borough Rates, or a Rate to be assessed and recovered in the like Manner as a Borough Rate to be made by virtue of this Act.

Short Title of Act.

II. In citing this Act for any Purposes whatever it shall be sufficient to use the Expression "The Public Libraries Act, 1855."

Interpretation of Terms.

III. In the Construction of this Act the following Words and Expressions shall, unless there be something in the Subject or Context repugnant to such Construction, have the following Meanings assigned to them respectively; that is to say, "Parish" shall mean every Place maintaining its own Poor; "Vestry" shall mean the Inhabitants of the Parish lawfully assembled in Vestry, or for any of the Purposes for which Vestries are holden, except in those Parishes in which there is a Select Vestry elected under the Act of the Fifty-ninth Year of King *George* the Third, Chapter Twelve, or under the Act of the First and Second Years of King *William* the Fourth, Chapter Sixty, or under the Provisions of any Local Act of Parliament for the Government of any Parish by Vestries, in which Parishes it shall mean such Select Vestry, and shall also mean any Body of Persons, by whatever Name distinguished, acting by virtue of any Act of Parliament, Prescription, Custom, or otherwise, as or instead of a Vestry or Select Vestry; "Ratepayers" shall mean all Persons for the Time being assessed to Rates for the Relief of the Poor of the Parish; "Overseers of the Poor" shall mean also any Persons authorized and required to make and collect the Rate for the Relief of the Poor of the Parish, and acting instead of Overseers of the Poor; "Board" shall mean the Commissioners, Trustees, or other Body of Persons, by whatever Name distinguished, for the Time being in Office and acting in the Execution of any Improvement Act, being an Act for draining, cleansing, paving, lighting, watching, or otherwise improving a Place, or for any of those Purposes; "Improvement Rates" shall mean the Rates, Tolls, Rents, Income, and other Monies whatsoever which, under the Provisions of any such Improvement Act, shall be applicable for the general Purposes of such Act.

IV. The

Town Councils of certain Boroughs may adopt this Act if determined by Inhabitants.

IV. The Mayor of any Municipal Borough the Population of which, according to the then last Census thereof, shall exceed Five thousand Persons, shall, on the Request of the Town Council, convene a Public Meeting of the Burgesses of the Borough, in order to determine whether this Act shall be adopted for the Municipal Borough, and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Borough, and also by advertising the same in One or more of the Newspapers published or circulated within the Borough, Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid then present shall determine that this Act ought to be adopted for the Borough, the same shall thenceforth take effect and come into operation in such Borough, and shall be carried into execution in accordance with the Laws for the Time being in force relating to the Municipal Corporation of such Borough: Provided always, that the Mayor, or, in his Absence, the Chairman of the Meeting, shall cause a Minute to be made of the Resolutions of the Meeting, and shall sign the same; and the Resolutions so signed shall be conclusive Evidence that the Meeting was duly convened, and the Vote thereat duly taken, and that the Minute contains a true Account of the Proceedings thereat.

Expenses of carrying Act into execution in a Borough to be paid out of the Borough Fund.

V. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in such Borough, may be paid out of the Borough Fund, and the Council may levy by a separate Rate, to be called a Library Rate, to be made and recoverable in the Manner herein-after provided, all Monies from Time to Time necessary for defraying such Expenses; and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the Council with reference to the Execution of this Act.

Board of any District within Limits of any Improvement Act may adopt this Act if determined by Inhabitants.

VI. The Board of any District, being a Place within the Limits of any Improvement Act, and having such a Population as aforesaid, shall, upon the Requisition in Writing of at least Ten Persons assessed to and paying the Improvement Rate, appoint a Time not less than Ten Days nor more than Twenty Days from the Time of receiving such Requisition for a Public Meeting of the Persons assessed to and paying such Rate in order to determine whether this Act shall be adopted for such District, and Ten Days Notice at least of the Time, Place, and Object of such Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the District, and also by advertising the same in One or more of the Newspapers published or circulated within the District, Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid then present shall determine that this Act ought to be adopted for the District, the same shall thenceforth take effect, and come into operation in such District, and shall be carried into effect according to the Laws for the Time being in force relating to such Board.

Expenses of carrying Act into execution to be charged on Improvement Rate.

VII. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in any such District, shall be paid out of the Improvement Rate, and the Board may levy as Part of the Improvement Rate, or by a separate Rate to be assessed and recovered in like Manner as an Improvement Rate, such Sums of Money as shall be from Time to Time necessary for defraying such Expenses; and the Board shall keep distinct Accounts of their Receipts, Payments, Credits, and Liabilities with reference to the Execution of this Act, which Accounts shall be audited in the same Way as Accounts are directed to be audited under the Improvement Act.

Certain Parishes may adopt this Act, with the Consent of Two Thirds of the Ratepayers.

The Vestry to appoint Commissioners for carrying the Act into execution, who shall be a Body Corporate.

VIII. Upon the Requisition in Writing of at least Ten Ratepayers of any Parish having such a Population as aforesaid, the Overseers of the Poor shall appoint a Time, not less than Ten Days nor more than Twenty Days from the Time of receiving such Requisition, for a Public Meeting of the Ratepayers in order to determine whether this Act shall be adopted for the Parish; and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Parish, and also by advertising the same in One or more of the Newspapers published or circulated within the Parish, Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of the Ratepayers then present shall determine that this Act ought to be adopted for such Parish, the same shall come into operation in such Parish, and the Vestry shall forthwith appoint not less than Three nor more than Nine Ratepayers Commissioners for carrying the Act into execution, who shall be a Body Corporate by the Name of "The Commissioners for Public Libraries and Museums for the Parish of in the County of ," and by that Name may sue and be sued, and hold and dispose of Lands, and use a Common Seal: Provided always, that in any Parish where there shall not be a greater Population than Eight thousand Inhabitants by the then last Census, it shall be lawful for any Ten Ratepayers to deliver a Requisition by them signed, and describing their Place of Residence, to the Overseers or One of the Overseers of the said Parish, requiring the Votes of the Ratepayers at such Meeting to be taken according to the Provisions of the Act passed in the Fifty-eighth Year of the Reign of King *George* the Third, Chapter Sixty-nine, and the Votes at such Meeting shall thereupon be taken according to the Provisions of the said last-mentioned Act of Parliament, and not otherwise.

One Third of such Commissioners to go out of Office yearly, and

IX. At the Termination of every Year (the Year being reckoned from and exclusive of the Day of the First Appointment of Commissioners) a Meeting of the Vestry shall be held, at which Meeting One Third or as nearly as may be One Third of the Commissioners, to be determined by Ballot, shall go out of Office, and the Vestry shall appoint other Commissioners in their Place, but the outgoing Commissioners

others to be appointed, &c.

sioners may be re-elected; and the Vestry shall fill up every Vacancy among the Commissioners, whether occurring by Death, Resignation, or otherwise, as soon as possible after the same occurs.

General and Special Meetings of Commissioners.

X. The Commissioners shall meet at least once in every Calendar Month, and at such other Times as they think fit, at the Public Library or Museum or some other convenient Place; and any One Commissioner may summon a Special Meeting of the Commissioners by giving Three clear Days Notice in Writing to each Commissioner, specifying therein the Purpose for which the Meeting is called; and no Business shall be transacted at any Meeting of the Commissioners unless at least Two Commissioners shall be present.

Minutes of Proceedings of Commissioners to be entered in Books.

XI. All Orders and Proceedings of the Commissioners shall be entered in Books to be kept by them for that Purpose, and shall be signed by the Commissioners or any Two of them; and all such Orders and Proceedings so entered, and purporting to be so signed, shall be deemed to be original Orders and Proceedings, and such Books may be produced and read as Evidence of all such Orders and Proceedings upon any judicial Proceeding whatsoever.

Distinct Accounts to be kept by Commissioners, and duly audited.

XII. The Commissioners shall keep distinct and regular Accounts of their Receipts, Payments, Credits, and Liabilities with reference to the Execution of this Act, which Accounts shall be audited yearly by the Poor Law Auditor, if the Accounts of Poor Rate Expenditure of the Parish be audited by a Poor Law Auditor, but if not so audited, then by Two Auditors not being Commissioners, who shall be yearly appointed by the Vestry, and the Auditor or Auditors shall report thereon, and such Report shall be laid before the Vestry by the Commissioners.

Expenses of executing Act in any Parish to be paid out of Poor Rate.

XIII. The Expenses of calling and holding the Meeting of the Ratepayers, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in any Parish, to such Amount as shall be from Time to Time sanctioned by the Vestry, shall be paid out of a Rate to be made and recovered in like Manner as a Poor Rate, except that every Person occupying Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands or Market Gardens, or Nursery Grounds, shall be rated in respect of the same in the Proportion of One Third Part only of the full net annual Value thereof respectively; the Vestry to be called for the Purpose of sanctioning the Amount shall be convened in the Manner usual in the Parish; the Amount for the Time being proposed to be raised for such Expenses shall be expressed in the Notice convening the Vestry, and shall be paid, according to the Order of the Vestry, to such Person as shall be appointed by the Commissioners to receive the same: Provided always, that in the Notices requiring the Payment of the Rate there shall be stated the Proportion which the Amount to be thereby raised for the Purposes of this Act shall bear to the total Amount of the Rate.

Vestries of Two or more neighbouring Parishes may adopt the Act.

XIV. The Vestries of any Two or more neighbouring Parishes having according to the then last Census an aggregate Population exceeding Five thousand Persons may adopt this Act, in like Manner as if the Population of each of those Parishes according to the then last Census exceeded Five thousand, and may concur in carrying the same into execution in such Parishes for such Time as they shall mutually agree; and such Vestries may decide that a Public Library or Museum, or both, shall be erected in any One of such Parishes, and that the Expenses of carrying this Act into execution with reference to the same shall be borne by such Parishes in such Proportions as such Vestries shall mutually approve; the Proportion for each of such Parishes of such Expenses shall be paid out of the Monies to be raised for the Relief of the Poor of the same respective Parishes accordingly; but no more than Three Commissioners shall be appointed for each Parish; and the Commissioners so appointed for each of such Parishes shall in the Management of the said Public Library and Museum form One Body of Commissioners, and shall act accordingly in the Execution of this Act; and the Accounts of the Commissioners shall be examined and reported on by the Auditor or Auditors of each of such Parishes; and the surplus Money at the Disposal as aforesaid of such Commissioners shall be paid to the Overseers of such Parishes respectively, in the Proportion in which such Parishes shall be liable to such Expenses.

Rates levied not to exceed One Penny in the Pound.

XV. The Amount of the Rate to be levied in any Borough, District, or Parish in any One Year for the Purposes of this Act shall not exceed the Sum of One Penny in the Pound; and for the Purposes of the Library Rate all the Clauses of the Towns Improvement Clauses Act, 1847, with respect to the Manner of making Rates, to the Appeal to be made against any Rate, and to the Recovery of Rates, shall be incorporated with this Act; and whenever the Words "Special Act" occur in the Act so incorporated they shall mean "The Public Libraries Act, 1855;" the Accounts of the said Board and Commissioners respectively with reference to the Execution of this Act shall at all reasonable Times be open,

Accounts of Board and Commissioners to be open to Inspection.

without Charge, to the Inspection of every Person rated to the Improvement Rate or to the Rates for the Relief of the Poor of the Parish, as the Case may be, who may make Copies of or Extracts from such Accounts, without paying for the same; and in case the Board or the Commissioners, or any of them respectively, or any of their respective Officers or Servants having the Custody of such Accounts, shall not permit the same Accounts to be inspected, or Copies of or Extracts from the same to be made, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Power to Council, &c. to borrow on Mortgage.

XVI. For carrying this Act into execution the Council, Board, or Commissioners respectively may, with the Approval of Her Majesty's Treasury, (and as to the Commissioners, with the Sanction also of the Vestry and the Poor Law Board,) from Time to Time borrow at Interest, on the Security of a Mortgage or Bond of the Borough Fund, or of the Rates levied in pursuance of this Act, such Sums of Money as

as may be by them respectively required; and the Commissioners for carrying into execution the Act of the Ninth and Tenth Years of Her Majesty, Chapter Eighty, may from Time to Time advance and lend any such Sums of Money.

Provisions of 8 & 9 Vict. c. 16. as to borrowing, extended to this Act.

XVII. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money on Mortgage or Bond, and the Accountability of Officers, and the Recovery of Damages and Penalties, so far as such Provisions may respectively be applicable to the Purposes of this Act, shall be respectively incorporated with this Act.

Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.

XVIII. The Council of any Borough and the Board of any District respectively may from Time to Time, with the Approval of Her Majesty's Treasury, appropriate for the Purposes of this Act any Lands vested, as the Case may be, in a Borough, in the Mayor, Aldermen, and Burgesses, and in a District in the Board; and the Council, Board, and Commissioners respectively may also, with such Approval, purchase or rent any Lands or any suitable Buildings; and the Council and Board and Commissioners respectively may, upon any Lands so appropriated, purchased, or rented respectively, erect any Buildings suitable for Public Libraries or Museums, or both, or for Schools for Science or Art, and may apply, take down, alter, and extend any Buildings for such Purposes, and rebuild, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

8 & 9 Vict. c. 18. incorporated.

XIX. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act; but the Council, Board, and Commissioners respectively shall not purchase or take any Lands otherwise than by Agreement.

Lands, &c. may be sold or exchanged.

XX. The Council, Board, and Commissioners aforesaid respectively may, with the like Approval as is required for the Purchase of Lands, sell any Lands vested in the Mayor, Aldermen, and Burgesses, or Board, or Commissioners respectively, for the Purposes of this Act, or exchange the same for any Lands better adapted for the Purposes; and the Monies to arise from such Sale, or to be received for Equality of Exchange, or a sufficient Part thereof, shall be applied in or towards the Purchase of other Lands better adapted for such Purposes.

General Management to be vested in Council, Board, or Commissioners.

XXI. The general Management, Regulation, and Control of such Libraries and Museums, Schools for Science and Art, shall be, as to any Borough, vested in and exercised by the Council, and as to any District in and by the Board, and as to any Parish or Parishes in and by the Commissioners, or such Committee as such Council or Board may from Time to Time appoint, the Members whereof need not be Members of the Council or Board or be Commissioners, who may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Newspapers, Maps, and Specimens of Art and Science, for the Use of the Library or Museum, or School, and cause the same to be bound or repaired when necessary, and appoint salaried Officers and Servants, and dismiss the same, and make Rules and Regulations for the Safety and Use of the Libraries and Museums, and Schools, and for the Admission of the Public.

Property of Library, &c. to be vested in Council, &c.

XXII. The Lands and Buildings so to be appropriated, purchased, or rented as aforesaid, and all other Real and Personal Property whatever presented to or purchased for any Library or Museum established under this Act, or School, shall be vested, in the Case of a Borough, in the Mayor, Aldermen, and Burgesses, in the Case of a District in the Board, and in the Case of a Parish or Parishes in the Commissioners.

If Meeting does not adopt Act, no other Meeting to be held for a Year.

XXIII. If any Meeting called as aforesaid to determine as to the Adoption of this Act for any Borough, District, or Parish shall determine against the Adoption, no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting.

Act may be adopted in the City of London if Two Thirds of Persons rated to the Consolidated Rate, assembled at a Public Meeting, assent.

XXIV. The Lord Mayor of the City of *London* shall, on the Request of the Lord Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, convene a Public Meeting in manner herein-before mentioned of all Persons rated and assessed to the Consolidated Rate in the City of *London*, in order to determine whether this Act shall be adopted in the said City; and if at such Meeting Two Thirds of such Persons then present shall determine that this Act ought to be adopted for the City of *London*, the same shall thenceforth take effect and come into operation in the City of *London*, and shall be carried into execution in accordance with the Laws for the Time being in force relating to the City of *London*: Provided always, that the Resolution of such Public Meeting, signed by the Lord Mayor, shall be reported to the said Lord Mayor, Aldermen, and Commons, in Common Council assembled, and entered on the Minutes thereof, and that such Entry shall be Evidence; the Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in the City of *London*, shall be paid out of the Consolidated Rate, and the Commissioners of Sewers of the City of *London* may levy a Part of the Consolidated Rate, or, by a separate Rate, to be assessed and recovered in like Manner as the Consolidated Rate, all Monies from Time to Time necessary for defraying such Expenses, and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the said Lord Mayor, Aldermen, and Commons with reference to the Execution of the Act.

Museums to be free.

XXV. The Admission to all Libraries and Museums established under this Act shall be open to the Public free of all Charge.

Extent of Act.

XXVI. This Act shall not extend to *Ireland* or *Scotland*.

CAP. LXXI.

An Act to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of *Antigua*, *Nevis*, and *Montserrat*.

[30th *July* 1855.]

6 & 7 Vict. c. 63.

'WHEREAS by an Act passed in the Session holden in the Sixth and Seventh Years of Her Majesty, Chapter Sixty-three, ("for granting Relief to the Islands of *Antigua*, *Saint Kitts*, *Nevis*, *Dominica*, and *Montserrat*,") the Commissioners of Her Majesty's Treasury were authorized in manner therein mentioned to lend Exchequer Bills, for any Sum not exceeding One hundred thousand Pounds for the Service of the Island of *Antigua*, and any Sums not exceeding in the whole Fifty thousand Pounds for the Service of the Islands of *Saint Kitts*, *Nevis*, *Dominica*, and *Montserrat*, on the Credit of the Revenues and Public Property of the said Islands respectively, as soon as the said Commissioners should be satisfied that Repayment of the several Sums to be advanced (with Interest thereon, at the yearly Rate of Four Pounds by the Hundred,) was duly secured to the Satisfaction of the said Commissioners by some Act or Acts passed or to be passed by the several Legislatures of the said Islands respectively: And whereas the Commissioners of Her Majesty's Treasury accordingly advanced the Sum of One hundred thousand Pounds to the Island of *Antigua*, the Sum of Twelve thousand Pounds to the Island of *Nevis*, and the Sum of Twenty-three thousand Pounds to the Island of *Montserrat*, the Repayment of such several Sums, with Interest, having been secured by the Legislatures of the said respective Islands, as required by the said Act, and out of the Sums so advanced Advances were made under the Authority of the said respective Legislatures, to Persons who had suffered Losses by the Earthquakes in the said Islands: And whereas under the Circumstances of the said Islands the Payment of some of the Instalments of the Principal Money remaining due on the Securities given by the said Legislatures has been suspended: And whereas it is expedient that the Commissioners of the Treasury should be empowered to extend the Time for the Repayment of the Principal Monies remaining owing on the said Securities, and to reduce the Interest payable thereunder as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury may extend Time of Repayment of Loans to Antigua, Nevis, and Montserrat, and to reduce Interest to 3*l.* 5*s.* per Cent.; corresponding Advantages being secured to private Borrowers.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant such Extension of the Period for Payment of the Principal Monies owing by the said Islands of *Antigua*, *Nevis*, and *Montserrat* respectively in respect of the said Loans, and to accept Payment thereof by such Instalments and at such Times as the said Commissioners in their Discretion may think proper and fix in the Case of each of the said Islands, and to accept Interest upon the Principal Monies remaining unpaid after the yearly Rate of Three Pounds Five Shillings *per Centum*, instead of the said yearly Rate of Four Pounds *per Centum*, upon being satisfied that Acts have been passed by the Legislatures of such Islands respectively for securing on the Credit of the Revenue or public Property thereof the punctual Payment of the Instalments of Principal Monies, with Interest as aforesaid, at the Times and in manner fixed by the said Commissioners, and also for securing to the Persons indebted in respect of the Advances made out of the said Loans to the Sufferers in the said Islands Advantages corresponding with those granted to such Legislatures under this Act.

In case of Default of Payment at Times fixed under this Act, Interest and Instalments originally agreed upon may be required.

II. Provided always, That in case of Default in Payment of any of the Instalments of Principal Monies which may become payable from any of the said Islands under such Extension of Time, or of the said reduced Interest, at the Times fixed by the said Commissioners of the Treasury, it shall be lawful for such Commissioners to require from the Island so in default Payment of Interest at the yearly Rate of Four Pounds *per Centum* on the Principal Monies remaining due, and also Payment of such Principal Monies by such Instalments as were made payable by the Securities originally given by the Legislature of such Island; and such Interest and Instalments of Principal Monies which may be so required to be paid shall thereupon become payable accordingly.

CAP. LXXII.

An Act for legalizing and preserving the restored Standards of Weights and Measures.

[30th *July* 1855.]

5 G. 4. c. 74.

'WHEREAS by an Act of the Fifth Year of the Reign of King *George* the Fourth, Chapter Seventy-four, "for ascertaining and establishing Uniformity of Weights and Measures," it was enacted, that from and after the First Day of *May* One thousand eight hundred and twenty-five the straight Line or Distance between the Centres of the Two Points in the Gold Studs in a certain straight Brass Rod then in the Custody of the Clerk of the House of Commons should be the original and genuine Standard of that Measure of Length or lineal Extension called a Yard, and that the same straight Line or Distance between the Centres of the said Two Points in the said Gold Studs in the said Brass Rod, the Brass being at the Temperature of Sixty-two Degrees by Fahrenheit's Thermometer, should be the "Imperial Standard Yard;" and that from and after the First Day of *May* One thousand eight

'hundred and twenty-five the Standard Brass Weight of One Pound Troy Weight made in the Year 'One thousand seven hundred and fifty-eight, then in the Custody of the Clerk of the House of Com- 'mons, should be and the same was thereby declared to be the original and genuine Standard Measure of 'Weight, and that such Brass Weight should be the "Imperial Standard Troy Pound," and should be 'and the same was thereby declared to be the Unit or only Standard Measure of Weight from which all 'other Weights should be derived, computed, and ascertained, and that One Twelfth Part of the said 'Troy Pound should be an Ounce, and that One Twentieth Part of such Ounce should be a Penny- 'weight, and that One Twenty-fourth Part of such Pennyweight should be a Grain, so that Five 'thousand seven hundred and sixty such Grains should be a Troy Pound, and that Seven thousand such 'Grains should be and they were thereby declared to be a Pound Avoirdupois: And whereas by the 'said Act Provision was made for restoring the said Imperial Standard Yard and the said Imperial 'Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, by 'Reference to the Length of a Pendulum and to the Weight of a Cubic Inch of Water respectively: 'And whereas the said Imperial Standard Yard and Standard Pound Troy were destroyed in the Fire 'at the Houses of Parliament: And whereas by the Researches of scientific Men Doubts were thrown 'on the Accuracy of the Methods provided by the said Act for the Restoration of the said Standards: 'And whereas there exist Bars and Weights which had been accurately compared with the said Standard 'Yard and Standard Pound Troy so destroyed as aforesaid, which afforded sufficient Means for restoring 'such original Standards: And whereas scientific Men acting for that Purpose under the Direction of 'the Commissioners of Her Majesty's Treasury have constructed a Standard of Length equivalent to the 'Imperial Standard Yard so destroyed, and Four accurate Copies of the Standard so constructed, and it 'having been deemed expedient that the Standard for Reference as a Measure of Weight should be a 'Pound Avoirdupois, there has been constructed in like Manner a Pound Weight Avoirdupois equiva- 'lent to the Pound Avoirdupois of Seven thousand such Grains as are mentioned in the said recited Act, 'and Four accurate Copies of the said Pound Avoirdupois so constructed: And whereas the Form 'adopted for the Standard of Length and for all the Copies thereof is that of a solid square Bar Thirty- 'eight Inches long and One Inch square in transverse Section, the Bar being of Bronze or Gun Metal; 'near to each End a cylindrical Hole is sunk (the Distance between the Centres of the Two Holes being 'Thirty-six Inches) to the Depth of Half an Inch; at the Bottom of this Hole is inserted in a smaller 'Hole a Gold Plug or Pin about One Tenth of an Inch in Diameter, and upon the Surface of this Pin 'there are cut Three fine Lines at Intervals of about the One Hundredth Part of an Inch transverse to 'the Axis of the Bar, and Two Lines at nearly the same Interval parallel to the Axis of the Bar; the 'Measure of Length is given by the Interval between the Middle transversal Line at one End and the 'Middle transversal Line at the other End, the Part of each Line which is employed being the Point 'Midway between the longitudinal Lines; and the said Points are herein referred to as the Centres of 'the said Gold Plugs or Pins: And whereas the Standard Pound Avoirdupois so constructed as afore- 'said, and the Copies thereof, are of Platinum, the Form being that of a Cylinder nearly 1·35 Inch in 'Height and 1·15 Inch in Diameter, with a Groove or Channel round it whose Middle is about 0·34 'Inch below the Top of the Cylinder, for Insertion of the Points of the Ivory Fork by which it is to be 'lifted; the Edges are carefully rounded off: And whereas the Standard of Length so constructed as 'aforesaid, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, Zinc 1. Mr. Baily's Metal. No. 1. '" Standard Yard at 62°·00 Fahrenheit. Cast in 1845. Troughton & Simms, London," and the said 'Standard of Weight marked P.S. 1844, 1 lb., have respectively been deposited in the Office of the 'Exchequer at *Westminster*, and One of the said Copies of the said Standard of Length, the Bronze Bar, 'being marked "Copper 16 oz., Tin 2½, Zinc 1. Mr. Baily's Metal. No. 2. Standard Yard at 61°·94 '" Fahrenheit. Cast in 1845. Troughton & Simms, London," and One of the said Copies of the 'Standard of Weight marked No. 1, P.C. 1844, 1 lb., have been deposited at the Royal Mint; and One 'other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., '" Tin 2½, Zinc 1. Mr. Baily's Metal. No. 3. Standard Yard at 62°·10 Fahrenheit. Cast in 1845. '" Troughton and Simms, London," and One other of the said Copies of the Standard of Weight marked 'No. 2. P.C. 1844, 1 lb., have been delivered to the Royal Society of *London;* and One other of the 'said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, Zinc 1. '" Mr. Baily's Metal. No. 5. Standard Yard at 62°·16 Fahrenheit. Cast in 1845. Troughton & '" Simms, London," and One other of the said Copies of the Standard of Weight marked No. 3., P.C. '1844, 1 lb., have been deposited in the Royal Observatory of *Greenwich;* and the other of the said 'Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, Zinc 1. '" Mr. Baily's Metal. No. 4. Standard Yard at 61°·98 Fahrenheit. Cast in 1845. Troughton & '" Simms, London," and the other of the said Copies of the Standard of Weight marked No. 4. P.C. '1844, 1 lb., have been immured in the Cill of the Recess on the East Side of the lower Waiting Hall in 'the New Palace at *Westminster:* And whereas it is expedient to legalize the Standards so constructed 'and to provide for the Preservation thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 G. 4. c. 74. ss. 3. & 5. repealed.

I. So much of the said Act of the Fifth Year of King *George* the Fourth as relates to the Restoration of the Imperial Standard Yard and of the Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, shall be repealed.

Restored Standard Yard established.

II. The straight Line or Distance between the Centres of the Two Gold Plugs or Pins in the Bronze Bar deposited in the Office of the Exchequer as aforesaid shall be the genuine Standard of that Measure of Length called a Yard, and the said straight Line or Distance between the Centres of the said Gold Plugs or Pins in the said Bronze Bar (the Bronze being at the Temperature of Sixty-two Degrees by *Fahrenheit*'s Thermometer) shall be and be deemed to be the Imperial Standard Yard.

Standard Pound Avoirdupois.

III. The said Weight of Platinum marked P.S. 1844, 1 lb., deposited in the Office of the Exchequer as aforesaid, shall be the legal and genuine Standard Measure of Weight, and shall be and be denominated the Imperial Standard Pound Avoirdupois, and shall be deemed to be the only Standard Measure of Weight from which all other Weights and other Measures having Reference to Weight shall be derived, computed, and ascertained, and One equal Seven Thousandth Part of such Pound Avoirdupois shall be a Grain, and Five thousand seven hundred and sixty such Grains shall be and be deemed to be a Pound Troy.

Provisions of 5 G. 4. c. 74. not hereby repealed, &c. to remain in force.

IV. All the Provisions of the said Act of the Fifth Year of King *George* the Fourth now in force, and not hereby repealed, and all other Enactments now in force in relation to Weights and Measures, shall continue in force and be applicable to the Standards of Weight and Measure hereby established, as if the same Standards had been established by the said Act of King *George* the Fourth instead of the Standard Yard and Standard Pound Troy so destroyed as aforesaid, and as if the Pound Troy of Five thousand seven hundred and sixty Grains had been established as a derivative Standard computed with Reference to the Pound Avoirdupois.

Copies of the Old Standards to continue to be legal.

V. All Weights and Measures, and Copies of Weights and Measures, which have been compared and verified or authenticated according to Law as Copies of the Imperial Standard Weights and Measures, shall remain and be legal Weights and Measures for the same Time, for the same Purposes, and in like Manner as if this Act had not been passed.

Weights and Measures hereafter duly verified to be deemed legal.

VI. All Weights and Measures which shall be hereafter verified and authenticated by Comparison with the said Imperial Standards of Weight and Measure, in such Manner as Her Majesty shall by any Orders in Council from Time to Time direct and appoint, shall be deemed and taken to be legal Secondary Weights and Measures.

Provision for Restoration of Standards in case of Loss, &c.

VII. If at any Time hereafter the said Imperial Standard Yard and Standard Pound Avoirdupois respectively, or either of them, be lost, or in any Manner destroyed, defaced, or otherwise injured, the Commissioners of Her Majesty's Treasury may cause the same to be restored by Reference to or Adoption of any of the Copies so deposited as aforesaid, or such of them as may remain available for that Purpose.

CAP. LXXIII.

An Act to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in *Ireland*. [30th *July* 1855.]

12 & 13 Vict. c. 77.

15 & 16 Vict. c. 67.

16 & 17 Vict. c. 64.

'WHEREAS an Act was passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act further to facilitate the Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled *An Act to continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act for continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: And whereas the extended Period within which such Applications under said Acts as are mentioned in Section Eleven of said lastly-recited Act might be made was limited to Two Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-three: And whereas it is expedient that said Period should be further extended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: All such Applications under the said recited Acts or any of them as are mentioned in Section Eleven of the said lastly-recited Act, and which are by said Section authorized to be made within Two Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-three, may be made within Three Years from the said Twenty-eighth Day of *July* One thousand eight hundred and fifty-three; and all Orders and Proceedings by the said Acts or any of them authorized, and which might be made, had, or taken upon any Application made within the said Period of Two Years, may be made, had, and taken within the further Period authorized by this Act.

Period for Applications for Sale further extended.

CAP. LXXIV.

An Act to enable Grand Juries of Counties in *Ireland* to present for Payment of Expenses in certain Cases. [30th *July* 1855.]

'WHEREAS it is expedient in certain Cases to enable Grand Juries in *Ireland* to present any necessary and proper Expenses which may have been incurred, with the Sanction of such respective Grand Juries, in making any Applotment of Grand Jury Cess, for Payment of which Expenses no Provision is now made by Law:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grand Jury may present for certain Expenses incurred by Treasurers of Counties.

I. When the Treasurer or other Officer of any County, with the Sanction of the Grand Jury, or in the County of *Dublin* with the Sanction of the Finance Committee, shall have incurred or shall incur any necessary and proper Expenses in making any Applotment of Grand Jury Cess for Payment of which no Provision is made by Law, it shall be lawful for the Grand Jury of such County, without previous Application to Presentment Sessions, to present to be raised off by such County all such necessary and proper Expenses as aforesaid as such Grand Jury may deem reasonable.

Continuance of Act.

II. This Act shall continue in force for Two Years from the First Day of *August* One thousand eight hundred and fifty-five, and to the End of the then next Session of Parliament.

CAP. LXXV.

An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England.* [30th *July* 1855.]

[17 & 18 *Vict. c.* 65. *continued until* 1*st August* 1856, *and to the End of the then next Session of Parliament.*]

CAP. LXXVI.

An Act to continue an Act of the Fifth and Sixth Years of Her present Majesty for amending the Law relative to Private Lunatic Asylums in *Ireland.* [30th *July* 1855.]

[5 & 6 *Vict. c.* 123. *continued until* 1*st August* 1860, *and to the End of the then next Session of Parliament.*]

CAP. LXXVII.

An Act to give Effect to a Convention between Her Majesty and the United States of *America.* [30th *July* 1855.]

'WHEREAS a Convention was concluded between Her Majesty and the United States of *America*, and signed at *London* on the Eighth of *February* One thousand eight hundred and fifty-three, of which the Ratifications were exchanged at *London* on the Twenty-sixth of *July* One thousand eight hundred and fifty-three: And by the said Convention it was agreed that all Claims on the Part of Corporations, Companies, or private Individuals, Subjects of Her Majesty, upon the Government of the United States, and all Claims on the Part of Corporations, Companies, or private Individuals, Citizens of the United States, upon the Government of Her Majesty, which might have been presented to either Government for its Interposition with the other since the Signature of the Treaty of Peace and Friendship concluded between *Great Britain* and the United States of *America* at *Ghent* on the Twenty-fourth of *December* One thousand eight hundred and fourteen, and which yet remained unsettled, as well as any other such Claims which might be presented within the Time specified therein-after, should be referred to Two Commissioners, to be appointed in the following Manner, that is to say, One Commissioner should be named by Her Majesty, and One by the President of the United States; and it was thereby provided, that the Commissioners should, before proceeding to any other Business, name some Third Person to act as an Arbitrator or Umpire in any Case or Cases on which they might themselves differ in Opinion: And by the said Convention Her Majesty and the President of the United States of *America* solemnly and sincerely engaged to consider the Decision of the Commissioners conjointly, or of the Arbitrator or Umpire, as the Case might be, as absolutely final and conclusive upon each Claim decided upon by them or him respectively, and to give full Effect to such Decisions without any Objection, Evasion, or Delay whatsoever: And it was thereby stipulated, that every Claim should be presented to the Commissioners within Six Months from the Day of their First Meeting, unless in any Case where Reasons for Delay should be established to the Satisfaction of the Commissioners, or of the Arbitrator or Umpire in the event of the Commissioners differing in Opinion thereupon, and then and in any such Case the Period for presenting the Claim might be extended to any Time not exceeding Three Months longer; and that the Commissioners should be bound to examine and decide upon every Claim within One Year from the Day of their First Meeting; and that

'all Sums of Money which might be awarded by the Commissioners, or by the Arbitrator or Umpire, on 'account of any Claim, should be paid by the one Government to the other, as the Case might be, within 'Twelve Months after the Date of the Decision, without Interest, and without any Deductions save as 'specified therein-after (as to Expenses): And the High Contracting Parties engaged to consider the 'Result of the Proceedings of the Commission as a full, perfect, and final Settlement of every Claim 'upon either Government, arising out of any Transaction of a Date prior to the Exchange of the Ratifi-'cations of that Convention; and further engaged that every such Claim, whether or not the same 'might have been presented to the Notice of, made, preferred, or laid before the said Commission, 'should, from and after the Conclusion of the Proceedings of the said Commission, be considered and 'treated as finally settled, barred, and thenceforth inadmissible: And it was thereby provided that the 'whole Expenses of the Commission, including contingent Expenses, should be defrayed by a rateable 'Deduction on the Amount of the Sums awarded by the Commission; provided always, that such 'Deduction should not exceed the Rate of Five *per Cent.* on the Sums so awarded; the Deficiency, if 'any, should be defrayed in Moieties by the Two Governments: And whereas by another Convention 'between Her Majesty and the said President, signed at *Washington* on the Seventeenth of *July* One 'thousand eight hundred and fifty-four, it was agreed that the Time limited by the first-mentioned 'Convention for the Termination of the Commission should be extended for a Period not exceeding 'Four Months from the Fifteenth of *September* then next, should such Extension be deemed necessary 'by the Commissioners or the Umpire: And whereas Commissioners were named by the High Con-'tracting Parties in pursuance of the said first-mentioned Convention, and such Commissioners appointed 'a Third Person to act as an Arbitrator or Umpire, as provided by such Convention, and the Claims pre-'sented to the said Commissioners were, within the extended Period authorized in this Behalf as aforesaid, 'examined and decided upon by the Commissioners, or in the Cases in which the Commissioners differed, 'by the said Arbitrator or Umpire: And whereas by such Decisions several Sums, amounting in the 'whole to Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight 'Cents, or, at the relative Value of Exchange as established by the Commissioners, Fifty-seven thousand 'two hundred and fifty-two Pounds Thirteen Shillings and Fourpence Sterling, were awarded to Subjects 'of Her Majesty in respect of their Claims upon the Government of the United States; and several 'Sums, amounting in the whole to Three hundred and twenty-nine thousand seven hundred and thirty-'four Dollars and Eighteen Cents, or, at the relative Value of Exchange established as aforesaid, Sixty-'eight thousand one hundred and thirty-one Pounds and Sevenpence Halfpenny Sterling, were awarded 'to Citizens of the United States in respect of their Claims upon Her Majesty's Government: And 'whereas by an Act of the Congress of the United States, approved by the President on the Third of '*March* One thousand eight hundred and fifty-five, the said Sum of Two hundred and seventy-seven 'thousand one hundred and two Dollars and Eighty-eight Cents is to be paid to the duly authorized Agent 'of Her Majesty's Government, deducting therefrom, pursuant to the said Convention, on account of the 'Expenses of the said Commission, such rateable Proportion, not exceeding Five *per Cent.* of the whole 'Amount awarded to both Citizens of the United States and *British* Subjects, as might be sufficient to 'pay the said Expenses: And whereas it is expedient that the Commissioners of the Treasury should be 'enabled to cause the Sum payable under the said Act of Congress to be distributed among the *British* 'Subjects entitled under the Awards of the said Commissioners and Umpire:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sums payable by Government of United States to be divided among British Subjects whose Claims have been allowed, and to be deemed a final Settlement of Claims.

I. The Commissioners of Her Majesty's Treasury shall cause the said Sum of Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight Cents, after such Deduction therefrom on account of Expenses of the said Commission as in the said first-recited Convention provided, to be paid and distributed to and among the several Parties to whom the several Sums constituting the said aggregate Sum of Two hundred and seventy-seven thousand one hundred and two Dollars and Eighty-eight Cents were awarded under the said Commission, in proportion to the several Sums so awarded to them respectively, or to their respective Executors, Administrators, or Assigns; and such Payments shall be deemed to be a full Satisfaction of the Claims of the said several Parties; and all Claims upon the Government of the United States intended to be provided for by the said Convention shall be considered as finally settled and barred.

CAP. LXXVIII.

An Act to reduce certain Duties payable on Stage Carriages, and to amend the Laws relating to Stamp Duties, and to Bonds and Securities to the Inland Revenue. [30th *July* 1855.]

5 & 6 Vict. c. 79.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years 'of Her Majesty's Reign, Chapter Seventy-nine, certain Duties contained in a Schedule to the 'said Act were granted and made payable, and amongst others the following Duties on Stage Carriages 'in *Great Britain*, (that is to say,) for and in respect of every Mile which any Stage Carriage shall be 'licensed to travel the Duty of One Penny Halfpenny, and for and in respect of every such supple-'mentary Licence for a Stage Carriage as described in the said Schedule the Duty of Five Shillings;

'and

' and it is expedient to reduce the said Duties as herein-after mentioned :' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Duties on Stage Carriages and Supplementary Licences reduced.

I. From and after the First Day of *July* One thousand eight hundred and fifty-five there shall be charged and payable to Her Majesty, Her Heirs and Successors, the following reduced Duties on Stage Carriages in *Great Britain ;* (that is to say,) for and in respect of every Mile which any Stage Carriage shall be licensed to travel One Penny, and for and in respect of every such supplementary Licence as aforesaid the Duty of One Shilling, in lieu of the Duties granted in the like Cases by the said recited Act : Provided always, that nothing herein contained shall extend to reduce or affect any Duty which shall accrue or be incurred on or before the said First Day of *July*.

Reduced Duties to be raised, &c. under existing Powers.

II. The said Duties by this Act granted and made payable shall be raised, levied, collected, and paid in like Manner, and by and under the like Powers and Authorities, Rules and Regulations, as the said Duties granted by the said recited Act are now raised, levied, collected, and paid under or by virtue of any Act or Acts in force.

Section 12 of 2 & 3 W. 4. c. 120. repealed.

III. From and after the passing of this Act Section Twelve of the Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter One hundred and twenty, whereby the Commissioners are authorized to compound with any Person for the Duties which may become payable in respect of any Stage Carriage, shall be and the same is hereby repealed.

Paper for Covers or Envelopes of Letters provided by any Person may be stamped with Postage Stamps.

IV. ' And whereas by certain Acts passed in that Behalf the Commissioners of Inland Revenue are ' directed to provide Stamps for denoting the several Rates of Postage of Letters on Paper provided by ' the said Commissioners for the Covers or Envelopes of Letters, and it is expedient to provide for the ' stamping with such Stamps Paper which any Person may send to the said Commissioners for that ' Purpose :' Be it enacted, That it shall be lawful for the Commissioners of Inland Revenue and they are hereby empowered, under such Regulations as the Commissioners of Her Majesty's Treasury may from Time to Time make or sanction in that Behalf, to stamp Paper which any Person may send to the said first-named Commissioners for the Purpose of being stamped for Covers or Envelopes of Letters with Stamps provided for denoting the several Rates of Postage, on Payment of the Amount of the Stamps required to be impressed on such Paper, and in Cases where such Amount shall not exceed Ten Pounds upon Payment in addition thereto of such Fee as the said Commissioners of Her Majesty's Treasury may direct or authorize to be taken in such Cases.

Prize Money Orders to be chargeable with the same Duties as Inland Bills.

V. ' And whereas under and by virtue of Two several Acts passed respectively, the one in the ' Second and Third Years of the Reign of His said late Majesty King *William* the Fourth, Chapter ' Fifty-three, and the other in the Third and Fourth Years of the said King's Reign, Chapter Twenty-' nine, a Stamp Duty of One Shilling is payable upon Orders made for the Payment of Prize Money, or ' Bounty Money, or Money upon Grants due to Non-commissioned Officers and Soldiers, and it is ' expedient in lieu thereof to subject such Orders to the Stamp Duties chargeable on Inland Bills, ' Drafts, or Orders :' Be it enacted, That the Stamp Duty of One Shilling payable under the said Two last-mentioned Acts on Orders made for the Payment of Prize Money, or Bounty Money, or Money upon Grants due to Non-commissioned Officers and Soldiers, shall cease, and in lieu thereof all such Orders shall be subject and liable to the like Stamp Duties as Inland Bills, Drafts, or Orders for the Payment of Money of the same Amount and of the like Tenor or Effect are now by Law subject and liable to.

Sections 195, 196, and 197 of 16 & 17 Vict. c. 107. to apply to Bonds and Securities relating to the Inland Revenue.

VI. And as to Bonds and other Securities relating to the Inland Revenue, all the Powers, Provisions, and Regulations concerning Bonds and other Securities relating to the Customs contained in Sections CXCV., CXCVI., and CXCVII. of the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter One hundred and seven, shall, *mutatis mutandis*, be deemed to extend and shall be applied to all Bonds and other Securities entered into or given, or to be entered into or given, by any Person or Persons under the Provisions of any Act relating to the Duties of Excise, or to any other of the Duties or Matters under the Control or Management of the Commissioners of Inland Revenue, or otherwise in relation, or incident thereto : Provided always, that in any Case in which, under the Provisions of the said Sections, any Certificate is required to be signed, or any other Matter is authorized to be done, by Commissioners of Customs, or any Number of them, any such Certificate or Matter in relation to any Bond or Security concerning or incident to the Inland Revenue shall respectively be signed and done by the Commissioners of Inland Revenue, or the like Number of them.

CAP. LXXIX.

An Act to amend the Law regarding the Burial of poor Persons by Guardians and Overseers of the Poor. [30th *July* 1855.]

7 & 8 Vict. c. 101. s. 31.

' WHEREAS by the Act of the Eighth Year of the Reign of Her Majesty, Chapter One hundred ' and one, Provisions were made for the Burial of poor Persons by Guardians and Overseers of ' the Poor : And whereas, in consequence of the closing of the Burial Grounds in many Parishes, and ' the Want of adequate Space in others, great Difficulty is frequently found in carrying into execution the

' above

'above Provisions, and it is expedient that other Provisions should be made:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Where Burial Ground of Parish closed or overcrowded, Guardians or Overseers may bury in neighbouring Parish.

I. That where the Guardians of any Union or Parish, or any of their Officers duly authorized in that Behalf, or the Overseers of any Parish not under a Board of Guardians, shall undertake the Burial of any poor Person, or shall contribute Money or other Aid towards the same, and the Burial cannot take place in the Parish where, according to the Provisions of the said Act, the same would have been required to take place, by reason of the public Burial Ground of such Parish having been closed, and no other having been provided, or where, in consequence of the crowded State of such Burial Ground, the Guardians or Overseers respectively are of opinion that the Burial of such dead Body therein would be improper, it shall be lawful to bury such Body in a public Burial Ground (some Part of which has been consecrated) of or in some other Parish as near as conveniently may be to the Parish wherein the Burial would have been required to take place according to the Provisions of the said Act: Provided, that in all Cases of Burial under the Direction of the Guardians or their Officers, or of the Overseers, as aforesaid, the Fee or Fees payable by the Custom of the Place where the Burial may be, or under the Provisions of any Act of Parliament, shall be paid by the said Guardians or Overseers for the Burial of each such Body, to the Person or Persons who by such Custom or under such Act of Parliament shall be entitled to receive such Fee or Fees.

Power to enter into Agreements with Cemetery Companies or Burial Boards.

II. The Guardians of any Union or Parish, or the Overseers of any Parish not under a Board of Guardians, may from Time to Time enter into Agreements with the Proprietors of any Cemetery established under the Authority of Parliament, or with any Burial Board duly constituted under the Statutes in that Behalf, for the Burial of the dead Bodies of any poor Persons which such Guardians or Overseers may undertake to bury, or towards the Burial whereof they may render Assistance; and thereupon the Burial of any such Body, under the Directions of the said Guardians or their Officer, or of such Overseers, or with their Aid respectively, in such Cemetery, or in the Burial Ground of such Burial Board, (unless the deceased Person, or the Husband or Wife or next of Kin of such deceased Person, have otherwise expressly desired,) shall be lawful: Provided, however, that no such Agreement shall be valid unless made in such Form and with such Stipulations as the Poor Law Board shall approve.

Construction of Words to be as in 4 & 5 W. 4. c. 76., &c.

III. The Words contained in this Act shall be construed in like Manner as in the Act of the Fifth Year of King *William* the Fourth, Chapter Seventy-six, and in the several Acts incorporated therewith.

CAP. LXXX.

An Act to ratify conditional Agreements entered into by the Commissioners of Her Majesty's Works and Public Buildings; and to vest in the said Commissioners certain Property situate near the College of *Edinburgh* in the City of *Edinburgh*, together with the General Register House in the said City, and all Lands held therewith; and to enable the said Commissioners to acquire certain Property near the Palace of *Holyrood*. [30th *July* 1855.]

'WHEREAS in the Estimates for the Public Service passed in the last Session of Parliament certain Sums were set apart for the Formation of a National Museum of Industry for *Scotland*, and in particular for the Purchase of Ground sufficient for the Site of the said Museum, to be built in the Vicinity of the Buildings of the University and College of *Edinburgh* within the City of *Edinburgh*: And whereas the Commissioners of Her Majesty's Works and Public Buildings, incorporated by an Act of the Session of Parliament holden in the Fifteenth Year of Her Majesty, Chapter Twenty-eight, have been appointed to carry out the Arrangements for the Purchase, Acquisition, and vesting in them of the Ground required for the Site of the said Museum: And whereas in pursuance of such Appointment to the said Commissioners a Deed of Agreement has been entered into between them on the one Part, and *Robert Gray*, Merchant, *Edinburgh*, *Adam Black*, Bookseller there, *John Baird*, Grocer, *Glimerton*, *Hugh Paton*, Carver and Gilder, *Edinburgh*, *George Johnston*, Temperance Hotel Keeper there, *William Auld*, Shoemaker there, and *John Peterson*, Merchant there, the surviving and acting Trustees vested in the Property and Buildings known as the *College Street* or *Argyle Square* Chapel, *Edinburgh*, therein-after described, for the Execution of the Trusts connected therewith, created by the deceased *John Aikman*, Minister of the Gospel in *Edinburgh*, by a Trust Disposition and Settlement executed by him, and bearing Date the Twenty-fourth Day of *March* One thousand eight hundred and twelve, and recorded in the Books of Council and Session the Fourteenth Day of *February* One thousand eight hundred and thirty-four, in favour of the said *Robert Gray* and others, on the other Part, the said Deed of Agreement bearing Date the Nineteenth, Twentieth, and Twenty-second Days of *March* and Seventh and Twentieth Days of *April*, all in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned; and reciting that it had been deemed expedient towards the Formation of the said Museum that the absolute Right to the said Property and Buildings should be acquired by and vested in the said Commissioners; and reciting that the said Commissioners, by and with the Consent of the Commissioners of Her Majesty's Treasury, had agreed with the said Trustees for the absolute Purchase of the said Property

Agreement, dated 19th, 20th, and 22d March and 7th and 20th April 1855, for Purchase of Property near the College of Edinburgh as a Site for a National Museum of Industry.

'perty and Buildings at a Price to be paid therefor of Two thousand Pounds Sterling; and reciting that 'the said Property and Buildings, being vested in the said Trustees for the Execution of the Trusts afore- 'said, and no Power of Sale being conferred on them by the Titles under which they hold the same, it 'was not competent for the said Trustees to sell or dispose of the said Subjects, nor could they grant a valid 'Conveyance and Disposition thereof to the said Commissioners, without the Authority of Parliament; 'and by which Deed of Agreement it was agreed that the said Commissioner should within a reasonable 'Time, and without undue Delay after the Date and Execution of the said Deed of Agreement, (and at 'their own Expense,) apply for an Act of Parliament empowering the said Commissioners to purchase and 'acquire, and empowering the said *Robert Gray, Adam Black, John Baird, Hugh Paton, George John-* 'ston, *William Auld*, and *John Peterson*, as Trustees foresaid, and their Successors in Office, or so many 'of them as are declared to be a Quorum by the Deed constituting the said Trust, and the Survivors or 'Survivor of them, and all other Parties who were, could, should, or might be interested, to sell and 'dispose of the said Property and Buildings, and to grant, make, or execute, in favour of the said Com- 'missioners and their Successors, or other Disponees that might be considered necessary, a good and 'valid Conveyance and Disposition thereof, and all Rights and Pertinents held or connected therewith, 'which Property and Buildings are stated in the said Deed of Agreement to be described in the Title 'Deeds as follows, *viz.*, all and whole that Area, with the Chapel or Place of Worship sometime ago 'erected thereon by the said *John Aikman*, situated at the West End of the College of *Edinburgh*, and 'bounded as follows, *viz.*, by the Street leading from the *College Wynd* to the *Potterrow* on the East, the 'Street leading along the North Side of the College to *Argyle Square* on the North, the Property of 'the *Trades Maiden Hospital* on the West, and that large Tenement and Garden also belonging to the 'said *John Aikman* on the South, together with a Servitude over the whole Garden or Ground belonging 'to the said *John Aikman* lying behind the contiguous Tenement on the South of the said Chapel, for 'the Purpose of preserving entire the Light of the large Window in the South Side of the Chapel, 'with free Ish and Entry to the said Place of Worship from both of the said Streets, which Area 'whereon the said Chapel is built was purchased by the said *John Aikman* partly from *James Dewar* 'Esquire, of *Vogrie*, alongst with other Subjects contained in his Disposition to the said *John Aikman*, 'dated the Twenty-fourth and Twenty-ninth Days of *July* Eighteen hundred and one, and recorded in 'the Books of Council and Session the Sixteenth Day of *April* thereafter, and partly from the Governors 'of said Hospital; and the said *Robert Gray, Adam Black, John Baird, Hugh Paton, George Johnston,* 'William Auld, and *John Peterson* thereby agreed and bound and obliged themselves as Trustees 'foresaid, and their Successors in Office, that they should, upon being so empowered, sell, alienate, 'convey, and dispone to and in favour of the said Commissioners, or to such other Disponees as the 'said Commissioners should direct and appoint, at and for the foresaid Price of Two thousand Pounds 'Sterling, all and whole the aforesaid Subjects as before described, or by any other Description that 'might be considered necessary for the proper Identification thereof, together with all Right, Title, 'and Interest, Claim of Right, Property, and Possession which they or their Predecessors, or the said 'John Aikman or his Authors, had to the Premises, and for that Purpose to execute and deliver a good, 'valid, and effectual Disposition and Conveyance, containing all usual and necessary Clauses, in favour 'of the said Commissioners or such other Disponees as the said Commissioners might direct and appoint; 'and the said Commissioners should, on the Execution and Delivery of such Disposition and Conveyance, 'be bound to make Payment of the foresaid Sum of Two thousand Pounds without Deduction of any 'Expenses incurred by them in carrying out the Sale and Transference to them of the said Subjects or 'otherwise, such Payment to be made and applied under the Provisions of the Act of Parliament to be 'obtained as aforesaid; and it was thereby further declared and agreed to by the Parties, that the Term 'of Entry of the said Commissioners to the said Subjects should be as soon as might be agreed on after 'the passing of the Act of Parliament empowering the said Trustees as aforesaid to sell and dispone the 'said Subjects to the said Commissioners, or at least at the First Term of *Whitsunday* or *Martinmas* that should happen subsequent to the passing of the said Act, from which Time or Term, as the Case might 'be, the said Purchase Money, if not previously paid, should bear Interest until Payment thereof was 'made as might be directed by the Act of Parliament to be obtained as aforesaid: And whereas by 'another Deed of Agreement, bearing Date the Thirteenth Day of *March* and Twentieth Day of *April*, 'both in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's 'Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and 'Year last mentioned, entered into between the said Commissioners on the one Part, and the Right 'Honourable *John Melville*, Lord Provost of the City of *Edinburgh*, *Adam Morrison*, *Francis Brown* 'Douglas, *George Clark*, and *John Kay*, Esquires, Bailies, *Peter Scott Fraser* Esquire, Dean of Guild, 'and *David Dickson* Esquire, Treasurer, and also the remanent Members of the Town Council, all as 'representing the Community of the said City, as Patrons and Guardians of the University and College 'of *Edinburgh*, on the other Part, proceeding on a Recital of the Intention to form the said National 'Museum; and also reciting that certain Proposals were submitted on behalf of the Lords of the Committee 'of Privy Council for Trade to the said Magistrates and Town Council, for the Transfer to Her Majesty's 'Government by them of any Rights they might have in the Museum of the said University, on condi- 'tion that the proposed National Museum was made fully available to the Professors of the said Univer- 'sity

Agreement dated 13th March and 20th April 1855, for Transfer by the Town Council of Edinburgh of their Rights (if any) in the Museum of the University;

'sity for instructional Purposes, and to be open to the Public free of Charge during certain Days of the 'Week, and for the Acquisition by Her Majesty's Government of certain Subjects under the Management, 'Control, and Disposal of the said Magistrates and Town Council as Patrons and Guardians of or other-'wise as Trustees on behalf of the said University; and further reciting that the said Proposals having 'been considered at a Meeting of the said Magistrates and Town Council on the Eighth Day of *August* 'One thousand eight hundred and fifty-four, they, by their Act of Council of that Date, did renounce 'all Right of Property in and Management of or Control over the Collections forming the Museum of 'Natural History in the said University belonging to them as Patrons and Guardians aforesaid to and in 'favour of the said Lords of the Committee of Privy Council for Trade, and they did thereby bind and 'oblige themselves and their Successors in Office to transfer all such Right, Title, and Interest which they 'had or could have as Patrons and Guardians aforesaid in or to the Area of Land in *West College Street*, 'bounded by the said Street on the East, the Grounds of the *Trades Maiden Hospital* on the West, the 'Houses of *Lothian Street* on the South, and the Independent Chapel occupied by the Congregation of 'the Reverend Doctor *Alexander* on the North, and for that Purpose to execute and deliver such legal 'Transfer and Conveyance as might be judged necessary, and that at the Expense of the said Lords, it 'being declared by the said Act of Council that such Renunciation and Transfer as aforesaid should be 'made on the Condition that the Views of the Lords of the Committee of Privy Council for Trade 'expressed in the Documents referred to in the said Act of Council should be fully carried into execution 'by the said Lords; and also reciting that by the said Act of Council the said Magistrates and Council, 'considering that it might become necessary to widen the Approach by *North College Street* to the said 'Museum, did agree to concur in any Plan which might be concerted by the said Lords for widening the 'said Approach; and to cede so much of the Property on the North Side of the said Street belonging 'to them as Patrons and Guardians aforesaid as the said Lords might think necessary to throw into 'the said Street or Foot Pavement when so required to be widened; and also reciting that the said 'Area of Land in *West College Street* was originally acquired in Five separate Lots or Parcels by the 'Commissioners appointed by Royal Warrant to superintend the Erection of Buildings for the said 'University of *Edinburgh* and the Expenditure of the Parliamentary Grants therefor, and the said 'Lots or Parcels were feudally vested in the Honourable *James Clerk Rattray*, One of the Barons of 'the Court of Exchequer in *Scotland*, *Robert Johnston*, Merchant in *Edinburgh*, and Doctor *Andrew* '*Duncan* junior, Secretary of the Senatus Academicus of the University of *Edinburgh*, being Three of 'and a Committee appointed by the said Commissioners appointed by Royal Warrant to superintend 'the Erection of Buildings for the said University and the Expenditure of the Parliamentary Grants 'therefor, for the Purpose of making certain Purchases for their Behoof, and the Survivors and Survivor 'of the said Baron *Clerk Rattray*, *Robert Johnston*, and *Andrew Duncan* junior, and the Heirs and 'Assignees of them, in trust and for Behoof of the said Commissioners, as the said Subjects, consisting 'of Five Lots or Parcels, were more particularly described in an Instrument of Sasine in favour of the 'said Baron *Clerk Rattray*, *Robert Johnston*, and *Andrew Duncan* junior, as Trustees foresaid, dated 'the Twelfth Day of *February* One thousand eight hundred and twenty-two, and recorded in the 'Register of Sasines kept for the City of *Edinburgh* the same Day, and in the several Dispositions 'containing the Procuratories of Resignation on which the same proceeds and the other Titles of the 'said Subjects; and also reciting that the said Trustees were all dead, the said *Robert Johnston* having 'been the last Survivor of them, and that the Heirs of the said *Robert Johnston*, having made up a 'Title as Heir to him in the said Trust Subjects, had conveyed and disponed the same to the said 'Magistrates and Town Council on the same Trusts as the said Subjects were held by the said *Robert* '*Johnston* as surviving Trustee foresaid, with a view to enabling the said Magistrates and Town Council 'the more effectually to carry out the said Arrangement for surrendering the said Subjects for the 'Purposes of the said National Museum, in which Subjects the said Magistrates had been infeft conform 'to Instrument of Sasine in their Favour recorded in the Burgh Register of Sasines for the City of '*Edinburgh* the Seventh Day of *March* One thousand eight hundred and fifty-five; and also reciting 'that the Property belonging to the said Magistrates and Town Council, or under their Management 'and Disposal as Patrons and Guardians foresaid, situated on the North Side of *North College Street*, 'of which they agreed to cede as much as the said Lords might think necessary to throw into the said 'Street or Foot Pavement, when so required to be widened as aforesaid, was originally acquired by 'certain Trustees appointed by the Subscribers to a Fund for rebuilding the College of *Edinburgh*, in 'separate Lots, from *William Keith*, Accountant in *Edinburgh*, *Walter Scott*, Writer to the Signet, and 'the Incorporation of Bakers of *Edinburgh*, to whom the respective Purchase Monies were paid, but no 'Title, so far as then appeared, was ever obtained from these Parties; and also reciting that the whole of 'the said Property in *West College Street* was required for the said National Museum; and also reciting 'that the said Commissioners of Her Majesty's Works and Public Buildings had been appointed to carry 'out the Arrangements for the Acquisition of the Ground required for the Site of the said National 'Museum, and obtaining the same vested in them; therefore the said Right Honourable *John Melville*, 'Lord Provost, *Adam Morrison*, *Francis Brown Douglas*, *George Clark*, and *John Kay*, Esquires, Bailies, '*Peter Scott Fraser* Esquire, Dean of Guild, and *David Dickson* Esquire, Treasurer, and the remanent 'Members of the Town Council of the said City of *Edinburgh*, as the Trustees feudally vested in the

and to cede Property for widening and improving the Approach to the proposed National Museum of Industry.

'Subjects

'Subjects therein-after disponed, and as Patrons and Guardians of the University of *Edinburgh*, or as 'having Right in any other Character or Capacity whatever to the said Subjects, did thereby alienate, 'convey, and dispone to and in favour of the said Commissioners of Her Majesty's Works and Public Build- 'ings, for the Purposes of the said National Museum, all and the whole the foresaid Area of Land in *West* '*College Street*, described as bounded by the said Street on the East, the Grounds of the *Trades Maiden* '*Hospital* on the West, the Houses of *Lothian Street* on the South, and the Independent Chapel occupied 'by the Congregation of the Reverend Doctor *Alexander* on the North, or as the said Area was other- 'wise described in the foresaid Instrument of Sasine in favour of the said Baron *Clerk Rattray*, *Robert* '*Johnston*, and *Andrew Duncan* junior, and the other Titles of the said Subjects; and further the said 'Lord Provost, Magistrates, and Council thereby agreed and bound and obliged themselves and their 'Successors in Office to concur in any Plan that might be concerted by the said Commissioners of Her 'Majesty's Works and Public Buildings for widening the Approach to the said Museum, and to cede to 'the said Commissioners so much of the foresaid Property on the North Side of *North College Street* 'belonging to them as Patrons and Guardians foresaid as the said Commissioners might think necessary 'to throw into the said Street or Foot Pavement, when required to be widened, and to grant such Deeds 'as might be legally requisite for fully vesting the Ground so to be ceded in the said Commissioners, at 'the Expense of the said Commissioners, which several Subjects therein described were stated to be 'delineated on a Plan thereof and of the other Subjects acquired or to be acquired by the said Commis- 'sioners for the Purposes of the said Museum, the Subjects first therein described being coloured Pink 'on said Plan, and the Subjects second therein mentioned being coloured Green thereon, which Plan is 'therein stated to be subscribed by the said Lord Provost and the First Commissioner of Her Majesty's 'Works and Public Buildings as relative to the said Deed of Agreement by which it was declared that 'the Disposition and Obligation therein contained were granted by the said Lord Provost, Magistrates, 'and Council only for the Purposes foresaid, and no otherwise, and which Purposes should be a Real 'Burden on the said Disposition granted and to be granted; and the said whole Parties thereto further 'considering, that in order to fortify the Title thereby conferred and to be conferred to the said several 'Subjects it had been deemed expedient that an Act of Parliament should be obtained for more effectually 'vesting the same in the said Commissioners; therefore it was thereby agreed to by and between the 'said several Parties thereto that the said Commissioners of Her Majesty's Works and Public Buildings 'should within a reasonable Time and without undue Delay after the Date and Execution of the said 'Deed of Agreement, and at the Expense of the said Commissioners, apply for an Act of Parliament 'containing Clauses ratifying the said Deed of Agreement, and transferring to and vesting in the said 'Commissioners for the Purposes of the said Museum the several Subjects thereby disponed or to be 'disponed in the event and for the Purpose foresaid, and declaring them free and disburdened of the 'Trusts upon which the same were and had been held by the said Lord Provost, Magistrates, and 'Council, and their Predecessors, and containing such other Clauses as might be considered necessary 'for carrying out the Object and Intention of the said Deed of Agreement, and specially, without Pre- 'judice to the said Generality, empowering the said Magistrates and Town Council to widen or alter the 'Approaches or Streets leading to the said Museum, in as far as they and the said Commissioners should 'consider necessary, but which Power so to be obtained should not impose or imply, or be deemed or 'taken to impose or imply, any Obligation on the said Lord Provost, Magistrates, and Council to widen 'or alter the said Approaches or Streets at the Expense of the Community and Common Good of said 'City, or out of any other Fund under their Management and Control: And whereas by a Disposition 'dated the Thirteenth, Fourteenth, Sixteenth, and Seventeenth Days of *April* One thousand eight hun- 'dred and fifty-five, made and executed by *Henry Banks*, Convener of the Incorporated Trades of the 'City of *Edinburgh* and Deacon of the Incorporation of Tailors of *Edinburgh*; *Samuel Weir*, Deacon of 'the Incorporation of Goldsmiths of *Edinburgh*; *John Steele*, Deacon of the Incorporation of Hammer- 'men of *Edinburgh*; *Thomas Johnstone*, Deacon of the Incorporation of Wrights of *Edinburgh*; '*Edward Macgill*, Deacon of the Incorporation of Masons of *Edinburgh*; *John Ramage*, Deacon 'of the Incorporation of Bakers of *Edinburgh*; *John Cox*, Deacon of the Incorporation of Furriers of '*Edinburgh*; *Robert Legget* junior, Deacon of the Incorporation of Skinners of *Edinburgh*; *Thomas* '*MacMillan*, senior Deacon of the Incorporation of Fleshers of *Edinburgh*; *John James*, Deacon of the 'Incorporation of Shoemakers of *Edinburgh*; *George Tibbets*, Deacon of the Incorporation of Waulkers 'of *Edinburgh*; *Robert Brown*, Deacon of the Incorporation of Websters of *Edinburgh*; *John Williams*, 'Deacon of the Incorporation of Bonnetmakers of *Edinburgh*; *George Crichton*, Goldsmith, *Edinburgh*, 'and *William Beattie*, Builder, *Edinburgh*, Trades Councillors of the said City; *George Roper Dickie*, 'Preses of the Society of Barbers of *Edinburgh*; *Gordon Brown*, residing in *Buccleugh Place*, *Edin-* 'burgh; *Robert Sclater*, Die and Stamp Cutter, *Edinburgh*; *James Nimmo*, Brassfounder there; *James* 'Milne, Boot and Shoe Maker there; *George Copland*, Tailor there; *James Thomson*, Hosier, *North* 'Saint Andrew Street there; *William Cushnie*, residing at *Malta Green Cottage* there; *Robert Legget* 'senior, Skinner, *Water of Leith* there; and *John Clark*, residing in *Teviot Row* there, all then Gover- 'nors of the *Maiden Hospital* founded by the Craftsmen of *Edinburgh* and *Mary Erskine*, and erected or 'incorporated by Statute from Queen *Anne*, dated the Twenty-fifth Day of *March* One thousand seven 'hundred and seven, Heritable Proprietors of the Subjects thereby disponed, in consideration of the

Disposition dated 13th, 14th, 16th, and 17th April 1855, for Purchase of Property from the Governors of the Maiden Hospital for the Purposes of the National Museum of Industry.

'Price therein mentioned, sold, alienated, and disponed from them and their Successors in Office to the 'said Commissioners of Her Majesty's Works and Public Buildings, heritably and irredeemably, all and 'whole the Ground and Buildings known, used, and occupied as the *Trades Maiden Hospital*, bounded 'as therein described, all as the said Ground and Buildings were delineated and coloured Blue on a 'Plan thereof and of other adjoining Properties acquired or to be acquired by the said Commissioners 'which was subscribed by the said *Henry Banks*, Convenor foresaid, and *John Clark*, Treasurer of the 'said Hospital, on behalf of the Grantors of the said Disposition, as relative thereto, which Subjects 'thereby disponed were stated to be Part of the several Subjects therein-after described, or one or other 'of them, in which several Subjects the Governors of the said Hospital were infeft conform to Instrument 'of Resignation and Sasine in their Favour, dated the Twenty-sixth Day of *April* One thousand seven 'hundred and seven, and recorded in the Burgh Register of Sasines of *Edinburgh* the same Day, and 'also conform to another Instrument of Resignation and Sasine in their Favour, dated Tenth *September* 'One thousand seven hundred and six, and recorded in the said Burgh Register of Sasines the same 'Day; and the said Governors of the said Hospital did also thereby sell, alienate, and dispone to the 'said Commissioners all Privileges, Servitudes, Pertinents, and others held or connected therewith, and, 'without Prejudice to such general Conveyance, the Privilege and Servitude therein particularly 'described: And whereas the Subjects disponed by the said Disposition were acquired for the Purposes 'of the said National Museum: And whereas it is expedient that the said recited Agreements between 'the said Commissioners of Her Majesty's Works and Public Buildings on the one Part, and the said 'Trustees for the Administration of the Affairs of the said Chapel, and the said Lord Provost, Magis-'trates, and Council of the City of *Edinburgh* respectively, on the other Part, should be ratified and 'carried into effect in manner herein-after provided, and that the said Disposition by the Governors of 'the said *Trades Maiden Hospital* in favour of the said Commissioners of Her Majesty's Works and 'Public Buildings should also be ratified in manner herein-after mentioned: And whereas it is expedient 'that the Buildings forming the General Register House in *Edinburgh*, and Ground whereon the same 'are built, and all other Property of whatever kind held or connected therewith, should be transferred 'to and vested in the said Commissioners: And whereas Inconveniences and Difficulties have arisen in 'the Acquisition by the said Commissioners for the Public Service of Property situated at or near the 'Palace of *Holyrood* or Precincts thereof, held by Parties who were, by the Titles thereof or otherwise, 'legally incapacitated from selling or disposing of the same and granting valid Conveyances thereof, and it 'is expedient that these Inconveniences and Difficulties should be removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Register House, Edinburgh, to be vested in the Commissioners of Works.

Recited Deeds of Agreements confirmed.

I. The said herein-before recited Deed of Agreement, bearing Date the Nineteenth, Twentieth, and Twenty-second Days of *March* and Seventh and Twentieth Days of *April*, all in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned, entered into between the said Commissioners of Her Majesty's Works and Public Buildings on the one Part, and the said *Robert Gray*, *Adam Black*, *John Baird*, *Hugh Paton*, *George Johnston*, *William Auld*, and *John Peterson*, the surviving and acting Trustees vested in the Property and Buildings known as the *College Street* or *Argyle Square* Chapel, *Edinburgh*, therein and herein-before described, for the Execution of the Trusts connected therewith created by the said deceased *John Aikman*, Minister of the Gospel in *Edinburgh*, by his said Trust Disposition and Settlement bearing Date the Twenty-fourth Day of *March* One thousand eight hundred and twelve, and recorded in the Books of Council and Session the Fourteenth Day of *February* One thousand eight hundred and thirty-four, on the other Part; as also the said Deed of Agreement bearing Date the Thirteenth Day of *March* and the Twentieth Day of *April*, both in the Year One thousand eight hundred and fifty-five, and recorded in the Books of Her Majesty's Chancery in *Scotland* the Eighth and in the Books of Council and Session the Tenth Days of *May* and Year last mentioned, between the said Commissioners of Her Majesty's Works and Public Buildings on the one Part, and the said Lord Provost, Magistrates, and Council of the City of *Edinburgh*, in their several Characters foresaid, on the other Part, and the Disposition and Obligation therein contained; as also the said Disposition dated the Thirteenth, Fourteenth, Sixteenth, and Seventeenth Days of *April* One thousand eight hundred and fifty-five, by the said Governors of the *Trades Maiden Hospital, Edinburgh*, in favour of the said Commissioners of Her Majesty's Works and Public Buildings, shall be and the same are hereby ratified and confirmed, and made valid and effectual, to all Intents and Purposes whatsoever.

Property near the College to be conveyed to the Commissioners of Works.

II. It shall be lawful to and in the Power of the said *Robert Gray*, *Adam Black*, *John Baird*, *Hugh Paton*, *George Johnston*, *William Auld*, and *John Peterson*, as Trustees foresaid, and their Successors in Office, or so many of them as are declared to be a Quorum by the Deed constituting the said Trust, and the Survivors or Survivor of them, and all other Parties who are, can, shall, or may be interested, to sell and dispose of the said Property and Buildings known as the *College Street* or *Argyle Square* Chapel, *Edinburgh*, described in the said Deed of Agreement, to the said Commissioners of Her Majesty's Works and Public Buildings, and to grant, make, and execute, in favour of the said Commissioners or other Disponees that may be considered necessary, a Conveyance and Disposition of the said Property and Buildings, and all Rights, Servitudes, Privileges, and Pertinents held or connected therewith, as the same

same are described in the said Deed of Agreement, or in the Title Deeds thereof, or by any other or additional Description that may be considered necessary or proper for the due Identification of the said Subjects, which Conveyance and Disposition so to be granted as aforesaid shall contain all usual and necessary Clauses for fully vesting the said Subjects in the said Commissioners, and the same shall be good, valid, and effectual to all Intents and Purposes whatsoever.

The Price to be paid by the said Commissioners to an Account at the Royal Bank of Scotland.

III. The said Commissioners of Her Majesty's Works and Public Buildings shall, on the Execution and Delivery to them of the aforesaid Conveyance and Disposition, pay or cause to be paid the Sum of Two thousand Pounds Sterling, together with the Interest that may have accrued thereon from the Time the said Commissioners may have obtained Entry to the said Subjects prior to the Delivery of such Conveyance and Disposition into the Royal Bank of *Scotland*, to an Account to be raised in the Books of said Bank in the Names of the Right Honourable *John Melville*, present Lord Provost of the City of *Edinburgh*, *Maurice Lothian* Esquire, Procurator Fiscal for the County of *Midlothian*, and *John Gibson* junior, Esquire, Writer to the Signet, or the Survivors or Survivor of them, or the Heirs Male of such Survivor, as Trustees or Trustee, for reinvesting the said Monies and carrying into effect the other Purposes herein-after mentioned.

Receipt of Treasurer to be a good Discharge.

IV. The Receipt of the Treasurer or other proper Officer of the said Bank shall be a good and sufficient Discharge for the said Sum of Two thousand Pounds, and Interest thereon, and the said Commissioners shall not be in any way liable for or concerned with the Application, Misapplication, or Nonapplication of the Monies so to be paid by them as aforesaid, or any Part thereof.

Upon Execution of Conveyance and Payment of Price the Property to be disburdened of the Trusts, &c. affecting the same.

V. Immediately from and after the Execution and Delivery of the said Conveyance and Disposition, and on such Payment being made into the said Royal Bank of *Scotland* as aforesaid, the said Subjects to be therein comprised shall be and the same are by force and virtue of this Act absolutely freed and disburdened of the Trusts, Conditions, and Purposes, and all other Burdens affecting the same, created or imposed by the Trust Disposition and Settlement aforesaid of the said deceased *John Aikman*, or any subsequent Deed or Deeds made and executed by him, or by any Deeds executed by the Trustees acting under the said Trust Disposition and Settlement, or other Deeds executed by the said deceased *John Aikman;* all which, so far as they affect or can be made to affect the said Subjects, or the Grantors of the said Conveyance and Disposition in relation thereto, are hereby discharged and declared to be at an end as if the same had never existed, and such Conveyance and Disposition shall not be liable to Objection nor its Validity be in any way impaired or affected by reason of any Defect whatever in the Titles of the Grantors of such Conveyance and Disposition, or their Predecessors and Authors.

The Price to be invested, under the Direction of the Court of Session, in the Purchase of other Property, to be conveyed on the same Trusts.

VI. And the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, as Trustees aforesaid, and their foresaids, may and shall, with all convenient Speed, and with the Approbation of the Court of Session in either Division thereof, and under the Direction thereof, and by and with the Consent of the Trustees or Trustee acting for the Time under the said Trust Disposition and Settlement of the said deceased *John Aikman*, after Payment of all Expenses incurred in the Execution of the Trust hereby created, which they are hereby authorized to satisfy and pay in the first place, lay out, invest, and apply the said Sum of Two thousand Pounds so to be paid into the said Royal Bank of *Scotland* as aforesaid into the Account herein provided to be raised in the Books of the said Bank in the Names of the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, as Trustees foresaid, and also any Balance of Interest and Accumulations thereof that may remain after satisfying the Purposes herein-after provided for, in the Purchase of a Site for a suitable Chapel or Place of Worship, and the Balance thereof, if any, shall remain for and towards the Erection of such Chapel, or otherwise in the Purchase and Acquisition of any Building or Buildings, and converting the same into a suitable Chapel or Place of Worship, in lieu and place of the aforesaid Chapel and Ground on which the same is built, to be disponed to the said Commissioners of Her Majesty's Works and Public Buildings under the Authority of this Act; and the Ground or Buildings so to be purchased and acquired, or erected as aforesaid by the Trustees herein-before appointed for the Purposes aforesaid shall be conveyed and disponed by the Parties from whom the same shall be so purchased and acquired, or by the same purchasing Trustees or Trustee, and by the Directions of the Court of Session in either Division thereof, to the Trustees acting for the Time under the said Trust Disposition and Settlement of the said deceased *John Aikman*, and under and subject to the same Trusts, Conditions, Ends, Uses, and Purposes as are specified in the said Trust Disposition and Settlement of the said deceased *John Aikman*, in the same Manner and to the like Effect as if the Ground and Buildings so to be acquired and purchased or erected as aforesaid had been the Subjects originally comprised within the said Trust Disposition and Settlement.

Interest accruing on the Capital in the meantime to be applied in providing a temporary Place of Worship.

VII. Until the Investment herein-before directed shall be made, the Interest accruing on the said Capital Sum of Two thousand Pounds by reason of its Deposit in such Bank as aforesaid shall be paid to the Trustees or Trustee acting for the Time under the said Trust Disposition and Settlement, to enable them to provide a temporary Place of Worship for the Congregation on whose Behalf the said Trust was created, and on such other Purposes of the Trust as Circumstances may render necessary or expedient: Provided always, that the Expenses incurred in the Execution of the Trust herein-before created shall form a preferable Charge upon and shall be satisfied and paid in the first place out of the said Interest, and shall not be defrayed, so long as the Interest is sufficient for that Purpose, out of the said Capital Sum of Two thousand Pounds.

Trustees on passing their Accounts to be discharged by Court of Session.

VIII. After having carried the Purposes of this Act into effect, so far as the same are committed to the said Trustees herein-before appointed, it shall be lawful to such Trustees and their foresaids, if he or they shall think it necessary for his or their own Relief, to apply to the said Court of Session in either Division thereof for a Discharge or Exoneration of their Proceedings, upon a Petition to be presented to the said Court in either Division thereof in a summary Way, and the said Court in either Division thereof is hereby required to order Production of the Accounts of the said Trustees, and after Consideration thereof, and if the same shall be found to be correct, to exonerate and discharge the said Trustees of his or their Intromissions, and to declare him and them quit and discharged thereof for ever.

Provision for the Appointment of new Trustees.

IX. If the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, or any of them, shall die, or be desirous to be discharged from or shall become incapable to act in the Trusts, Powers, and Authorities hereby in them vested, at any Time before the said Trusts, Powers, and Authorities shall have been duly performed and executed, then and in any of these Cases, when and so often as the same shall happen, it shall and may be lawful for the said Court of Session in either Division thereof, upon the Application either of the surviving Trustee or of the Trustees acting for the Time under the said Trust Disposition and Settlement of the said deceased *John Aikman*, or Quorum, or Survivor of them, to appoint any other fit Person or Persons to be a Trustee or Trustees for the Purposes aforesaid in the Place and Stead of such Trustee and Trustees as shall die, or be desirous to be discharged from or shall become incapable to act in the Execution of the Trusts, Powers, and Authorities by this Act given, and so from Time to Time as often as there shall be Occasion; and so often as any new Trustee or Trustees shall be appointed as aforesaid the Sums of Money paid to the Account of and vested in the said Trustees as aforesaid, and hereby vested in the said *John Melville*, *Maurice Lothian*, and *John Gibson* junior, shall thereupon become legally and effectually vested in such new Trustee or Trustees, and the Survivor or Survivors of them, and the Heirs of such Survivor, upon the Trusts, and to and for the same Uses, Intents, and Purposes, and with, under, and subject to all the Powers and Authorities by this Act given and declared.

Majority to be a Quorum.

X. The major Part of the Trustees acting in the Business and Affairs of the said Trust for the Time, while more than Two survive or continue, shall be a legal and sufficient Quorum for carrying all the Purposes of this Act into execution, and any One of them who only shall survive or continue shall at all Times have full Power to act by himself alone.

The Property near the College to be vested in the Commissioners of Works for the Purposes of the said National Museum.

XI. The Area of Land situated in *West College Street* of *Edinburgh*, herein-before described, and disponed in manner herein-before recited by the said Lord Provost, Magistrates, and Council of the said City of *Edinburgh* to the said Commissioners of Her Majesty's Works and Public Buildings, is hereby, but subject always to the Declarations and Real Burden contained in the Deed of Agreement second herein-before recited and confirmed, transferred to and vested in the said Commissioners for the Purposes of the said National Museum, and no otherwise, as fully and effectually as if the said Commissioners were infeft and seised therein, and the same, as well as the said Lord Provost, Magistrates, and Town Council, shall be and are hereby declared freed and discharged of the Trusts upon which the said Area of Land was held by the said Lord Provost, Magistrates, and Council, and their Predecessors, in the same Manner and to the same Effect as if such Trusts had never existed: Provided always, that a Memorandum of the above Provision, whereby the said Area of Land is transferred to and vested in the said Commissioners, shall, as soon as conveniently may be after the passing of this Act, be signed by the Lord Provost for the Time being, and registered in the Burgh Register of Sasines for the City of *Edinburgh*, which Memorandum may be in the Form set forth in the Schedule to this Act.

The Town Council empowered to convey Property for widening the Street.

XII. The Lord Provost, Magistrates, and Council of the said City shall be entitled, and are hereby authorized, empowered, and required, to convey and dispone to the said Commissioners of Her Majesty's Works and Public Buildings so much of the foresaid Property situated on the North Side of *North College Street* of *Edinburgh*, herein-before described, and belonging to the said Lord Provost, Magistrates, and Council as Patrons and Guardians of the said University and College of *Edinburgh*, or in any other Capacity, as the said Commissioners may deem it necessary to throw into the said Street or Foot Pavement when required to be widened, and to grant all Deeds necessary for fully vesting the Ground so to be conveyed and disponed in the said Commissioners, at the Expense of the said Commissioners; and the Deed or Deeds so to be granted shall not be impugned on the Ground of any Defect of Title in the Grantors thereof, or on any other Ground in Law whatever, but the same shall be valid and effectual to all Intents and Purposes whatsoever.

Property acquired from Town Council not to be used for other Purposes than those of the National Museum, without their Consent.

XIII. The said Commissioners of Her Majesty's Works and Public Buildings shall not be entitled to put, and they are hereby debarred from putting, the foresaid Subjects already disponed and to be disponed to them by the said Lord Provost, Magistrates, and Council, to any other Uses or Purposes than those contained and expressed in the Deed of Agreement second herein-before recited and confirmed, without the Consent in Writing of the said Lord Provost, Magistrates, and Council first had and obtained; and if the said Commissioners shall contravene this Provision, they shall be bound, on the Requisition in Writing of the said Lord Provost, Magistrates, and Council, to reconvey and dispone to them the said Subjects, or, in the Option of the said Lord Provost, Magistrates, and Council, to pay to them a suitable Compensation or Price for the said Subjects, as the same may be ascertained with reference to the Value of the said Subjects as at the Date of the passing of this Act.

XIV. The

XIV. The Disposition herein-before mentioned, granted by the Governors of the *Trades Maiden Hospital, Edinburgh*, shall not be liable to any Objection or its Validity affected by reason of any Defect in the Title of such Governors or their Predecessors in any respect whatever. Disposition granted by the Maiden Hospital to be valid.

XV. All the Buildings occupied as and forming Her Majesty's General Register House at *Edinburgh*, and all the Lands and Buildings connected therewith, and all Lands whereon the same are built, and all Lands or Heritages held therewith, or purchased or acquired therewith, or for the Improvement or Extension thereof, under any Royal Warrant or Signature, or under or by virtue of the Acts passed in the Twenty-fourth Year of the Reign of His late Majesty *George* the Third, Session Second, Chapter Fifty-seven, the Third Year of the Reign of His late Majesty *George* the Fourth, Chapter Sixty-two, the Seventh and Eighth Year of the Reign of His said Majesty, Chapter Forty-one, or any other Act or Acts of Parliament, or other Authority, together with the Feu Duties, Rents, and Casualties payable out of the said Lands or any Part thereof, shall from and after the passing of this Act be and the same are hereby vested in the said Commissioners of Her Majesty's Works and Public Buildings, and their Successors, for ever, in their Corporate Capacity, for the Purposes specified in the aforesaid Royal Warrants, Signatures, Acts, or other Authority respectively, and shall be maintained and kept in repair by the said Commissioners by and out of such Funds as shall or may be from Time to Time appropriated by Parliament for such Purposes. General Register House vested in the Commissioners of Works.

XVI. 'And whereas it may happen that some Person or Persons, or Bodies Politic, Corporate, or 'Collegiate, or Trustees, or others, who are seised of or entitled to Houses, Ground, or other Subjects 'near or adjoining to the Precincts of the Palace of *Holyrood* which it may be necessary or desirable 'for the said Commissioners of Her Majesty's Works and Public Buildings to purchase and acquire for 'the Public Service, may be willing to treat and agree to sell such Houses, Ground, or other Subjects, 'but are incapable of granting and conveying the same, by reason of Infancy, or other Disability by 'Tailzies or otherwise:' Be it enacted, That, for the Purpose of acquiring any such Houses, Ground, or other Subjects situate within Five hundred Yards from any Part of the said Palace, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," is incorporated with this Act: Provided always, that such Incorporation shall not enable the Commissioners of Her Majesty's Works and Public Buildings to take or acquire such last-mentioned Houses, Ground, or other Subjects otherwise than by Agreement. Owners of Property near Holyrood empowered to sell same to Commissioners of Works. Provisions of 8 & 9 Vict. c. 19. incorporated for certain Purposes.

SCHEDULE referred to by the Act.

BE it remembered, That by virtue of an Act passed in the Session of Parliament holden in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], the Area of Land situate in West College Street of Edinburgh, herein-after described, and which was vested in the Lord Provost, Magistrates, and Town Council of the City of Edinburgh, subject to certain Trusts, and disponed by them to the Commissioners of Her Majesty's Works and Public Buildings, was transferred to and vested in the said Commissioners for the Purposes and under the Conditions specified or referred to in the said Act of Parliament, and no otherwise, as fully and effectually as if the said Commissioners were infeft and seised therein, and the same, as well as the said Lord Provost, Magistrates, and Council, were declared freed and discharged of the Trusts upon which the said Area of Land was held by the said Lord Provost, Magistrates, and Council, and their Predecessors in the said Subjects, in the same Manner and to the same Effect as if such Trusts had never existed; which Area of Land is described as follows [*here insert the Description of the said Area of Land as given in the before-recited Agreement between the said Commissioners and the said Lord Provost, Magistrates, and Council, or the Description given in the Titles thereof, or both, as may be deemed best for the proper Identification of the Subjects*]. In witness whereof this Memorandum or Abstract of the above-recited Provision of the said Act of Parliament is in pursuance thereof signed by the Right Honourable the Lord Provost of the City of Edinburgh, before these Witnesses,

A. B., Witness.
C. D., Witness.

C A P. LXXXI.

An Act to amend the Law concerning the certifying and registering of Places of Religious Worship in *England*. [30th *July* 1855.]

'WHEREAS by an Act of the First Session of the First Year of King *William* and Queen *Mary*, Chapter Eighteen, and an Act of the Fifty-second Year of King *George* the Third, Chapter One hundred and fifty-five, Places of Meeting of Congregations or Assemblies for Religious Worship of Protestants (save as therein excepted with respect to Places of Worship of the Established Church and otherwise) were required to be certified to the Bishop's or Archdeacon's Court, or to the General or Quarter Sessions of the Peace, and to be registered in such Court, and recorded at such Sessions: And whereas by an Act of the Thirty-first Year of King *George* the Third, Chapter Thirty-two, every Place of Congregation or Assembly for Religious Worship of Persons professing the Roman Catholic Religion is required to be certified to and recorded at the General or Quarter Sessions of the Peace: 1 W. & M. Sess. 1. c. 18. 52 G. 3. c. 155. 31 G. 3. c. 32.

'And

2 & 3 W. 4. c. 115. 9 & 10 Vict. c. 59. 15 & 16 Vict. c. 36.

'And whereas by the Two following Acts respectively, that is to say, an Act of the Session holden in 'the Second and Third Years of King *William* the Fourth, Chapter One hundred and fifteen, and an 'Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Fifty-nine, Her 'Majesty's Subjects professing the Roman Catholic Religion, and Her Majesty's Subjects professing the 'Jewish Religion, in respect of their Places for Religious Worship, are made subject to the same Laws 'as Protestant Dissenters: And whereas by an Act passed in the Session holden in the Fifteenth and 'Sixteenth Years of Her Majesty, Chapter Thirty-six, Places of Meeting of Congregations or Assem- 'blies for Religious Worship of Protestant Dissenters are required to be certified to the Registrar 'General of Births, Deaths, and Marriages in *England*, and to be recorded in the General Register 'Office, in lieu of being certified to and registered and recorded in the Bishop's or Archdeacon's Court, 'and at the General or Quarter Sessions, as herein-before mentioned: And whereas it is expedient that 'all Places of Religious Worship, not being Churches or Chapels of the Established Church, should, if 'the Congregation should desire, but not otherwise, be certified to the said Registrar General:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

15 & 16 Vict. c. 36. repealed, but Places of Worship certified thereunder to have Force, &c.

I. The said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, shall be repealed: Provided always, that the certifying thereunder before the passing of this Act of any Place of Meeting for Religious Worship shall, subject to the Provisions herein-after contained, have the same Force and Effect from the Time of such certifying as if the same had been duly certified, registered, and recorded as before the passing of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, was required by Law, and such Act and this Act had not been passed.

Places of Worship to be certified to Registrar General.

II. Every Place of Meeting for Religious Worship of Protestant Dissenters or other Protestants, and of Persons professing the Roman Catholic Religion, by the said Acts of King *William* and Queen *Mary*, the Thirty-first and Fifty-second Years of King *George* the Third, and the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, or any of them, required to be certified and registered or recorded, as therein mentioned, and not heretofore certified and registered or recorded in manner required by Law, and every Place of Meeting for Religious Worship of Persons professing the Jewish Religion, not heretofore certified and registered or recorded as aforesaid, and every Place of Meeting for Religious Worship of any other Body or Denomination of Persons, may be certified in Writing to the Registrar General of Births, Deaths, and Marriages in *England*, through the Superintendent Registrar of Births, Deaths, and Marriages of the District in which such Place may be situate; and such Certificate shall be in Duplicate, and upon Forms in accordance with Schedule A. to this Act, or to the like Effect, such Forms to be provided by the said Registrar General, and to be obtained (without Payment) upon Application to such Superintendent Registrar as aforesaid; and the said Superintendent Registrar shall, upon the Receipt of such Certificate in Duplicate, forthwith transmit the same to the said Registrar General, who, after having caused the Place of Meeting therein mentioned to be recorded as herein-after directed, shall return One of the said Certificates to the said Superintendent Registrar, to be re-delivered by him to the certifying Party, and shall keep the other Certificate with the Records of the General Register Office.

Places of Meeting to be recorded.

III. The said Registrar General shall cause all Places of Meeting for Religious Worship certified to him under this Act to be recorded in a Book to be kept by him for that Purpose at the General Register Office, and no such Place of Meeting as aforesaid shall be certified to or registered in any Court of any Bishop or Archdeacon, or be certified to or recorded at any General or Quarter Sessions; and the certifying to the said Registrar General of any such Place of Meeting for Religious Worship of Protestant Dissenters or other Protestants or Roman Catholics, or Persons professing the Jewish Religion, and of any Place of Meeting for Religious Worship of any other Body or Denomination of Persons, shall, subject to the Provisions herein contained, have the same Force and Effect as if such Place had been duly certified and recorded or registered and recorded as before the passing of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, was required by Law, and such Act and this Act had not been passed.

Certain Places of Meeting already certified may be certified to Registrar General, and be recorded by him.

IV. Any Place of Meeting for Religious Worship heretofore certified and registered or recorded in manner required by Law, and which continues to be used for Religious Worship, save any such Place of Meeting certified to the said Registrar General under the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, may, at any Time after the passing of this Act, be certified in Writing to such Registrar General through the Superintendent Registrar of the District in which such Place may be situate, and shall be recorded by such Registrar General in manner herein-before mentioned concerning Places of Meeting not heretofore certified and registered or recorded.

Fee of 2*s.* 6*d.* to be paid with Certificate.

V. Upon the Delivery of every Certificate to the Superintendent Registrar for Transmission to the Registrar General for the Purpose of being recorded under this Act, the Person delivering the same shall pay to such Superintendent Registrar for his own Use the Sum of Two Shillings and Sixpence, and it shall not be lawful to demand or take any greater Fee or Reward for the same respectively.

Notice to be given to Registrar General of

VI. Whenever any Place of Meeting for Religious Worship which may have been certified under the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, or this Act, shall have

have wholly ceased to be used as a Place of Meeting for Religious Worship, the Person or One of the Persons who so certified or last certified the same (as the Case may be), or the Trustee or One of the Trustees for the Time being of such Place of Meeting, or the Owner or Occupier or One of the Owners or Occupiers thereof, shall, if then resident within the Superintendent Registrar's District within which such Place shall be situate, forthwith give Notice to the Registrar General through such Superintendent Registrar that such Place has so ceased to be used as a Place of Meeting for Religious Worship, such Notice to be in a Form in accordance with the Schedule B. to this Act, or to the like Effect, and which Form shall be provided by the said Registrar General, and may be obtained (without Payment) upon Application to the said Superintendent Registrar; and the Person giving such Notice shall sign the same in the Presence of such Superintendent Registrar or of his Deputy, who shall forthwith transmit the same through the General Post to the Registrar General at the General Register Office.

every Place of Meeting becoming disused for the Purposes for which it was certified.

VII. The said Registrar General shall, in the Year One thousand eight hundred and fifty-six, and also at such subsequent Periods as One of Her Majesty's Principal Secretaries of State shall from Time to Time in that Behalf order or direct, make out and cause to be printed a List of all Places of Meeting which have been certified to and recorded by him under the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, or this Act, and the Record of which has not been cancelled as herein-after provided, and shall state in such List the County and Superintendent Registrar's District within which each of such Places of Meeting is situated, and the Religious Denomination to which the Persons for the Time being certifying it belong, and shall cause a Copy of such List to be sent to every Superintendent Registrar of Births, Deaths, and Marriages in *England*, and such List shall be open at all reasonable Times to all Persons desirous of inspecting the same on Payment to such Superintendent Registrar of a Fee of One Shilling.

List of certified Places to be printed.

VIII. Whenever it shall appear to the Satisfaction of the said Registrar General, from any Notice which shall have been given to him as aforesaid or otherwise that any certified Place of Meeting for Religious Worship has wholly ceased to be used as such, the said Registrar General shall cause the Record of such Certification to be cancelled, and shall give public Notice of the Cancellation thereof by Advertisement in some Newspaper circulating within the District in which such Place of Meeting is situated, and in the *London Gazette*, and shall also expunge the Name of such Place from the List of certified Places so to be printed by him as aforesaid; and after such Cancellation and Publication thereof as aforesaid such Place shall cease to be deemed duly certified as by Law required, and shall so remain until it shall have been duly certified afresh under this Act.

Direction to the Registrar General to cancel Records of Certificates of Places of Worship ceasing to be used as such.

IX. Every Place of Meeting for Religious Worship certified to the said Registrar General under the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Thirty-six, or this Act, and recorded by him as aforesaid, so long as the same continues to be *bonâ fide* used as a Place of Religious Worship, and the Record of the Certification thereof has not been cancelled as herein-before is provided, shall be wholly freed and exempted from the Operation of an Act passed in the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty-seven, intituled "The Charitable Trusts Act, 1853," and shall not be subject or liable to any of the Provisions of the same Act, save that the exempted Charities may avail themselves of the Sixty-third and Sixty-fourth Sections of the said Act, if they shall think fit.

Certified Places exempted from the Operation of "The Charitable Trusts Act, 1853."

X. Nothing in this Act shall affect or be construed to affect the Churches or Chapels of the United Church of *England* and *Ireland*, or the Celebration of Divine Service according to the Rites and Ceremonies of the said United Church by Ministers of such Church, in any Place hitherto used for such Purpose, or being now or hereafter duly consecrated or licensed by any Archbishop or Bishop or other Person lawfully authorized to consecrate or license the same.

Nothing to affect Churches, &c. of Established Church.

XI. The Registrar General, on Payment to him of a Fee of Two Shillings and Sixpence, shall, with respect to any Place certified to him as a Place of Meeting for Religious Worship, the Record whereof remains uncancelled, give to any Person demanding the same a Certificate, sealed or stamped with the Seal of the General Register Office, that at the Time or respective Times in such Certificate in that Behalf stated the Place therein described was duly certified and duly recorded as required by this Act, and that at the Date of such sealed or stamped Certificate the Record of such Certification remained uncancelled; and every such sealed or stamped Certificate, if tendered in Evidence upon any Trial or other judicial Proceeding in any Civil or Criminal Court, shall be received as Evidence of the said several Facts therein mentioned, without any further or other Proof of the same.

Certificate of Place having been certified to be given.

XII. All Sums to be received by or on account of the Registrar General in pursuance of this Act shall be accounted for and paid in manner directed by the said Act of the Seventh Year of King *William* the Fourth, "for registering Births, Deaths, and Marriages in *England*," with respect to Sums received by him or on his Account under the Provisions of that Act; and all Expenses incurred by the said Registrar General, or by any Superintendent Registrar, or Registrar, with his Sanction, and acting under his Direction or Authority, in carrying this Act into execution and making known its Provisions, shall be deemed to have been incurred in carrying on the Business of the General Register Office, and be defrayed accordingly.

Sums received by Registrar General to be accounted for, and Expenses defrayed as other Expenses of General Register Office.

XIII. Notwithstanding the Provisions of this or any other Act, all Marriages which heretofore have been had or solemnized in any Building which has been registered for the Solemnization of Marriages pursuant

To remove Doubts as to Validity of Marriage.

pursuant to the Provisions of an Act passed in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter Eighty-five, but which may not have been certified as required by the Provisions of this or any other Act, shall be as valid in all respects as if such Place of Worship had been so certified.

Extent of Act. XIV. This Act shall not extend to *Scotland* or *Ireland*.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

To the Registrar General of Births, Deaths, and Marriages in England.

Directions for filling up this Schedule.
(*a*) Here insert the Name, Residence, and County in which it is situate, and the Rank or Profession of the Party certifying.
(*b*) If the Place was not so used before 30th June 1852, expunge this and the following Line.
(*c*) If the Building have not been previously used as a Place of Worship, erase the Words "as heretofore."
(*d*) Here insert "Protestant Dissenters," "Independents," "Particular Baptists," "Wesleyan Methodists," "Roman Catholics," "Jews," or other Religious Denomination of, or Religious Appellation adopted by the Persons on whose Behalf the Building is certified; but if those Persons decline to describe themselves by any distinctive Appellation erase the Words "calling themselves," and insert "who object to be designated by any distinctive Religious Appellation."

I the undersigned (*a*) of in the County of do hereby, under and by virtue of an Act passed in the Year of Her Majesty Queen Victoria, intituled "An Act to amend the Law concerning the certifying and registering of Places of "Religious Worship in England," certify that a certain Building known by the Name of situated at in the County of within the Superintendent Registrar's District of [was used (*b*) as a Place of Meeting for Religious Worship before the 30th Day of June 1852 and] is intended to be used as heretofore, (*c*) and will accordingly be forthwith used as a Place of Meeting for Religious Worship by a Congregation or Assembly of Persons calling themselves (*d*)

and I request that this Certificate may be recorded in the General Register Office, pursuant to the said Act. Dated this Day of 185 .

(*Signature of the Party certifying.*)
(*e*)

(*e*) Insert on this Line immediately under the Signature the Word "Minister," "Proprietor," "a Trustee," "Occupier," "an Attendant," or such other Words as will clearly show the Connexion subsisting between the Person certifying and the Place of Meeting.

of the Place of Meeting above described.

SCHEDULE B.

To the Registrar General of Births, Deaths, and Marriages in England.

I, the undersigned of in the County of being the Person or One of the Persons who certified or last certified [*or* being "the Trustee," *or* "One of the Trustees," *or* the "Owner," *or* "Occupier," *or* "One of the Owners or Occupiers" (*as the Case may be*), of] a certain Building known by the Name of [*or* a certain Dwelling House, *&c.* (*as the Case may be*)] situate at in the County of within the Superintendent Registrar's District of [and being now resident within the same District], do hereby declare and give you Notice, in pursuance of an Act passed in the Year of Her present Majesty, Chapter that the aforesaid Building [*or* Dwelling House, *&c.*] which was on the Day of 185 recorded by you as a Place of Meeting for Religious Worship by a Congregation or Assembly of Persons calling themselves [*or* by a Congregation or Assembly of Roman Catholics, *or* of Persons belonging to the Society of Friends, *or* of Persons professing the Jewish Religion (*as the Case may be*)], has wholly ceased to be used as a Place for public Religious Worship. Witness my Hand, this Day of 185 .

CAP. LXXXII.

An Act to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of *Trinity College, Duolin*, and of certain Professors in the said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the University of *Dublin*.

[14th *August* 1855.]

'WHEREAS by an Act passed in the Forty-first Year of His late Majesty King *George* the Third, Chapter Thirty-two, "for granting to His Majesty several Sums of Money for defraying the "Charge of certain permanent Services in that Part of the United Kingdom called *Ireland*," it was enacted, that it should be lawful for the Lord High Treasurer and Under Treasurer of the Exchequer or the Commissioners of His Majesty's Treasury of that Part of the United Kingdom called *Ireland*, then or for the Time being, or any Three or more of them, by Warrant under their Hands, to order and direct that any Sum or Sums of Money not exceeding in One Year the Sums therein-after mentioned should be paid for the Purposes therein-after expressed; among which Sums were the following; that is to say, "to the Provost and Fellows of *Trinity College, Dublin*, 358*l.* 16*s.* 11*d.* *English* Currency," "to the said Provost and Fellows, for the Professor of the *French* and *German* Languages "in

‘ “ in the said College, 92*l.* 6*s.* 2*d.* like Currency ;” and “ to the said Provost and Fellows, for the Pro-
‘ “ fessor of the *Spanish* and *Italian* Languages in the said College, 92*l.* 6*s.* 2*d.* like Currency ;” which
‘ several Sums are also by the said Act made payable out of and are charged on the Consolidated Fund
‘ of *Ireland*, and are now charged on the Consolidated Fund of the United Kingdom :’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Certain Payments to cease.

I. That all the said Sums of Money by the said Act made payable to the said Provost and Fellows of *Trinity College, Dublin*, shall from and after the passing of this Act cease to be payable.

Stamp Duties on Matriculation and on Admission to Degrees in Dublin University repealed.

II. All Stamp Duties payable under the Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-two, and the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and eighty-four, or under any other Act of Parliament, on the Admission or Matriculation of any Person in the University of *Dublin*, and on the Admission of any Person to any Degree in the said University (whether conferred in the ordinary Course of the University or otherwise), or for the Registry or Entry, Testimonial or Certificate, of any such Admission, shall from and after the passing of this Act likewise cease to be payable.

CAP. LXXXIII.

An Act to continue certain Acts for regulating Turnpike Roads in *Ireland*. [14th *August* 1855.]

‘ WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in *Ireland* were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign 4 & 5 Vict. c. 6.
‘ of Her present Majesty, amended and continued for a Time therein limited : And whereas the said
‘ Acts were further continued from Time to Time, save as especially excepted : And whereas, under the
‘ Provisions of an Act of the last Session of Parliament, the said Acts, save as therein excepted, are 17 & 18 Vict.
‘ further continued and will remain in force until the Thirty-first Day of *July* in the present Year, or, if c. 42.
‘ Parliament be then sitting, until the End of the then Session of Parliament : And whereas it is expedient
‘ that the several Acts for making, amending, or repairing Turnpike Roads in *Ireland* should be further
‘ continued :’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Acts for making Turnpike Roads in Ireland which will expire before 31st July 1856 continued, save those in Schedule.

I. Any Act for making, amending, or repairing any Turnpike Road or Roads in *Ireland* which will expire on the said Thirty-first Day of *July* in the present Year, or at or before the End of the present Session of Parliament, or before the Thirty-first Day of *July* One thousand eight hundred and fifty-six, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty’s Reign, until the Thirty-first Day of *July* One thousand eight hundred and fifty-six, or if Parliament be then sitting until the End of the then Session of Parliament, save the several Acts for repairing, making, or amending the Turnpike Trust Roads comprised in the “ *Dublin* and other Roads Turnpikes Abolition Act, 1855,” and specified in the Schedule to this Act annexed.

Certain Acts in Schedule continued to 5th Jan. 1856.

II. The several Acts for making, repairing, and amending the several Turnpike Trust Roads comprised in the said “ *Dublin* and other Roads Turnpikes Abolition Act, 1855,” and specified in the Schedule to this Act annexed, shall be and the same are hereby respectively continued until the Fifth Day of *January* One thousand eight hundred and fifty-six.

Nothing to prevent Operation of 18 & 19 Vict. c. 69., &c.

III. Nothing herein contained shall prevent the Operation of the said “ *Dublin* and other Roads Turnpikes Abolition Act, 1855,” or shall extend or apply to the Acts of the Parliament of *Ireland*, Thirty-eighth *George* the Third, Chapter Twenty-two, and Thirty-ninth *George* the Third, Chapter Fifty-two.

SCHEDULE referred to in the foregoing Act.

Reference to Act.	TITLE.
10 Geo. 4. c. 75. (Local and Personal.)	An Act for making and maintaining the Road leading from Dublin through Blessington and Baltinglass to near the Town of Carlow.
10 Geo. 4. c. 63. (Local and Personal.)	An Act for more effectually repairing the Road from Dublin to Dunleer.
11 & 12 Vict. c. 107. (Local and Personal.)	The Dublin and Mullingar Turnpike Road Act, 1848.
12 & 13 Vict. c. 68. (Local and Personal.)	An Act to continue and amend the Powers of an Act for repairing and improving the Roads from Dublin by Ashbourne to Slane and Drogheda.
38 Geo. 3. c. 31. (Ireland.)	An Act for amending the Road from Dublin to Knocksedan in the County of Dublin.
40 Geo. 3. c. 48. (Ireland.)	An Act to amend an Act passed in the Thirty-eighth Year of the Reign of His present Majesty, intituled “An Act for amending the Road from Dublin to “ Knocksedan in the County of Dublin.”
26 Geo. 3. c. 30. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Malahide, and for erecting Turnpike Gates and receiving Tolls thereout in aid

Reference to Act.	TITLE.
	of the Barony Presentments, and for appointing Trustees for carrying the said Purposes into execution.
28 Geo. 3. c. 48. (Ireland.)	An Act for extending to the Roads leading from Dublin through Raheny and Clontarf the Provisions of an Act passed in the Twenty-sixth Year of His present Majesty's Reign, intituled "An Act for making, widening, and repairing the Road "leading from Dublin to Malahide, and for erecting Turnpike Gates and receiving "Tolls thereout in aid of the Barony Presentments, and for appointing Trustees "for carrying the said Purposes into execution."
29 Geo. 3. c. 24. (Ireland.)	An Act for rendering more effectual Two several Acts, One passed in the Twenty-sixth Year of His Majesty's Reign, intituled "An Act for making, widening, and "repairing the Road leading from the City of Dublin to Malahide, and for "erecting Turnpike Gates and receiving Tolls thereout in aid of the Barony "Presentments, and for appointing Trustees for carrying the said Purposes into "execution;" and the other Act passed in the Twenty-eighth Year of His Majesty's Reign, intituled "An Act for extending to the Roads leading from "Dublin through Raheny and Clontarf the Provisions of an Act passed in the "Twenty-sixth Year of His Majesty's Reign, intituled 'An Act for making, "'widening, and repairing the Road leading from Dublin to Malahide, and for "'erecting Turnpike Gates and receiving Tolls thereout in aid of the Barony "'Presentments, and for appointing Trustees for carrying the said Purposes into "'execution;'" and also for continuing the said Act.
31 Geo. 3. c. 50. (Ireland.)	An Act for amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, in the said Acts mentioned; and for enabling the Trustees for the said Purposes to borrow further Sums of Money for such Purposes; and for continuing the said Acts for a further Term; and for improving the Neighbourhood of Ballybough Bridge.
32 Geo. 3. c. 37. (Ireland.)	An Act for enabling the Trustees for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge, pursuant to several Acts of Parliament, more effectually to carry the said Acts into execution.
33 Geo. 3. c. 26. (Ireland.)	An Act for further amending the several Laws for making, widening, and repairing the Road from Dublin to Malahide, and the other Roads leading to Dublin over Ballybough Bridge; and for enabling the Trustees for the said Purposes to borrow a further Sum to complete a new Communication Eastward of Ballybough Bridge.
38 Geo. 3. c. 41. (Ireland.)	An Act for granting certain Tolls, Rates, and Duties to be taken at the Turnpikes on the Road leading over Ballybough and Annesley Bridges in aid of the Barony Presentments, and in lieu of the Tolls formerly payable at such Turnpikes; and for amending the Laws for making, widening, and repairing the said Roads; and for making perpetual the several Acts of Parliament relating thereto.
56 Geo. 3. c. 71. (Local and Personal.)	An Act for altering and improving Part of the Turnpike Road leading from the City of Dublin to the New Packet Harbour at Howth, for the Conveyance of His Majesty's Mails; and for amending the several Laws relating to the said Road.
59 Geo. 3. c. 109. (Local and Personal.)	An Act for more effectually improving and repairing the Road leading from the City of Dublin to Navan in the County of Meath.
35 Geo. 3. c. 47. (Ireland.)	An Act for making, widening, and repairing the Road leading from the City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony Presentments.
37 Geo. 3. c. 29. (Ireland.)	An Act for improving and repairing the Roads leading from the City of Dublin to Ratoath and Curragha, and for altering and amending an Act passed in the Thirty-fifth Year of His present Majesty's Reign, intituled "An Act for making, widen- "ing, and repairing the Road leading from the City of Dublin to Ratoath, and for "erecting Turnpikes thereon in aid of Barony Presentments."
39 Geo. 3. c. 46. (Ireland.)	An Act for amending an Act passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled "An Act for improving and repairing the Roads lead- "ing from the City of Dublin to Ratoath and Curragha," and for altering and amending an Act passed in the Thirty-fifth Year of His present Majesty's Reign, intituled "An Act for making, widening, and repairing the Road leading from the "City of Dublin to Ratoath, and for erecting Turnpikes thereon in aid of Barony "Presentments."
30 Geo. 3. c. 46. (Ireland.)	An Act for improving and repairing the Turnpike Road leading from Kinnegad to Athlone.

Reference to Act.	TITLE.
31 Geo. 3. c. 49. (Ireland.)	An Act to amend an Act for improving the Turnpike Road leading from Kinnegad to Athlone.
32 Geo. 3. c. 36. (Ireland.)	An Act to amend an Act made in the Thirtieth Year of His present Majesty, intituled "An Act for improving and repairing the Turnpike Road leading from "Kinnegad to Athlone."
50 Geo. 3. c. 134. (Local and Personal.)	An Act to amend an Act passed in the Parliament of Ireland, in the Thirtieth Year of His Majesty's Reign for repairing the Turnpike Road leading from Kinnegad to Athlone.

CAP. LXXXIV.

An Act to provide for the Performance of certain Duties of the Speaker during his temporary Absence from the House of Commons. [14th *August* 1855.]

'WHEREAS the House of Commons have provided by their Standing Orders for the temporary 'Performance of certain Duties of the Speaker, during his unavoidable Absence, by a Deputy 'Speaker: And whereas Her Majesty had previously signified Her Consent that the House might do 'therein as they should think fit: And whereas certain Matters concerning the Office of Speaker are 'regulated by Statute, and the Validity of Acts done or Proceedings taken during the Absence of the 'Speaker may hereafter be questioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts done, &c. by Deputy Speaker during Absence of Speaker valid.

I. If at any Time during a Session of Parliament the Speaker shall be temporarily absent from the House, and a Deputy Speaker shall thereupon perform the Duties and exercise the Authority of Speaker, pursuant to the Standing Orders or other Order or Resolution of that House, every Act done and Proceeding taken in or by the House, pursuant to any Statute, shall be as valid and effectual as if the Speaker himself were in the Chair; and every Act done, and Warrant, Order, Certificate, Notice, or other Document issued, signed, or published, in relation to any Proceedings of the House of Commons, by such Deputy Speaker, shall have the same Effect and Validity as if the same had been done, issued, signed, or published by the Speaker for the Time being.

Not to appoint to any Office.

II. Provided, That such Deputy Speaker shall not have Power to appoint to any Office, except for such Time as he shall continue to be Deputy Speaker.

Nothing to affect Election of Speaker, &c.

III. Provided also, That nothing herein contained shall affect the Election of a Speaker, or the Forms thereof, or any Prerogative of Her Majesty concerned therein, or otherwise relating to the Office of Speaker.

CAP. LXXXV.

An Act for carrying into effect the Engagements between Her Majesty and certain Chiefs of the *Sherbro* Country near *Sierra Leone* in *Africa*, for the more effectual Suppression of the Slave Trade. [14th *August* 1855.]

'WHEREAS on the Thirty-first *March* One thousand eight hundred and fifty-three an Engagement 'was concluded between *Arthur Edward Kennedy* Esquire, Governor of the Colony of *Sierra* 'Leone, on behalf of Her Majesty, and certain Chiefs of the *Sherbro* Country, namely, *Careybah Caulker*, 'Chief of *Bombey*, and *Thomas Stephen Caulker*, Chief of the *Plantain Islands*, *Pierre Charley*, King of 'Sherbro, *Harry Tucker*, Chief of *Shebar*, and *William Tucker*, Chief of *Bullom*, and *Boom* Rivers: 'And whereas on the Ninth, Nineteenth, and Twenty-first *May* One thousand eight hundred and fifty-'three certain other Engagements were concluded between the said *Arthur Edward Kennedy*, Governor 'of the said Colony, on behalf of Her Majesty, and certain other Chiefs of the *Sherbro* Country, namely, 'Ibiboo Salifoo, Chief of "Jong," Mahamadoo Calipha, Chief of Barmah, Cabouka, Chief of Bagroo, 'Pah Rakey, Chief of Baly, Somaaker, Chief of Tassamankar, Soloko, Chief of Robannah: And whereas 'on the Seventeenth Day of *April* One thousand eight hundred and fifty-four another Engagement was 'concluded between the said *Arthur Edward Kennedy*, Governor of the said Colony, on behalf of Her 'Majesty, and a certain other Chief, namely, *John Fortune;* by which said several Engagements it was 'amongst other things agreed as follows: "The Cruizers of the *British* Government, or any Officer '"deputed by his Excellency the Governor of *Sierra Leone*, whenever they fall in with any Vessels '"or Boats belonging to the People of *Sherbro*, suspected of being engaged in the Slave Trade, may '"detain and search them, and in case of their finding that any of the Vessels or Boats aforesaid belonging '"to the People of *Sherbro* have violated this Engagement, by the Exportation of Slaves from the Coasts '"of *Africa* or elsewhere, they (the Government Cruizers, or Officers deputed by his Excellency the '"Governor of *Sierra Leone*,) may seize and confiscate the same, and the Vessels and Boats so seized '"shall be taken to *Sierra Leone*, to be tried by *English* Law, and when condemned shall be sold, and '"the Produce of the Sale shall be divided equally between the Queen of *England* and the Chief or '"Chiefs of *Sherbro*, and the Slaves who were found on board shall be made free:" And whereas it is

' expedient that effectual Provision should be made for carrying into execution the herein-before recited ' Provisions of the said several Agreements :' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Power for Commanders of Ships of War, &c. to visit and inspect, &c. Vessels belonging to the Sherbro Chiefs.

I. It shall be lawful for the Commanders and other Officers of Her Majesty's Ships of War, or for any Officer deputed by the Governor of *Sierra Leone*, to detain and search in any Seas any Vessel or Boat belonging to *Careybah Caulker*, Chief of *Bombey*, and *Thomas Stephen Caulker*, Chief of the *Plantain Islands*, *Pierre Charley*, King of *Sherbro*, *Harry Tucker*, Chief of *Shebar*, *William Tucker*, Chief of *Bullom* and *Boom* Rivers, *Ibiboo Salifoo*, Chief of "*Jong*," *Mahamadoo Calipha*, Chief of *Barmah*, *Cabouka*, Chief of *Bagroo*, *Pah Rakey*, Chief of *Baly*, *Somanker*, Chief of *Tassermanker*, *Soloko*, Chief of *Robannah*, and *John Fortune*, or to any of their Subjects, which shall upon reasonable Grounds be suspected of being engaged in the Slave Trade, and to send or carry away such Vessel or Boat, together with its Master, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

As to the Trial and Condemnation of Vessels engaged in the Slave Trade.

II. It shall be lawful for the High Court of Admiralty of *England*, and for all Courts of Vice-Admiralty in any Dominions of Her Majesty beyond the Seas, to take cognizance of and try any such Vessel or Boat, which shall be detained or captured for the Violation of the said Engagements, and to condemn any such Vessel or Boat to Her Majesty, and adjudge as to the Slaves found therein, in like Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by *British*-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

Persons giving false Evidence deemed guilty of Perjury.

III. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagement or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in *England;* and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of *Middlesex.*

In case of Prosecution in England, Venue may be laid in Middlesex.

Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

IV. The Pendency of any Suit or Proceeding instituted for the Condemnation or Restitution of any Vessel, Boat, or Cargo, or Slaves taken, seized, or detained by virtue of the said Agreement, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Vessel, Boat, or Cargo, or of any Damage or for any Injury sustained thereby or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the Provisions of the said Agreement.

Vessels condemned to be sold for Her Majesty's Service or broken up.

V. Any Vessel or Boat which shall be condemned as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors entitled to the Proceeds belonging to Her Majesty.

VI. Where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Engagements, shall be seized by any Ship or Vessel belonging to Her Majesty, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

Payment of Bounty for Slaves captured.

VII. There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Vessel or Boat taken and condemned in pursuance of the Provisions of the said Agreement and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order, by any Order in Council, made or to be made, or by any Proclamation for that Purpose.

Additional Bounty on Tonnage of Slave Ships captured and demolished.

VIII. Where any Vessel or Boat which shall have been seized and condemned under the Provisions of the said Engagements shall have been or shall be demolished, and the Materials thereof publicly sold in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, in addition to the Amount of the Proceeds of such Sale, as herein-before mentioned, a further Bounty on the Tonnage of such Vessel or Boat at the Rate of Thirty Shillings for every Ton of such Tonnage.

IX. Where

IX. Where any Vessel or Boat, having no Slaves on board, shall have been seized and condemned under the Provisions of the said Engagements, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of *British* Vessels, either by the Principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided always, that in every Case in which any Vessel or Boat shall be seized with Slaves on board in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead of the Bounty which would be payable upon the Number of Slaves on board.

Where no Slaves are on board a Ship seized and condemned, an additional Bounty on Tonnage to be paid.

X. All Bounties payable under this Act shall be paid out of such Monies as may be provided by Parliament to the Commanders, Officers, and Crews of Her Majesty's Ships, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Money for Bounties to be provided by Parliament.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Vessel or Boat so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy duly certified of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Proof of Tonnage.

XII. In order to entitle the Captors to receive the said Bounty Money on Slaves, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Copy of Sentence of Condemnation to be produced to the Treasury.

XIII. Where any Slaves or Persons treated as Slaves shall be seized on board any Vessel or Boat taken and condemned in pursuance of the said Agreement and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of One Moiety of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

One Moiety of the Bounty only to be paid in certain Cases.

XIV. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any Vessel confiscated in pursuance of the Provisions of the aforesaid Agreement, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf, and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

Parties claiming Benefit under this Act may resort to Court of Admiralty.

XV. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to *Greenwich Hospital*, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of War.

Regulations, &c. respecting Agents Accounts extended to Bounties, &c. under this Act.

XVI. Where any Vessel or Boat belonging in whole or in part to either of the before-mentioned Chiefs, or his Subjects or Dependants, shall have been detained and brought to Adjudication under the Provisions of this Act, and the said Ship shall be restored by Sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, to direct Payment to be made out of such Monies as may be provided by Parliament of any Costs or Damages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer from his Liability to make good the Payment so made, when lawfully called upon, either by the Parties interested therein or by Order of the said Commissioners of Her Majesty's Treasury.

Power to order Payment of Costs awarded for Vessels detained but not condemned.

XVII. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships, and Judgment shall be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant to direct Payment to be made out of such Monies as may be provided by Parliament of such Costs and Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

Treasury may repay to Seizor of any Vessel not condemned the Expenses incurred by him.

CAP. LXXXVI.

An Act for securing the Liberty of Religious Worship. [14th *August* 1855.]

'WHEREAS it is expedient that the Laws affecting Assemblies for Religious Worship should be amended: And whereas by an Act passed in the First Year of King *William* and Queen *Mary*, intituled *An Act for exempting Their Majesties Protestant Subjects dissenting from the Church of* England *from the Penalties of certain Laws*, it is enacted that no Congregation or Assembly for Religious Worship shall be permitted or allowed until the Place of such Meeting shall be certified and registered

1 W. & M. Sess. 1. c. 18.

52 G. 3. c. 155.

'registered or recorded as described in such Act: And whereas by an Act passed in the Fifty-second 'Year of King *George* the Third, Chapter One hundred and fifty-five, intituled *An Act to repeal certain 'Acts, and to amend other Acts, relating to Religious Worship and Assemblies, and Persons teaching or 'preaching therein*, it is enacted that no Congregation or Assembly for Religious Worship of Protestants '(at which there shall be present more than Twenty Persons, besides the immediate Family and Servants 'of the Person in whose House or upon whose Premises such Meeting, Congregation, or Assembly shall 'be had,) shall be permitted or allowed unless the Place of such Meeting is certified as described in such 'Act, and that every Person who shall knowingly permit or suffer any such Congregation or Assembly 'as aforesaid to meet in any Place occupied by him, until the same shall have been so certified, shall 'forfeit for every Time any such Congregation or Assembly shall meet a Sum not exceeding Twenty 'Pounds nor less than Twenty Shillings, at the Discretion of the Justices who shall convict for such 'Offence:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

No Prosecution to be maintainable for assembling for Religious Worship in a Place of Meeting not certified.

I. From and after the passing of this Act, nothing contained in the above-mentioned Acts, or in an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Thirty-six, shall apply to the Congregations or Assemblies herein-after mentioned, or any of them; that is to say,

(1.) To any Congregation or Assembly for Religious Worship held in any Parish or any Ecclesiastical District, and conducted by the Incumbent, or in case the Incumbent is not resident, by the Curate of such Parish or District, or by any Person authorized by them respectively:

(2.) To any Congregation or Assembly for Religious Worship meeting in a private Dwelling House or on the Premises belonging thereto:

(3.) To any Congregation or Assembly for Religious Worship meeting occasionally in any Building or Buildings not usually appropriated to Purposes of Religious Worship:

And no Person permitting any such Congregation to meet as herein mentioned in any Place occupied by him shall be liable to any Penalty for so doing.

Construction of certain Parts of 2 & 3 W. 4. c. 115. and 9 & 10 Vict. c. 59. as to Places of Worship of Roman Catholics and Jews.

II. So much of an Act passed in the Second and Third Years of King *William* the Fourth, Chapter One hundred and fifteen, as enacts that Her Majesty's Subjects professing the Roman Catholic Religion, in respect to their Places for Religious Worship, shall be subject to the same Laws as the Protestant Dissenters are subject to, and so much of an Act passed in the Ninth and Tenth Year of Her present Majesty, Chapter Fifty-nine, as enacts that Her Majesty's Subjects professing the Jewish Religion, in respect to their Places for Religious Worship, shall be subject to the same Laws as Protestant Dissenters are subject to, shall be respectively read as applicable to the Laws to which Protestant Dissenters in *England* are subject for the Time being after the passing of this Act.

CAP. LXXXVII.

An Act to amend the Act for the better Care and Reformation of Youthful Offenders, and the Act to render Reformatory and Industrial Schools in *Scotland* more available for the Benefit of Vagrant Children. [14th *August* 1855.]

17 & 18 Vict. c. 86.

'WHEREAS it is expedient to amend the Act of the last Session of Parliament, Chapter Eighty-six, "for the better Care and Reformation of Youthful Offenders in *Great Britain*," so far as respects 'the Provision thereby made for charging the Parent or Step-Parent of an Offender in certain Cases 'with Payments towards his Maintenance or Support:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

ss. 5. & 6. repealed.

I. Sections Five and Six of the said Act shall be repealed.

Provision for enforcing Contribution by Parents to the Maintenance of Juvenile Offenders in Reformatory Schools.

II. In every Case in which any Juvenile Offender shall be detained in a Reformatory School under the said Act, the Parent or Step-Parent, if of sufficient Ability, shall be liable to contribute to his Support and Maintenance a Sum not exceeding Five Shillings a Week; and it shall be lawful in *England* and *Wales* for any Two Justices of the Peace, upon the Complaint of any Person authorized by One of Her Majesty's Principal Secretaries of State to take Proceedings in that Behalf, to summon the Parent or Step-Parent, as the Case may be, and examine into his or her Ability, and (if on Consideration of all the Circumstances of the Case they think fit) to make an Order upon him or her for such weekly Payment, not exceeding Five Shillings *per* Week, as they shall think reasonable, during the whole or any Part of the Detention of such Juvenile Offender in such Reformatory School, such Payment to be made at such Times as by such Order may be directed to the Person so authorized to take Proceedings as aforesaid, or to such Person as the Secretary of State may from Time to Time appoint to receive the same, and by him to be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

Recovery of Sums ordered to be paid.

III. In case Default be made for the Space of Fourteen Days in Payment of any Sum of Money which may have become payable by such Parent or Step-Parent under such Order, such Sum of Money shall in every such Case be levied upon the Goods and Chattels of the Defendant by Distress and Sale thereof; and if it shall appear to the said Justices on Confession of Defendants or otherwise, or if it shall be returned

returned to the Warrant of Distress in any such Case that no sufficient Goods of the Party against whom such Warrant shall have been issued can be found, it shall be lawful for the Justice to whom such Return is made, or for any other Justice of the Peace for the same County, Riding, Division, Liberty, City, Borough, or Place, by his Warrant as aforesaid, to commit the Defendant to the House of Correction or Common Gaol for any Term not exceeding Ten Days, unless the Sum to be paid, and all Costs and Charges of the Distress, and of the Commitment and conveying of the Defendant to Prison, (the Amount thereof being ascertained and stated in such Commitment,) shall be sooner paid.

Contribution how to be enforced in Scotland.

IV. In *Scotland* an Action for Payment of Sums for the Support and Maintenance of a Juvenile Offender under the said Act shall and may be raised before the Sheriff or any Two Justices of the Peace within the County in which Sentence was passed on the Offender, or in which the Defender in such Action may happen to reside; and such Action shall and may be brought by the Procurator Fiscal of the Sheriff Court of such County, and by no one else; and it shall be lawful for the Sheriff or Justices before whom such Action is brought to inquire into the Circumstances of the Party sued, and to decern for Payment of such weekly Sum not exceeding Five Shillings *per* Week during the Period of Detention of such Offender as he or they shall think fit, or, in his or their Discretion, to dismiss the Action; and such Decree for Payment of a weekly Sum shall be held to be and have all the Effect of a Decree in each Week for Payment of the Sum ordered to be paid for such Week; and the Sums recovered shall be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

Payments may be remitted by Secretary of State or Lord Advocate.

V. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Scotland* for the Lord Advocate, from Time to Time, where such Secretary of State or Lord Advocate shall in his Discretion think fit, to remit all or any Part of any weekly Payment which may have been made payable by any Order under this Act.

In Scotland Justices to have same Power with Sheriff.

VI. In *Scotland* any Two or more Justices of the Peace shall within the Bounds of their Jurisdiction have the same Powers as are by the said recited Act conferred on any Sheriff, Magistrate of a Burgh, or Police Magistrate.

Powers given to Sheriffs, &c. under 17 & 18 Vict. c. 74. may be exercised by Justices.

VII. 'And whereas by the Act of the last Session of Parliament, Chapter Seventy-four, intituled '*An Act to render Reformatory and Industrial Schools in* Scotland *more available for the Benefit of* 'Vagrant Children, certain Powers are given to be exercised in *Scotland* by Sheriffs or Magistrates:' Be it enacted, That all such Powers may be exercised by any Justice of the Peace in *Scotland* within the Limits of his Jurisdiction; and the Word "Magistrate" as used in the said last-mentioned Act shall be deemed to include the Words "Justice of the Peace."

CAP. LXXXVIII.

An Act to facilitate the Erection of Dwelling Houses for the Working Classes in *Scotland*.

[14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons proposing to form Association for erecting or improving Dwelling Houses under Act to apply to Sheriff for his Sanction.

I. When any Four or more Persons associating for the Purpose of erecting new or improving already existing Dwelling Houses for the Working Classes in *Scotland* shall have subscribed the Amount of the whole Capital requisite for carrying out the contemplated Undertaking, and framed a Contract of Copartnery, containing Provisions for the Management of the Affairs of the Association, and Rules for the Upholding and Occupation of the Houses, and for letting and granting Tacks of the same, it shall be lawful for such Persons to present a Petition to the Sheriff, or if within any of the Burghs as to which it is provided in the Third and Fourth of *William* the Fourth, Chapter Seventy-six, that the Dean of Guild elected in the Manner mentioned in the said Act should *ex officio* be a constituent Member of the Town Council, and enjoy the Powers and exercise the Functions theretofore enjoyed and exercised by Deans of Guild, then to such Dean of Guild, praying to have such Contract sanctioned by him and registered as after mentioned, provided that along with such Petition there shall be lodged the Plans and Specifications of the intended Erections or Improvements, and an Estimate of the Cost thereof, including the Cost of the Site and of the Buildings, if any, thereon.

Sheriff, if satisfied with Contract, Plans, &c. may interpone his Sanction and grant Warrant for recording the Contract and proceeding with the Undertaking.

II. The Sheriff or Dean of Guild, after such Inquiry as he may deem necessary, if satisfied that the Provisions of the Contract of Copartnery and the Rules therein contained, either as originally framed or as altered or modified at his Sight, are suitable and proper, and consistent herewith and with Law, and that they sufficiently and properly provide for the upholding, Management, and Disposal of the said Dwelling Houses, and also for the Occupation thereof, and securing against over-crowding; and that due and sufficient Means are provided in the said Plans and Specifications for the proper Ventilation, Drainage, and Sewerage of the intended Dwelling Houses and for the Supply of Water thereto, and that the Capital subscribed is sufficient for the Completion of the Undertaking, shall grant Warrant for the Erection or Improvement of the proposed Dwelling Houses, and for registering the said Contract in the Sheriff Court Books or Burgh Court Books respectively, and such Contract shall, on the Production to the Sheriff Clerk or Town Clerk of a Deposit Receipt or Certificate showing that One Half of the subscribed Capital has been paid up and lodged in Bank for the Purposes of the Undertaking, be registered therein accordingly.

III. On

On Registration, the Members of the Association and their Successors to subsist as an Association for the Purposes of the Act, subject to only a limited Liability for Debts, &c.

III. On the Registration of the Contract as aforesaid, the then Shareholders or Members in any such Undertaking, and all succeeding Shareholders or Members, whilst Shareholders or Members, shall subsist as an Association by the Name or Title set forth in the Contract, for the following Purposes, namely, for acquiring, holding, and managing the Property and Effects of the Association in the Name or Title thereof, and for erecting or improving and afterwards upholding the Dwelling Houses described in the Specification and Plans, and for letting or disponing in Tack such Dwelling Houses, and for sueing and being sued, and entering into Contracts in the Name or Title of the Association: Provided always, that the Shareholders or Members of the Association shall be liable for the Debts, Contracts, and Engagements thereof to the Extent only of their Shares in the Capital Stock of the Association, which Capital Stock, with the Dividends allocated to the Shareholders or Members which may be at the Time unpaid, shall be alone liable for the Debts and Engagements of the Association.

Association may acquire Property and Sheriff may grant Warrant for Erection of additional Dwelling Houses.

IV. Any such Association as aforesaid whose Contract may have been registered as herein-before provided, desirous of erecting or of acquiring and improving additional Dwelling Houses for the Purposes aforesaid, may at any Time, and from Time to Time, apply to the Sheriff or Dean of Guild, by Petition, accompanied by Plans, Specifications, and Estimates as herein-before provided in regard to the Dwelling Houses before mentioned, for his Sanction and Warrant for the Erection or Improvement of such additional Dwelling Houses, subject to the Rules and Provisions contained in such Contract; and the Sheriff or Dean of Guild, if satisfied that all the Conditions herein-before required in reference to Dwelling Houses to be erected or improved under the original Application by the Association have been fulfilled in reference to such additional Dwelling Houses, may interpone his Sanction to the Erection or Improvement of such additional Dwelling Houses, and grant his Warrant accordingly, and the aforesaid Provisions in reference to the first-mentioned Dwelling Houses shall be applicable to such additional Dwelling Houses.

When Work duly executed Sheriff to declare so, and till then not lawful to let or dispose of Houses nor transfer Shares.

V. When the Buildings or Improvements set forth in the Plan and Specifications, whether under the original or any subsequent Petition by the Association, shall have been executed, the Sheriff or Dean of Guild shall, on Application by the Association, appoint the Dwelling Houses so erected or improved to be inspected at the Expense of the Association, and if satisfied that these have been duly executed in Terms of the Plans and Specifications, and on Proof that the Property of the said Dwelling Houses has been duly vested in the Association, free from Heritable Debt or Burden other than Feu Duty or Ground Annual, and other Right competent to the Superior or Recipient of the Feu Duty or Ground Annual, he shall pronounce an Interlocutor to that Effect, and until such Interlocutor shall have been pronounced it shall not be lawful for the Association or its Members to dispone in Tack, as after mentioned, any of the Dwelling Houses erected or improved by them, nor to assign or transfer any Share or Shares in such Association.

No Engagement lawful except for Purposes of Association or beyond Stock or Rents.

VI. It shall not be lawful to nor in the Power of the Association to enter into any Engagement except for carrying into effect the Objects thereof, nor for that Purpose beyond the Capital subscribed, nor afterwards beyond the Rents derived from Tenants which may be realized at the Time: Provided always, that if the Expense actually incurred in the Erection or Improvement of the said Dwelling Houses shall exceed the estimated Cost, it shall be lawful for the Association, with the Sanction of the Sheriff or Dean of Guild, although not specially provided for in the Contract, to increase their Capital Stock by such Amount as such Sheriff or Dean of Guild shall authorize, and to issue new Shares to the Extent thereof.

Title of Association to be effectual in perpetuity, without Renewal of the Investiture.

VII. When the Association shall have made up their Title in common Form to the Lands, Houses, or other Subjects acquired by them, their Infeftment therein, duly recorded, shall constitute a valid and effectual Title to them and their Successors in all Time to come, without the Necessity of any Renewal of the Investiture: Provided always, that where no Agreement shall have been made with the Superior for a periodical or other Payment in lieu of the Casualty or Composition payable upon the Entry of Heirs and singular Successors, it shall be lawful for such Superior at the Death of the existing Vassal, and at the Expiration of every Twenty-five Years thereafter, so long as such Property shall be held for the Purposes of such Contract as aforesaid, to demand and take from the Association or their Successors a Sum equal to the yearly Feu Duty over and above the Feu Duty which may at the Time be due.

Rules in Contract to be Real Burdens on the Property.

VIII. The Rules anent the disponing in Tack, letting, and Occupation of the said Dwelling Houses contained in the Contract registered as aforesaid shall be Real Burdens on and affecting the said Houses and other Subjects of the Association, and shall be in all Time coming binding upon the Association, and all Parties in their Right, and upon every Owner and Occupant of the said Dwelling Houses, and it shall be competent to the Association, or the Procurator Fiscal, or the Owner or Occupant of any of the Lots or Portions of the Buildings, to enforce Observance of such Rules against any Party infringing or not implementing the same by summary Process before the Judge Ordinary of the Bounds; and the Sheriff and Dean of Guild shall have Power from Time to Time, on the Application of the Association, or of a Majority of the Owners, to alter, amend, and modify such Rules as to him shall seem just, but consistently always with the Provisions of this Act, and all Alterations so made shall be recorded in the Sheriff Court Books or Burgh Court Books, and the Rules so altered, amended, or modified shall thenceforward be binding and enforcible as aforesaid.

Shares deemed Moveable Estate.

IX. All Shares of the subscribed Capital Stock of such Association shall be held to be Moveable or Personal Estate.

X. All

As to Transfer of Shares.

X. All Transfers of such Shares shall be made and registered in the Manner prescribed by the Contract, provided that every such Transfer shall specify the full and true Purchase Money or Consideration for the same, and shall be duly stamped to denote the Duty chargeable thereon; and the Books in which the Names of the Shareholders, with their Designations and Places of Residence, and the Transfers of Shares are registered or entered, shall be open to Inspection to all Shareholders and others interested at such Times and on such Conditions as may be regulated by the Contract.

Contract may provide either that Houses may be held and let or that they may be disposed of in separate Lots.

XI. It shall be provided in such Contract as aforesaid, either that the Buildings erected or improved by the Association shall permanently be held and let by them without Grassums, and for Periods not exceeding Twenty-one Years, and that the Rents, after deducting necessary Expenses, shall always be divided among the Shareholders for the Time being, or that the Association shall have Power, after giving public Notice by Advertisement of its Intention in that Behalf, to dispone to Individuals, in Tack or Rental Rights as herein-after mentioned, separate Lots of the said Dwelling Houses for a Grassum or Price to be paid, together with a yearly Tack Duty which for each Lot shall be at least equal to a Proportion of the Feu Duty or Ground Annual, if any, payable for the Parcel of Ground whereon the Buildings of which such Lot forms a Part are erected, corresponding to the total Number of Lots into which the same may be divided, with Twenty-five *per Cent.* thereon in addition, and such Tack Duty in all Cases in which the Superior is entitled to a periodical Duplicand of the Feu Duty shall be subject also to Duplication for the Year in which such double Feu Duty is payable to the Superior.

Where Lots are provided to be disposed of, the Association to lodge with Sheriff Clerk a Plan and a Register Book for recording Transfers thereof.

XII. In all Cases in which it is provided by the Contract that Lots of the Buildings erected or improved may be so disposed, the Association shall, so soon as the Sheriff or Dean of Guild shall have pronounced an Interlocutor finding the Erection or Improvement of the Dwelling Houses as aforesaid to have been properly executed as herein-before provided, lodge with the Sheriff Clerk or Town Clerk an accurate Plan, on a Scale of not less than an Inch to each Twenty Feet, of such Dwelling Houses, exhibiting distinctly each separate Dwelling with its bounding Divisions, together with the Yard, Court, Garden, Green, or other Pertinents, if any, thereto belonging, and having each such separate Dwelling and Pertinents marked with a distinct Number legibly written or impressed on the said Plan, and also exhibiting any Yard, Court, Green, or other Pertinents which may be common to the Occupants of the Dwelling Houses; and the Sheriff or Dean of Guild, if satisfied of the accuracy of such Plan, and with its Distinctness as clearly exhibiting each separate Dwelling and the Pertinents aforesaid, shall, by a Docquet written thereon, or on each separate Sheet thereof when consisting of separate Sheets not joined together, and subscribed by him and bearing the Date at which the same is so subscribed, certify such Plan as the recorded Plan of the said Dwelling Houses; and the Association shall also lodge with the Sheriff Clerk or Town Clerk a Register or Rental Book having all the Pages duly and progressively numbered from Number One onwards, and having an equal Number of the whole Leaves thereof in proportion to the total Number of Dwellings appropriated for entering the Tack or Rental Right of each Dwelling respectively, and the Transfers thereof, and in the Order of the Numbers of such Dwellings as marked on the Plan, the Number of each Dwelling as so marked on the Plan being, in addition to the Number of the Page, legibly impressed or written on each Page of the several Leaves appropriated to each such Dwelling respectively, and this Book shall, of the same Date with that on which the Plan is docqueted, be certified by a Docquet subscribed by the Sheriff or Dean of Guild with the Date of his Subscription to be the Register or Rental Book for the Tacks or Rental Rights of the several Lots of the Buildings erected or improved by the Association under each separate Warrant as aforesaid, and the Transfers thereof; and the said Plan and Register Book shall permanently remain in the Custody of the said Sheriff Clerk or Town Clerk, and no Transfer of the Tack or Rental Rights of any such Lot or Dwelling House shall be valid or effectual unless entered as herein-after provided in the said Book.

Mode of disponing Lots by the Association.

XIII. Whensoever the Association shall grant to any Person a Tack or Rental Right of any of the Lots of their said Buildings, the same shall be so granted by an Entry at the Top of the First Page of the Leaves appropriated to the particular Lot or Dwelling to be so disponed in the Form of the Schedule (A.) hereunto annexed, subscribed, in Presence of the Sheriff Clerk or Town Clerk and Two Witnesses, by the Chairman or Clerk of the Association and by the Party accepting the Tack or Rental Right, or by some Person authorized by a written Mandate in the Form of the Schedule (B.) hereunto annexed to accept on his Behalf, and which Mandate shall be lodged with the Sheriff Clerk or Town Clerk, and recorded in the Sheriff Court or Burgh Court Books; and the said Sheriff Clerk or Town Clerk and the Two Witnesses shall attest the said Entry by their Subscriptions, and such Tack or Rental Right shall thereby be completed, and shall be valid and effectual notwithstanding of no Ish being stipulated thereto to the Party in whose Favour it shall have been granted, and to his Heirs and Assignees, who shall thenceforward be entitled to the perpetual Possession, Use, and Enjoyment of the Lot or Dwelling so disponed and the Pertinents thereof, if any, with the Share effeiring thereto of any common Privileges and Accommodations provided for or belonging thereto, subject always to the Rules and Conditions of the Contract, with Power to occupy, let, and transfer or assign the Right to such Lot or Dwelling, subject to such Rules and Conditions; and he and they shall not be liable for, nor shall the Lot or Dwelling itself, or the Furniture or Effects therein, be subject to any Charge, Debt, or Burden affecting the Buildings or Site thereof, or due by the Association, to any Extent beyond the Tack Duty payable for such Lot: Provided always, that this Provision shall not be construed as freeing such Owners

from any public or parochial Rates or Taxes to which they may be liable by Law in respect of their Right to or Occupation of such Lot or Dwelling, nor from any Restrictions, Limitations, or Conditions contained in the feudal Investiture, and to which they would otherwise in Law be subject, in so far as not expressly modified by this Act.

Recovery of Feu Duty.

XIV. If when Tacks or Rental Rights have been granted as aforesaid the Association, or the Owners in their Place, shall in any Year fail to make due Payment to the Superior in One Sum of the yearly Feu Duty or Duplicand thereof when claimable, such Superior shall be entitled to recover from each Owner the Tack Duty or Duplicand thereof payable by him for such Year, and in consideration of his Trouble and Expense in separately collecting the same to appropriate the whole of the Tack Duties to his own Use, notwithstanding their exceeding by Twenty-five *per Cent.* the Amount of Feu Duty or Duplicand to which he may have Right; but he shall not in any event be entitled to exact from any such Owner a greater Sum than the Tack Duty stipulated in his Tack or Rental Right, or the Duplicand thereof, as the Case may be; and no Poinding of the Ground shall be competent for the Recovery of any Feu Duty or Duplicand thereof, or of any Casualty or Ground Annual, from any Owner, except to the Extent of such Tack Duty or Duplicand thereof, as the Case may be.

Powers of Owners in repairing and rebuilding.

XV. The Owner of each separate Tenement, and the several Owners of the Lots or Dwellings in each separate Tenement, shall have Power to uphold, repair, and when necessary rebuild such Tenement, subject to the Rules herein-before mentioned; and the Resolutions of the Majority of such several Owners in all Matters concerning such repairing, upholding, and rebuilding, in so far as not inconsistent with such Rules, shall bind the Minority, and the Majority shall be entitled to sue the Minority for the Enforcement of such Resolutions by summary Process before the Sheriff or Dean of Guild, who shall have Power to determine the Proportion of the Cost of such repairing, upholding, and rebuilding to be borne by each Owner when disputed; and if the Association shall at any Time be dissolved or cease to exist, the Owners for the Time being of the Lots of the Dwelling Houses erected on any Parcel of Ground held by One Title and under a single Superior shall be deemed their Successors, to the Effect of constituting as a Society or Corporate Body the Vassal in such Ground, but without being subject to any further Obligation or Liability than is herein-before provided in regard to such Owners.

As to subsequent Transfers.

XVI. All Transfers of Tacks or Rental Rights to such Lots or Dwellings shall be made by Entry in the said Register or Rental Book under the Number of the Lot or Dwelling to be transferred as marked on the Plan, and next after the immediately preceding Transfer, in the Form of the Schedule (C.) hereunto annexed, and the same shall be subscribed in Presence of the Sheriff Clerk or Town Clerk and Two Witnesses, by the Party making and by the Party accepting the Transfer, or their respective Mandatories duly authorized by written Mandate lodged and recorded as aforesaid, and also by the said Sheriff Clerk or Town Clerk and Witnesses; and thereupon the Party in whose Favour such Transfer is made shall be vested with the Right transferred, as the same subsisted in the Party to whom it was originally granted by the Association when so originally conveyed, and free from all Burdens, Debts, and Claims through or in right of the Granter of the Transfer or any previous Owner.

Mode of registering Right of the Representative of a Party deceased.

XVII. Where any Party in right of any such Lot or Dwelling as aforesaid shall have died without executing a Transfer thereof in manner above mentioned, the Person claiming Right thereto, whether by Succession, or in virtue of any Deed of Settlement or Conveyance by the Deceased, shall apply to the Sheriff or Dean of Guild for his Warrant to be entered in the Register or Rental Book, as now in right of such Lot or Dwelling; and the Sheriff or Dean of Guild if satisfied, after such Intimation of the Application as he may deem proper, and hearing such Parties duly interested as may appear to oppose the same, that the Applicant is justly entitled to such Lot or Dwelling, shall, without any Service or other Process at Law, cause an Entry to that Effect in the Form of the Schedule (D.) hereunto annexed to be made in the Register or Rental Book under the Number of the Lot or Dwelling held by the Deceased, and next after the Transfer in favour of the Deceased, which Entry shall be subscribed by the said Sheriff or Dean of Guild and by the Sheriff Clerk or Town Clerk, and thereupon the full Right to such Lot or Dwelling, with the Pertinents and Privileges thereto belonging, shall be vested in such Applicant.

Inhibitions and Adjudications.

XVIII. Where any Party shall have used Inhibition or obtained Decree of Adjudication against the Owner of any such Lot or Dwelling as aforesaid, the Sheriff Clerk or Town Clerk shall, on the Letters of Inhibition or an Extract of the Decree of Adjudication being presented to him, make an Entry of the same on the Margin of the Register or Rental Book, opposite the Entry of such Owner's Right, specifying the Name of the Inhibiter or Adjudger, with the Date of the Inhibition or Adjudication, the Registers in which they are recorded, and the Date of recording, together with the Date of such Entry; and if such Inhibiter or Adjudger fail to get such Entry made, the Inhibition or Adjudication shall not affect or burden such Lot or Dwelling, or the Owner thereof in reference thereto, or any Purchaser from such Owner; but while such Entry of an Inhibition or Adjudication remains not marked as recalled or discharged, and the Sheriff Clerk or Town Clerk is hereby required so to mark it on legal Proof of Recal or Discharge being presented to him, no Transfer shall be entered by such Sheriff Clerk or Town Clerk, or, if entered, it shall not be available as against such Inhibiter or Adjudger; and where an Adjudger shall have obtained Decree of Declarator of Expiry of the Legal, it shall be lawful for him to apply to the Sheriff or Dean of Guild to be registered as the Owner in right of the Tack or Rental Right of his Debtor, and in like Manner it shall be lawful for any Adjudger in Implement, or for the Trustee on the sequestrated

sequestrated Estate of any Owner, to apply to the Sheriff or Dean of Guild to be registered as Owner in his Place, and the Sheriff or Dean of Guild shall, on Production to him of an Extract of the Decree of Declarator, or of Adjudication in Implement, or of a duly certified Copy of the Act and Warrant of Confirmation of such Trustee, cause an Entry in Form of the Schedule (E.) to this Act annexed to be inserted in the Register or Rental Book under the Number of the Lot or Dwelling belonging to the Debtor or Bankrupt, and next after the Transfer in his Favour, and thereupon the full Right to such Lot or Dwelling, with the Pertinents and Privileges thereto belonging, shall be vested in such Adjudger, Adjudger in Implement, or Trustee.

Each Dwelling shall constitute a distinct Lot not liable to Subdivision.

XIX. Each separate Dwelling shall constitute a distinct Lot, and shall consist of not less than Two nor more than Five Rooms with Fireplaces, and it shall not be competent or lawful to divide any of such Lots or Dwellings into Shares or separate Properties, but each Lot or Dwelling shall at all Times be transferred and pass whole and undivided.

Fees for recording Entries in Register Book.

XX. The several Entries aforesaid in the Register or Rental Book shall be written by the Sheriff Clerk or Town Clerk, or by a Clerk employed by him and under his Direction and Supervision, and such Sheriff Clerk or Town Clerk shall be entitled to charge and to receive for each First Grant of a Tack or Rental Right of any Lot or Dwelling, including the first Extract thereof, a Fee of Ten Shillings, and for each subsequent Transfer or Entry, including the first Extract thereof, a Fee of Five Shillings, and for the Entry of an Inhibition or Adjudication, or the marking of the Recal or Discharge thereof, a Fee of One Shilling respectively.

The Stamp Duties on Tacks and Transfers may be denoted by impressed or adhesive Stamps.

Adhesive Stamps to be adapted for certain Particulars.

XXI. The Stamp Duties by Law chargeable upon or in respect of the Tacks to be made in pursuance of this Act, and of the Transfers thereof, may be denoted either by Stamps impressed upon the Paper upon which the same are made or entered, or by adhesive Stamps to be provided by the Commissioners of Inland Revenue, and to be affixed thereto, and such adhesive Stamps shall be adapted for writing thereon the Name or Title of the Association, the Names of the Parties to the Instrument to which the same shall be affixed, and of the Sheriff Clerk or Town Clerk, and the Date of such Instrument or of the Entry thereof, and of the Number of the Lot or Dwelling to which the same relates as marked on the Plan; and every such Stamp at or before the Execution or signing of the Instrument to which the same shall be affixed shall be signed in the Places appropriated for the Purpose by the Persons who shall execute or sign such Instrument, and the Sheriff Clerk or Town Clerk, with their Names respectively (and shall be truly filled up with all such other Particulars relating to such Instrument for which the same shall be adapted); and in default the Instrument to which the same shall be affixed shall be deemed to be not duly stamped, and the Sheriff Clerk or Town Clerk who shall attest or sign any such Instrument upon or to which the full and proper Stamp Duty is not impressed or affixed according to the true Intent and Meaning of this Act shall forfeit the Sum of Twenty Pounds.

Register Book open to Inspection, and Extract of Entries to be received in Evidence.

XXII. The Register or Rental Book shall be open to Inspection, under such Regulations as the Sheriff or Dean of Guild may appoint, by all Parties desirous to search the same; and for every Search a Fee of One Shilling shall be payable to the Sheriff Clerk or Town Clerk in respect of each separate Lot or Dwelling as to which such Search shall be made; and the Sheriff Clerk or Town Clerk shall be bound to give to any Person demanding the same a certified Extract of any Entry in the Register Book on receiving for the Extract of each such Entry a Fee of Two Shillings and Sixpence, and such Extract shall bear Faith and be admissible in Evidence in any Court of Law or Equity, and when accompanied by a Certificate under the Hand of the Sheriff Clerk or Town Clerk that no subsequent Transference of the Lot or Dwelling to which it applies appears on the Register Book, it shall be sufficient Proof that the Person therein set forth as the Party to whom such Lot or Dwelling has thereby been transferred is the Owner of such Lot or Dwelling.

Power to acquire dilapidated or noisome Buildings in Towns.

XXIII. Where there shall exist within a Town or Burgh any Building or Range or Block of Buildings which, by reason of Faults in their original Construction or of the State of Dilapidation into which they may wholly or partially have fallen, are unsuitable for Dwelling Houses, and the Occupation of which in their existing State and Condition is attended with Risk of Injury or Disease to the Inhabitants or the Neighbourhood, or which, by reason of the Abandonment of the whole or Part thereof by the Parties having the legal Title thereto, or of Uncertainty or Ignorance as to who such Parties may be, may have become a Receptacle or Place of Harbourage for Persons of dissolute and vicious Character, or in any way a Nuisance to the Neighbourhood, it shall be lawful for any such Association as aforesaid desirous of acquiring the same for the Purpose of improving and repairing such Buildings, or of erecting new Dwelling Houses on the Site thereof, for Dwellings for the Working Classes under this Act, to apply to the Magistrates and Town Council of the Town or Burgh for their Consent to the Application to the Court of Session herein-after mentioned; and the said Magistrates and Town Council, if satisfied, upon such Inquiry as they may think necessary, the Expense of which shall be borne by the said Association, that the State of such Building or Block of Buildings, from One or more of the Causes above mentioned, gives Occasion to the Risk of Injury or Disease to the Inhabitants or Neighbourhood, or that they afford Harbourage to Persons of a vicious or dissolute Character, or otherwise constitute a Nuisance to the Neighbourhood, may require the Proprietors or reputed Proprietors of such Buildings, or their Factors or Agents, so far as such Proprietors, reputed Proprietors, Factors, or Agents, may be known, within Three Months after Requisition made to them to grant Obligation to execute, within such reasonable

Time as the Magistrates and Town Council may fix such Operations in the way of rebuilding, altering, repairing, draining, or otherwise, as the said Magistrates and Town Council may deem necessary for the Avoidance of such Risk or Nuisance in Time to come, and also to find Security to their Satisfaction that such Buildings shall not thenceforward be allowed to afford such Harbourage as aforesaid; and if within the said Three Months no such Obligation be granted, or no such Security be found, or if within the Period fixed by the said Magistrates and Town Council such Obligation, if granted, shall not be implemented, it shall be lawful for them to give such Consent as aforesaid, and on such Consent being given it shall be lawful for such Association to apply by summary Petition to the Court of Session, in either of its Divisions, for Authority to acquire such Building, or Range or Block of Buildings, for the Purposes aforesaid or either of them, at a Price to be fixed in manner herein-after provided, and to have the same adjudged to them for such Purposes.

Court may remit to Sheriff to ascertain Value.

XXIV. On such Petition being presented the said Court shall order Service thereof upon the Proprietors or reputed Proprietors of the Property sought to be acquired, or their Factors and Agents, so far as such Proprietors, reputed Proprietors, or Factors may be known and such Intimation by public Advertisement as they shall deem proper; and after hearing any of such Proprietors as may make Compearance, and after such Inquiry by Report of skilled Men or otherwise as they may see fit, the Expense whereof shall be borne by the Association, if satisfied that the State of the Buildings sought to be so acquired gives Occasion to the Risk of Injury or Disease to the Inhabitants or Neighbourhood, or that they afford Harbourage to Persons of dissolute or vicious Character, or otherwise constitute a Nuisance to the Neighbourhood, and that it would be for the public Advantage that the said Buildings or any Portion thereof should be acquired for and appropriated to the Purposes aforesaid, they shall pronounce an Interlocutor containing their Finding to such Effect, and remitting to the Sheriff to take Steps for having a Price or Value put upon the same; and if the said Court shall refuse such Petition they shall have Power to award against the Association to any Parties appearing and opposing the same the whole or such Part of the Expenses incurred by them as to the said Court shall seem just.

Sheriff to ascertain Value according to Provisions of Land Clauses Act.

XXV. On the Remit so made being presented to the Sheriff, he shall forthwith proceed to have the Price or Value of the said Buildings and Site thereof determined according to the Provisions for determining the Value or Compensation to be paid for Lands and Heritages taken for public Undertakings contained in an Act passed in the Eighth and Ninth Years of Her Majesty, Chapter Nineteen, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature in* Scotland: Provided always, that a separate Price shall be ascertained for every Part or Portion of such Buildings known to belong to distinct Proprietors.

Value or Price, when ascertained, to be lodged in Bank in Name of Accountant of Court of Session, and Court thereupon to adjudge Property to Association.

XXVI. When such Price or Value shall thus have been fixed, the Association shall within Fourteen Days thereafter pay into any of the chartered Banks of *Edinburgh* the Amount so fixed, with an additional Sum on the Price of each separate Property, conform to the Rates set forth in the Schedule (F.) to this Act annexed, to provide for the Expenses herein-after mentioned, the Money so lodged being placed to the Credit of the Accountant for the Time being of the Court of Session; and the Association shall further lodge with the Accountant Certificates of a complete Search of Incumbrances in reference to each such Property; and on such Accountant reporting to the Court that the Money has been so lodged, and that a Receipt therefor in his Name has been delivered to him, and that Certificates of a complete Search of Incumbrances as aforesaid have also been lodged with him, the said Court shall adjudge and decern the Buildings aforesaid and Site thereof, or such Portion of the same as they may have found it for the public Advantage to be acquired as aforesaid, and the Price or Value of which has been duly lodged in the Bank as herein-before provided, to belong to the Association for the Purposes aforesaid, and on an Extract of their Decree being recorded in the General or Particular or Burgh Register of Sasines, which the Keeper of such Register is hereby required to record on Payment of the usual Fees when the same is presented to him, the absolute Right of Property in and to the said Buildings and the Ground whereon they stand, with the Pertinents and Appurtenances thereof, shall be vested in the said Association and their Successors without any other Title, and these shall thenceforward belong to and be held by the said Association and their Successors for the Purposes foresaid, free from all Right of Challenge on the Part of any Person claiming to have been the true Owner thereof, or to be in right of the true Owner, and free from all Heritable Securities or Burdens other than any Feu Duty or Casualty payable to the Superior, or any Right of Servitude belonging to the Proprietors of neighbouring Tenements: Provided always, that where no Agreement shall have been made with the Superior for a periodical or other Payment in lieu of the Casualty or Composition payable upon the Entry of Heirs and Singular Successors, it shall be lawful for such Superior, at the Death of the existing Vassal, and at the Expiration of every Twenty-five Years thereafter, so long as such Property shall be held for the Purposes aforesaid, to demand and take from the Association or their Successors a Sum equal to the yearly Feu Duty over and above the Feu Duty which may at the Time be due; and the Money lodged as aforesaid as the Price or Value of such Buildings, and the Site thereof, or of any Part of the same, shall be a Surrogate for the Buildings themselves, and Site thereof, or Portion thereof respectively, to the Proprietors and all Parties claiming any Heritable Right, Burden, or Security in or over the same; and such Money, till paid as herein-after mentioned, shall be subject to all Claims by such Proprietors or other Parties to which the Buildings, and Site or Portion thereof, if not acquired as aforesaid, would have been subject.

XXVII. So

Accountant to receive Claims on Money lodged;

XXVII. So soon as the Decree of Adjudication shall have been pronounced as aforesaid, the Accountant of the Court of Session shall, by such special Intimation and public Advertisements as he shall deem proper, the Expense of which Intimation and Advertisements shall be defrayed out of the Per-centage herein-before mentioned, call all Parties claiming to be Proprietors or to be entitled to any Annuity, Heritable Debt, or other Burden out of the Buildings aforesaid or Rents thereof, to compear before him by themselves or their Agents, and to lodge with him a written Statement of their Claim, together with the Titles or other Deeds or Writings establishing the same, and such Parties shall be entitled to apply, by Motion to the Division of the Court of Session in which the Petition for Adjudication shall have depended, for a Diligence to recover such Titles, Deeds, or Writings necessary to establish their Claim as may not be in their own Possession, and the said Court shall do thereon as shall seem to them to be just.

and to prepare a Scheme of Division.

XXVIII. On receiving the Claims which shall be so lodged, with the Titles, Deeds, and Writings produced, the said Accountant shall consider the same, and shall have Power to call for such Explanations or further Productions, and to take such Assistance by the Opinion of professional or skilled Persons as he may deem necessary, and to hear competing Parties, if any such appear before him; and thereupon he shall prepare a Scheme of Division and Payment of the said Price or annual Proceeds thereof, according to the respective Rights and Interests of the Parties, as to those Portions of the Price to which, or to the annual Proceeds whereof, he is satisfied that a valid Right has been instructed; and he shall append to such Scheme a Statement of those Portions of the Price to which, in his Opinion, no valid Right has been instructed, or in regard to which no Claim may have been made, or which may be required to satisfy or secure any Rights appearing from the Search of Incumbrances, and remaining undischarged, as to which no Claim has been entered or established, and he shall cause public Notice, by such Advertisement as he may deem proper, to be made, that the said Scheme has been prepared, and that it lies for Inspection at his Office, or at some other suitable Place appointed by him for that Purpose; and the said Scheme shall accordingly lie there, open for Inspection to all Parties interested for a Period of not less than Three Weeks from the Date of the First Advertisement.

Party dissatisfied with Scheme may appeal to Court of Session.

XXIX. It shall be competent for any Claimant or Party competing who shall be dissatisfied with the proposed Scheme of Division, to appeal against the same, so far as objected to by him, by Note to the Division of the Court of Session in which the Petition for Adjudication depended; and the said Court, after hearing Parties, shall dispose of the said Appeal and the Expenses thereof as to them shall seem just.

Accountant to divide Price, retaining the Amount unclaimed or to which no Right made good.

XXX. At the Expiry of the Period allowed for the Inspection of the Scheme of Division as aforesaid, the said Accountant shall grant Orders on the Amount lodged in Bank in his Name as aforesaid, for Payment of the Sums set forth in the said Scheme of Division, or the annual Proceeds thereof, as to which no Appeal has been taken, in favour of the Parties to whom those have been allotted in the said Scheme, and so soon as any Appeals that may have been taken shall have been disposed of by the said Court, he shall grant Orders for Payment of such Sums as may have been the Subjects of such Appeal in accordance with the Judgments of the Court pronounced thereupon; and in regard to any Portions of the Price as to which no Claim may have been made, or which he may have considered necessary to satisfy or secure Rights appearing from the Search of Incumbrances, or as to which he may have found that no valid Right has been instructed, and his Finding to this Effect may not have been appealed against, or, if appealed against, may have been adhered to by the Court, the said Portions of the Price shall be retained by him, subject to the Directions of the Court in regard to its Investment, till a valid Right shall have been instructed: Provided always, that it shall be competent for any Party conceiving himself to have Right thereto to lodge with the said Accountant at any Time thereafter his Claim, which, after being publicly intimated by such Party as the said Accountant may direct, shall be dealt with and disposed of in the Manner herein-before provided as to the Claims originally lodged as aforesaid.

Expenses of Procedure.

XXXI. The Expense of Advertisements and Intimations required as aforesaid to be made by the said Accountant, and of taking any Opinion of professional or skilled Men which he may deem necessary, and of framing and reporting to the Court the Scheme of Division, shall be defrayed by him out of the Sum beyond the Price to be deposited as herein-before mentioned, and any Balance thereof remaining after such Scheme has been framed shall be repaid by him to the Association, and any further Sum which may be required to meet such Expenses shall be paid by the Association; and as to all other Expenses of the respective Claimants and Objectors, the Court shall have Power to award Payment thereof by and to such Persons as to the said Court may seem just.

Accountant yearly to lay before Court a State of retained Monies.

XXXII. The said Accountant shall annually lay before the First Division of the Court of Session a State of the Monies lodged in his Name under this Act, and not paid away and distributed as aforesaid, and the said Court shall give such Directions as to the Investment thereof, and of the accruing Interests, and as to the Publication of such State as to them may seem proper, the Expense of such Publication being defrayed out of such accruing Interest.

Interest on Monies in Bank to be added to Capital yearly.

XXXIII. Every Bank with which any of the Monies aforesaid shall be deposited in Name of the said Accountant shall, once at least in every Year, accumulate the Interest with the Principal Sum, so that both shall thereafter bear Interest together as Principal; and any Bank failing so to do shall be liable to account as if such Money had been so accumulated.

XXXIV. It

Sheriff may in certain Cases sanction the Disposal of the Buildings for other Objects.

XXXIV. It shall be lawful for any such Association as aforesaid, at any Time after the Lapse of Ten Years from the Date of any Warrant authorizing the Erection or Improvement of any Dwelling Houses under this Act, to present to the Sheriff or Dean of Guild an Application praying for his Authority to sell and dispone the Dwelling Houses erected or improved under such Warrant free from the Rules of the Contract recorded as aforesaid, and from the Provisions of this Act: Provided always, that Votes to the Extent of Four Fifths of the Shareholders, or where the Dwelling Houses shall have been disponed in Tack as aforesaid that the Consent of Four Fifths of the Owners of the Dwelling Houses proposed to be sold, shall have been given in favour of the Resolution to make such Application, and the Sheriff or Dean of Guild, if after hearing any Shareholder or Owner who may appear to oppose the same he shall be satisfied that from Change of Circumstances or other Causes the Objects of the Association will no longer be attained in reference to such Dwelling Houses, may pronounce an Interlocutor authorizing the same, with the Pertinents thereof, to be sold and disponed; and on such Interlocutor being recorded in the Register of Sasines in which the Infeftment of the Association was recorded, the Keeper of which is hereby required to record the same on Payment of the usual Fees, it shall be lawful for such Association to sell and dispone such Dwelling Houses and Pertinents and to grant Dispositions to the Purchaser or Purchasers in common Form, and such Purchaser or Purchasers shall thereupon acquire Right to and shall hold the same free from the Provisions and Rules of the Contract of the Association, and from the Provisions of this Act, and from any Right or Claim on the Part of any of the Shareholders of such Association, or of the Owners, or of any one claiming through or in right of any such Shareholder or Owner, and the Price or Prices of such Dwelling Houses shall, after Deduction of the Expense of selling, be divided at the Sight of the Sheriff or Dean of Guild among the Shareholders or Owners according to their respective Rights and Interests.

Short Title.

XXXV. This Act may be cited for all Purposes as "The Dwelling Houses (*Scotland*) Act, 1855."

Interpretation of Terms.

XXXVI. The Word "Sheriff" shall mean and include the Sheriff and Sheriff Substitute of the County in which the Property held or proposed to be acquired by the Association is situate; and the Words "Sheriff Clerk" shall include the Sheriff Clerk Depute as well as the Sheriff Clerk Principal, and shall mean, where there are Two or more Wards in any County, the Sheriff Clerk, Principal or Depute, officiating within the Ward in which such Property lies; "Dean of Guild" shall mean the Dean of Guild of the Burgh within which the Property held or proposed to be acquired by the Association is situate, such Burgh being always one of those referred to in the First Section hereof; "Town Clerk" shall mean and include the Town Clerk, Assistant Town Clerk, and Depute Town Clerk of such Burgh; "Owner" shall mean the Party for the Time being standing on the Register or Rental Book as in right of a Tack or Rental Right of any Lot or Dwelling forming Part of any Dwelling Houses erected or improved under this Act; and "Proprietor" shall mean any Person, Corporation, Trustee, or others who under the Provisions of the Lands Clauses Consolidation (*Scotland*) Act, 1845, are enabled as Owners to sell and convey Lands to the Promoters of an Undertaking.

Nothing to exempt Association from Provisions of future General Acts.

XXXVII. Nothing in this Act contained shall exempt any Association established under this Act, or the Rules in any Contract of Copartnery entered into under the same, from the Provisions of any Act or Acts passed in any future Session of Parliament for the better Regulation of such Associations.

SCHEDULES.

SCHEDULE (A.)

At in the County of this [*Date*] in Presence of the Sheriff Clerk [*or* Sheriff Clerk Depute *or* Town Clerk] and of the Witnesses hereto subscribing, we [*insert the Name of the Association*] constituted under the "Dwelling Houses (Scotland) Act, 1855," by a Contract sanctioned by the Sheriff [*or* Dean of Guild] of Date and recorded in the Sheriff [*or* Burgh] Court Books of Date , in consideration of the Grassum of hereby dispone in perpetual Tack or Rental Right to *A.B.* [*designing the Disponee*] that Lot of the Dwelling Houses erected [*or* improved] by us at [*Place and County, or Burgh, with Street if in a Town, and Parish if in a Country District,*] under Warrant dated , being Number of the same as marked on the Plan thereof docqueted of Date , at the yearly Tack Duty of [*Sum*] payable at Whitsunday [*or* Martinmas]. And I the said *A.B.* [*or, as the Case may be,* I, *L.M.*, Mandatory for the said *A.B.*, by Mandate dated and recorded in the Sheriff [*or* Burgh] Court Books of Date , on his Behalf] accept this Tack.

(Signed) *C.D.* Chairman, [*or* Clerk] of the Association on their Behalf.

(Signed) *A.B.*

(Signed) *E.F.* [*designing him with his Residence*] Witness.

(Signed) *G.H.* [*designing him with his Residence*] Witness.

Executed before me, with proper adhesive Stamp affixed,

(Signed) *I.K.* Sheriff [*or* Town] Clerk.

SCHEDULE (B.)

I, *A.B.* [*Designation*] authorize *C.D.* [*Designation*] to accept [*or* grant to *E.F.*] an Assignation to Lot, Number , of the Dwelling Houses erected by [*Name of Association*] at , under Warrant of Date , and to subscribe the Entry of such Transfer in the Register Book on my Behalf. [*Testing Clause according to the Form of the Law of Scotland.*]

SCHEDULE (C.)

At in the County of this [*Date*] in Presence of the Sheriff Clerk [*or* Sheriff Clerk Depute *or* Town Clerk] and of the Witnesses hereto subscribing, I, *A.B.*, [*Designation*] [*or, as the Case may be,* I, *G.H.* Mandatory for *A.B., designing him,* by Mandate dated and recorded in the Sheriff *or Burgh* Court Books of Date] in consideration of the Price of assign to *C.D.* [*Designation*] my Tack of Lot, Number , of the Dwelling Houses erected by [*Name of Association*] at [*Place*] under Warrant, dated , and I the said *C.D.* [*or, as the Case may be,* I, *E.F.*, Mandatory for the said *C.D.*, by Mandate, dated and recorded in the Sheriff [*or* Burgh] Court Books of Date on his Behalf,] accept this Transfer.

[*To be subscribed as in Schedule (A.)*]

SCHEDULE (D.)

At in the County of this [*Date*] the Sheriff [*or* Sheriff Substitute *or* Dean of Guild] having considered the Application of *C.D.* [*designing him*] to be registered as Owner of Lot, Number of the Dwelling Houses erected at [*Place*] by [*Name of Association*], under Warrant of Date , in place of the deceased *A.B.* [*designing him*] as his Heir, [*or* in virtue of Disposition or Deed of Settlement by the said *A.B.*, dated and recorded of Date in the *as the Case may be,*] finds that the said *C.D.* is now in right of the said Lot, and the Owner thereof, and he is hereby registered as such accordingly.

(Signed) *E.F.*
(Signed) *G.H.*, Sheriff [*or* Town] Clerk.

SCHEDULE (E.)

At in the County of this [*Date*] the Sheriff [*or* Sheriff Substitute *or* Dean of Guild] having considered the Application of *C.D.* [*designing him*] to be registered as Owner of Lot, Number , of the Dwelling Houses erected at [*Place*] by [*Name of Association*] under Warrant of Date the in Place of *A.B.* [*designing him*] in virtue of an Adjudication and Decree of Expiry of the Legal thereon of Date [*or* in virtue of a Decree of Adjudication in Implement of Date *or* in virtue of an Act and Warrant of Confirmation in favour of the said *C.D.*, as Trustee on his sequestrated Estate, of Date], finds that the said *C.D.* is now in right of the said Lot as Owner thereof, and he is hereby registered as such accordingly.

(Signed) *E.F.*
G.H., Sheriff [*or* Town] Clerk.

SCHEDULE (F.)

Where the Price does not exceed 500*l.*, Four per Cent. thereon.
Where it exceeds 500*l.* but not 1,000*l.*, 25*l.*
Where it exceeds 1,000*l.* but not 2,000*l.*, 30*l.*
Where it exceeds 2,000*l.* but not 5,000*l.*, 40*l.*
Where it exceeds 5,000*l.*, 50*l.*

CAP. LXXXIX.

An Act to amend the Provisions of the *Huddersfield* Burial Ground Act, 1852.

[14th *August* 1855.]

'WHEREAS the Commissioners for the Time being acting in execution of the *Huddersfield* Improvement Act, 1848, and the *Huddersfield* Burial Ground Act, 1852, have, in pursuance of the Powers contained in the said last-mentioned Act, purchased, enclosed, planted, embellished, and laid out a certain Piece of Ground in the said last-mentioned Act particularly mentioned and described as and for a Burial Ground, and have caused to be erected therein (in addition to certain other Buildings) Two suitable Chapels, one for the Performance of the Burial Service according to the Rites of the United Church of *England* and *Ireland*, and the other on the unconsecrated Portion of such Burial Ground, for the Performance of Funeral Service therein: And whereas the said Commissioners have procured One Half of the said Burial Ground, with the Chapel thereon, to be consecrated by the Lord

'Bishop

'Bishop of *Ripon*, within whose Diocese such Chapel and Ground are situate: And whereas the Section 'of the said *Huddersfield* Burial Ground Act, 1852, numbered 16 in the Copies of that Act printed by 'Her Majesty's Printers, and which relates to the Depth to which Graves should be dug in the said 'Burial Ground, the Number and Manner of Interments in each Grave, and fixing the Period which 'should elapse before re-opening any such Grave for further Interments therein, is unnecessarily strin- 'gent, and would be prejudicial to the proper Management of the said Burial Ground, and entail 'a considerable Expense upon the said Township of *Huddersfield*, and it is desirable that the said 'Section of the said last-mentioned Act of Parliament should be repealed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sect. 16. of 15 & 16 Vict. c. 41. repealed.

I. The said Section of the said last-mentioned Act of Parliament shall be and the same is hereby repealed: Provided nevertheless, that nothing herein contained shall extend to relieve the said Commissioners from the Necessity of obtaining the Approval or Confirmation by the General Board of Health of any Regulations which by the said *Huddersfield* Burial Ground Act, 1852, may require such Approval or Confirmation.

Expenses of this Act how to be paid.

II. The Expenses of obtaining this Act, and all other Expenses incident thereto, shall be charged upon and defrayed out of the Fees and Sums of Money which shall be raised, charged, levied, or received under or by virtue of the said *Huddersfield* Burial Ground Act.

CAP. XC.

An Act for the Payment of Costs in Proceedings instituted on behalf of the Crown in Matters relating to the Revenue, and for the Amendment of the Procedure and Practice in Crown Suits in the Court of Exchequer. [14th *August* 1855.]

'WHEREAS in divers Proceedings instituted by or on behalf of the Crown against the Queen's 'Subjects in respect of Matters relating to the Revenue no Costs are recovered by the Crown, 'except in certain Cases, and no Costs are paid by the Crown to the Subject: And whereas it is expedient 'to assimilate the Law as to the Recovery of Costs in such Proceedings by or on behalf of the Crown to 'that in force as to Proceedings between Subject and Subject:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In all Crown Suits, &c. where the Crown is successful Costs to be recovered as between Subject and Subject.

I. In all Informations, Actions, Suits, and other legal Proceedings to be hereafter instituted before any Court or Tribunal whatever in the United Kingdom of *Great Britain* and *Ireland*, by or on behalf of the Crown, against any Corporation, or Person or Persons, in respect of any Lands, Tenements, or Hereditaments, or of any Goods or Chattels, belonging or accruing to the Crown, the Proceeds whereof, or the Rents or Profits of which said Lands, Tenements, or Hereditaments, by any Act now in force or hereafter to be passed are to be carried to the Consolidated Fund of *Great Britain* and *Ireland*, or in respect of any Sum or Sums of Money due and owing to Her Majesty by virtue of any Vote of Parliament for the Service of the Crown, or of any Act of Parliament relating to the Public Revenue, Her Majesty's Attorney General, or in *Scotland* the Lord Advocate, shall be entitled to recover Costs for and on behalf of Her Majesty, where Judgment shall be given for the Crown, in the same Manner, and under the same Rules, Regulations, and Provisions, as are or may be in force touching the Payment or Receipt of Costs in Proceedings between Subject and Subject, and such Costs shall be paid into the Exchequer, and shall become Part of the Consolidated Fund.

Defendent entitled to Costs, if successful against the Crown.

II. If in any such Information, Action, Suit, or other Proceeding Judgment shall be given against the Crown, the Defendant or Defendants shall be entitled to recover Costs, in like Manner, and subject to the same Rules and Provisions, as though such Proceeding had been had between Subject and Subject; and it shall be lawful for the Commissioners of Her Majesty's Treasury and they are hereby required to pay such Costs out of any Monies which may be hereafter voted by Parliament for that Purpose.

Power to Judges to make Rules and Orders for Regulation of Pleading and Practice in Crown Suits.

III. 'And whereas the Procedure and Practice in Informations, Suits, and other Proceedings instituted 'by or on behalf of the Crown in Her Majesty's Court of Exchequer is dilatory, and requires Amendment, 'and it is desirable that the same should be assimilated as nearly as may be to the Course of Practice and 'Procedure now in force in Actions and Suits between Subject and Subject:' Be it enacted, That it shall be lawful for the Barons of Her Majesty's Court of Exchequer in *England*, or any Three of them, and also for the Barons of Her Majesty's Court of Exchequer in *Ireland*, or any Three of them, in their respective Courts, to make all such General Rules and Orders for the Regulation of the Pleading and Practice in such Informations, Suits, and other Proceedings, and to frame such Writs and Forms of Proceedings, as to them may seem expedient for the Purpose aforesaid; and all such Rules, Orders, or Regulations shall be laid before both Houses of Parliament, if Parliament be then sitting, immediately upon the making of the same, or if Parliament be not sitting, then within Five Days after the next Meeting thereof; and no such Rule, Order, or Regulation shall have Effect until Three Months after the same shall have been so laid before both Houses of Parliament; and any Rule, Order, or Regulation so made shall, from and after such Time aforesaid, be binding and obligatory on the said Court, and on all Courts of Error into which any

any Judgment of the said Court shall be carried by any Writ of Error, and be of the like Force and Effect, as if the Provisions contained therein had been expressly enacted by Parliament: Provided always, that it shall be lawful for the Queen's most Excellent Majesty, by any Proclamation inserted in the *London Gazette*, or for either of the Houses of Parliament, by any Resolution passed at any Time within Three Months next after such Rules, Orders, and Regulations shall have been laid before Parliament, to suspend the whole or any Part of such Rules, Orders, or Regulations, and in such Case the whole, or such Part thereof as shall be so suspended, shall not be binding and obligatory on the said Courts, or on any other Court of Common Law or Court of Error.

CAP. XCI.

An Act to facilitate the Erection and Maintenance of Colonial Lighthouses, and otherwise to amend the Merchant Shipping Act, 1854. [14th *August* 1855.]

'WHEREAS it is expedient to make Provision for facilitating the Erection and Maintenance of 'Lighthouses in the *British* Possessions abroad, and otherwise to amend the Merchant Shipping 'Act, 1854:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited as "The Merchant Shipping Act Amendment Act, 1855," and shall be taken to be Part of the Merchant Shipping Act, 1854, and shall be construed accordingly.

Colonial Lighthouses.

Her Majesty may by Order in Council fix Dues for Colonial Lighthouses.

II. In any Case in which any Lighthouse, Buoy, or Beacon has been or is hereafter erected or placed on or near the Coasts of any *British* Possession, by or with the Consent of the Legislative Authority of such Possession, Her Majesty may, by Order in Council, fix such Dues in respect thereof, to be paid by the Owner or Master of every Ship which passes the same or derives Benefit therefrom, as Her Majesty may deem reasonable, and may in like Manner from Time to Time increase, diminish, or repeal such Dues, and from the Time specified in such Order for the Commencement of the Dues thereby fixed, increased, or diminished the same shall be leviable throughout Her Majesty's Dominions in manner herein-after mentioned.

No such Dues to be levied in any Colony without Consent of Colonial Legislature.

III. No such Dues as aforesaid shall be levied in any Colony unless and until the Legislative Authority in such Colony has, either by Address to the Crown, or by an Act or Ordinance duly passed, signified its Opinion that the same ought to be levied in such Colony.

Mode of collecting the said Dues.

IV. The said Dues shall in the United Kingdom be collected by the same Persons by whom, and by the same Means, in the same Manner, and subject to the same Conditions, so far as Circumstances permit, by, in, and subject to which the Light Dues leviable under the Merchant Shipping Act, 1854, are collected, and shall in each *British* Possession abroad be collected by such Persons as the Governor of such Possession abroad may appoint for the Purpose, and shall be collected by the same Means, in the same Manner, and subject to the same Conditions, so far as Circumstances permit, by, in, and subject to which the Light Dues leviable under the Merchant Shipping Act, 1854, are paid and collected, or by such other Means, in such other Manner, and subject to such other Conditions as the Legislative Authority in such Possession may direct.

Dues to be paid over to Her Majesty's Paymaster General.

V. All Dues levied under this Act shall be paid over to Her Majesty's Paymaster General at such Times and in such Manner as the Board of Trade may direct, and shall be applied, paid, and dealt with by him, for the Purposes herein-after mentioned, in such Manner as such Board may direct.

Dues to be applied to Expenses of Lighthouse, &c. for which they are levied.

VI. The Dues levied under the Authority of this Act in respect of any such Lighthouse, Buoy, or Beacon as aforesaid shall, after deducting any Expenses incurred in collecting the same, be applied for the Purpose of paying the Expenses incurred in erecting and maintaining such Lighthouse, Buoy, or Beacon, and for no other Purpose whatever.

Power to borrow Money on Security of Dues.

VII. For the Purpose of constructing or repairing any such Lighthouse, Buoy, or Beacon as aforesaid, the Board of Trade may raise, upon the Security of the Dues to be levied in respect thereof, such Sums of Money as they may deem fit; and the Commissioners of Her Majesty's Treasury, out of any Monies which may be provided by Parliament, the Public Works Loan Commissioners, or any other Person or Body of Persons, may advance the same accordingly, such Advances to be made in the same Manner, with the same Powers, and subject to the same Provisions, so far as Circumstances permit, in, with, and subject to which, under the Merchant Shipping Act, 1854, Advances may be made upon the Security of the Mercantile Marine Fund for the Construction and Repair of Lighthouses in the United Kingdom.

Accounts for each Lighthouse, &c. to be kept, and laid before Parliament, and to be audited.

VIII. Accounts shall be kept of all Sums expended in the Construction, Repair, or Maintenance of every Lighthouse, Buoy, or Beacon in the *British* Possessions abroad for which Dues are levied under the Authority of this Act, and of the Dues received in respect thereof, in such Manner as the Board of Trade may direct, and shall be laid before Parliament annually; and the said Accounts shall be audited in such Manner as Her Majesty may by Order in Council direct.

Registry of Ships.

PART II. of Merchant Shipping Act, 1854.

Penalty on false Declarations un-

IX. Any Person who, in any Declaration made in the Presence of or produced to any Registrar of Shipping, in pursuance of the Second Part of the Merchant Shipping Act, 1854, or in any Documents or other Evidence produced to such Registrar, wilfully makes, or assists in making or procures to be made, any false Statement concerning the Title to or the Ownership of or the Interests existing in any Ship,

der Part II. of Merchant Shipping Act.

Ship, or any Share or Shares in any Ship, or who utters, produces, or makes use of any Declaration or Document containing any such false Statement, knowing the same to be false, shall be guilty of a Misdemeanor.

Shares in Shipping within the Trustee Act, 1850.

X. Shares in Ships registered under the said Merchant Shipping Act, 1854, shall be deemed to be included in the Word "Stock," as defined by the Trustee Act, 1850, and the Provisions of such last-mentioned Act shall be applicable to such Shares accordingly.

Forms of Instruments.

XI. In any Case in which any Bill of Sale, Mortgage, or other Instrument for the Disposal or Transfer of any Ship or any Share or Shares therein or of any Interest therein is made in any Form or contains any Particulars other than the Form and Particulars prescribed and approved for the Purpose by or in pursuance of the Merchant Shipping Act, 1854, no Registrar shall be required to record the same without the express Direction of the Commissioners of Her Majesty's Customs.

Delivery of Certificate upon Transfer of Registry.

XII. Upon the Transfer of the Registry of a Ship from One Port to another, the Certificate of Registry required by the Ninetieth Section of the Merchant Shipping Act, 1854, to be delivered up for that Purpose, may be delivered up to the Registrar of either of such Ports.

Exemption of certain Ships from having Name painted on Stern.

XIII. The Commissioners of Customs may, with the Consent of the Board of Trade, exempt any Pleasure Yacht from the Provision contained in the Thirty-fourth Section of the Merchant Shipping Act, 1854, which requires the Name of every Ship and the Port to which she belongs to be painted on her Stern.

Ships measured under Rule II. may be measured under Rule I.

XIV. The Owner of any Ship which is measured under Rule II. contained in the Twenty-second Section of the Merchant Shipping Act, 1854, may at any subsequent Period apply to the Commissioners of Customs to have the said Ship remeasured under Rule I. contained in the Twenty-first Section of the same Act, and the said Commissioners may thereupon, and upon Payment of such Fee not exceeding Seven Shillings and Sixpence for each Transverse Section as they may authorize, direct the said Ship to be remeasured accordingly, and the Number denoting the Register Tonnage shall be altered accordingly.

General Register Books in London.

XV. The Copy or Transcript of the Register of any *British* Ship which is kept by the Chief Registrar of Shipping at the Custom House in *London*, or by the Registrar General of Seamen, under the Direction of Her Majesty's Commissioners of Customs or of the Board of Trade, shall have the same Effect to all Intents and Purposes as the original Register of which the same is a Copy or Transcript.

Masters and Seamen.

PART III. of Merchant Shipping Act, 1854.

Extension of Provisions concerning the Relief of destitute Seamen.

XVI. The Board of Trade may issue Instructions concerning the Relief to be administered to distressed Seamen and Apprentices, in pursuance of the Two hundred and eleventh and Two hundred and twelfth Sections of the Merchant Shipping Act, 1854, and may by such Instructions determine in what Cases and under what Circumstances and Conditions such Relief is to be administered; and all Powers of recovering Expenses incurred with respect to distressed Seamen and Apprentices, which by the Two hundred and thirteenth Section of the said Act are given to the Board of Trade, shall extend to all Expenses incurred by any Foreign Government for the Purposes aforesaid, and repaid to such Government by Her Majesty's Government, and shall likewise extend to any Expenses incurred by the conveying home such Seamen or Apprentices in Foreign as well as *British* Ships; and all Provisions concerning the Relief of distressed Seamen and Apprentices, being Subjects of Her Majesty, which are contained in the said Sections of the said Act, and in this Section, shall extend to such Seamen and Apprentices, not being Subjects of Her Majesty, as are reduced to Distress in Foreign Parts by reason of their having been shipwrecked, discharged, or left behind from any *British* Ship; subject nevertheless to such Modifications and Directions concerning the Cases in which Relief is to be given to such Foreigners, and the Country to which they are to be sent, as the Board of Trade may, under the Circumstances, think fit to make and issue.

Enactment concerning Savings Banks extended to Seamen in the Navy.

XVII. The Enactment of the Merchant Shipping Act, 1854, relating to Savings Banks shall apply to all Seamen, and to their Wives and Families, whether such Seamen belong to the Royal Navy or to the Merchant Service, or to any other Sea Service.

Additional Powers of Naval Courts.

XVIII. Any Naval Court summoned, under the Provisions of the Merchant Shipping Act, 1854, to hear any Complaint touching the Conduct of the Master or any of the Crew of any Ship, shall, in addition to the Powers given to it by the said Act, have Power to try the said Master or any of the said Crew for any Offences against the Merchant Shipping Act, 1854, in respect of which Two Justices would, if the Case were tried in the United Kingdom, have Power to convict summarily, and by Order duly made to inflict the same Punishments for such Offences which Two Justices might in the Case aforesaid inflict upon summary Conviction; provided, that in Cases where an Offender is sentenced to Imprisonment the Sentence shall be confirmed in Writing by the Senior Naval or Consular Officer present at the Place where the Court is held, and the Place of Imprisonment, whether on Land or on board Ship, shall be approved by him as a proper Place for the Purpose, and Copies of all Sentences made by any Naval Court summoned to hear any such Complaint as aforesaid shall be sent to the Commander-in-Chief or Senior Naval Officer of the Station.

Wrecks, Casualties, and Salvage.

PART VIII. of Merchant Shipping Act, 1854.

In case of Wreck of Foreign Ships,

XIX. Whenever any Articles belonging to or forming Part of any Foreign Ship which has been wrecked on or near the Coasts of the United Kingdom, or belonging to or forming Part of the Cargo thereof, are found on or near such Coasts, or are brought into any Port in the United Kingdom, the Consul General of the Country to which such Ship, or, in the Case of Cargo, to which the Owners of such

such Cargo, may have belonged, or any Consular Officer of such Country authorized in that Behalf by any Treaty or Agreement with such Country, shall, in the Absence of the Owner of such Ship or Articles, and of the Master or other Agent of the Owner, be deemed to be the Agent of the Owner, so far as relates to the Custody and Disposal of such Articles. Consul General to be deemed Agent of Owner.

XX. In Cases where Services are rendered by Officers or Men of the Coast Guard Service in watching or protecting shipwrecked Property, then, unless it can be shown that such Services have been declined by the Owner of such Property or his Agent at the Time they were tendered, or that Salvage has been claimed and awarded for such Services, the Owner of the shipwrecked Property shall pay in respect of the said Services Remuneration according to a Scale to be fixed by the Board of Trade, so, however, that such Scale shall not exceed any Scale by which Payment to Officers and Men of the Coast Guard for extra Duties in the ordinary Service of the Commissioners of Customs is for the Time being regulated; and such Remuneration shall be recoverable by the same Means and shall be paid to the same Persons and accounted for and applied in the same Manner as Fees received by Receivers appointed under the Merchant Shipping Act, 1854. Remuneration for Services by Coast Guard.

XXI. If any Person, being a *British* Subject, charged with having committed any Crime or Offence on board any *British* Ship on the High Seas or in any Foreign Port or Harbour, or if any Person, not being a *British* Subject, charged with having committed any Crime or Offence on Board any *British* Ship on the High Seas, is found within the Jurisdiction of any Court of Justice in Her Majesty's Dominions which would have had Cognizance of such Crime or Offence if committed within the Limits of its ordinary Jurisdiction, such Court shall have Jurisdiction to hear and try the Case as if such Crime or Offence had been committed within such Limits: Provided, that nothing contained in this Section shall be construed to alter or interfere with the Act of the Thirteenth Year of Her present Majesty, Chapter Ninety-six. *Legal Procedure.* PART X. of Merchant Shipping Act, 1854. Jurisdiction in case of Offences on board Ship.

XXII. It shall be the Duty of the *East India* Company to take charge of and send home or otherwise provide for all Persons, being Lascars or other Natives of the Territories under the Government of the said Company, who are found destitute in the United Kingdom; and if any such Person is relieved and maintained by any Guardians, Overseers, or other Persons administering the Relief of the Poor, such Overseers, Guardians, or other Persons may, by Letter sent through the Post or otherwise, give Notice thereof in Writing to the Secretary of the Court of Directors of the *East India* Company, specifying, so far as is practicable, the following Particulars; *viz.*,— *Miscellaneous.* PART XI. of Merchant Shipping Act, 1854. Relief of destitute Lascars.

1. The Name of the Person so relieved or maintained:
2. The Presidency or District or Part of the Territories of the *East India* Company of which he professes to be a Native:
3. The Name of the Ship in which he was brought to the United Kingdom:
4. The Port or Place abroad from which such Ship sailed, and the Port or Place in the United Kingdom at which such Ship arrived, when he was so brought to the United Kingdom, and the Time of such Arrival:

And the said *East India* Company shall repay to the said Overseers, Guardians, or other Persons, out of the Revenues of the said Company, all Monies duly expended by them in relieving or maintaining such destitute Person, after the Time at which such Notice aforesaid is sent or otherwise given.

XXIII. It shall be lawful for any Master or Owner of a Ship or his Agent to enter into Agreements with Lascars or Natives of the Territories of the *East India* Company, binding them to proceed to any Port or Ports in the United Kingdom, either as Seamen or as Passengers, and there to enter into a further Agreement to serve as Seamen in any Ship which may happen to be there, and to be bound to any Port in the Territories of the *East India* Company; provided, that every such original Agreement shall be made in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country, and for other Purposes, as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the original Agreement is made, in Council may direct; and if any Lascar or other Person who has bound himself by any such original Agreement is, on arriving in the United Kingdom, required to enter into a further Agreement to serve as a Seaman in any Ship bound to any Port in the Territories of the *East India* Company, and if it is certified by some Officer appointed for that Purpose by the *East India* Company that such further Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Agreement, and that the Ship to which such further Agreement relates is in all respects a proper Ship for such Lascar or other Person to serve in, and that there is not, in the Opinion of such Officer, any Objection to the full Performance of the said original Agreement, such Lascar or other Person shall be deemed to be engaged under such further Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes One of the Crew of the Ship; and for every Lascar or other Person in respect of whom such Certificate is applied for, the Person applying for the same shall pay to such Officer as aforesaid such Fee as the *East India* Company may appoint, not exceeding Ten Shillings. Contracts may be made with Natives in India, under certain Conditions, binding them to go to the United Kingdom, and then to serve in other Ships back to India or elsewhere.

Saving of former Enactments.

XXIV. Nothing herein contained shall be deemed to repeal or affect any Provisions contained in the Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, or Thirty-fourth Sections of the Act of the Fourth Year of King *George* the Fourth, Chapter Eighty, or in the Sixteenth Section of the Act of the Eighteenth Year of Her present Majesty, Chapter One hundred and twenty.

CAP. XCII.

An Act for appropriating the Corps of the Prebend or Portion of *Netherhall Ledbury* in the Diocese and County of *Hereford*, and for constituting the Living of *Ledbury* a Rectory with Cure of Souls, and for augmenting the Endowments thereof. [14th *August* 1855.]

'WHEREAS there are in the Diocese and County of *Hereford* Two Prebends or Portions of a Prebend respectively, called the Prebend of *Overhall* and the Prebend of *Netherhall, Ledbury*, 'founded in the Cathedral Church of *Hereford*, and in the Gift or Patronage of the Bishop of *Hereford*, 'the respective Prebendaries or Portionists whereof had the alternate Right of Patronage or Presentation of or to the Vicarage and Parish Church of *Ledbury:* And whereas the said Vicarage was 'formerly endowed with a certain Portion of Tithes, which was commuted in the Year One thousand 'eight hundred and thirty-nine, under the Acts of Parliament for the Commutation of Tithes in *England* 'and *Wales*, for a yearly Rentcharge of Four hundred and sixty Pounds Two Shillings, variable according to the Provisions of the said Acts, and payable to the Vicar for the Time being of the said Vicarage, 'and the sole Cure of Souls in the said Parish of *Ledbury* has been for many Years past and still is 'exercised by the said Vicar for the Time being: And whereas at the Time of the passing of the Act 'of the Third and Fourth Years of Her Majesty's Reign, Chapter One hundred and thirteen, the Prebend 'or Portion of *Overhall* had by the Death of the Reverend *Henry Stonhouse Vigor*, late Prebendary or 'Portionist thereof, become and was then vacant, and by virtue of such Act all the Lands, Tithes, and 'other Hereditaments, and all other Emoluments and Endowments belonging thereto, (excepting Rights 'of Patronage,) became vested in the Ecclesiastical Commissioners for *England*, for the Purposes of 'the said Act, and the alternate Right of Presentation to the said Vicarage, theretofore belonging to the 'said last-mentioned Prebendary or Portionist, devolved upon the Bishop of *Hereford:* And whereas in 'the Year One thousand eight hundred and two the Reverend *James Watts* Clerk, was collated, or presented by the then Bishop of *Hereford*, to the Prebend of *Netherhall*, and was thereupon duly installed 'Prebendary thereof; and the Vicarage of the said Parish of *Ledbury* having in the Year One thousand eight hundred and ten become vacant, the said *James Watts*, in virtue of the alternate Right of 'Presentation which thereupon accrued in Turn to him as such Prebendary or Portionist of *Netherhall*, 'presented himself to and was duly instituted and inducted Vicar of the said Vicarage, and he thenceforth continued Prebendary or Portionist of the said last-mentioned Prebend or Portion, and also Vicar 'of the said Vicarage, and enjoyed the Profits and Emoluments thereof respectively, to the Time of his 'Death: And whereas the said *James Watts* died in the Year One thousand eight hundred and forty-seven, and thereupon the alternate Right of Presentation to the said Vicarage, theretofore belonging 'to the Prebend of *Netherhall*, also devolved, by Force of the said Act, upon the Bishop of *Hereford*, 'and shortly afterwards the Reverend *James George Watts*, Son of the said *James Watts*, was collated 'by the Bishop of *Hereford* to the said Vicarage, and he was thereupon duly inducted to and is now the 'Vicar or Incumbent of the said Vicarage: And whereas upon the Decease of the said *James Watts* all 'the Estates and Endowments, excepting Rights of Patronage, belonging to the said Prebend or Portion 'of *Netherhall* (subject to the Term and Interest then unexpired therein under a certain Indenture of 'Lease dated the Fifteenth *January* One thousand eight hundred and twenty-eight, and made between 'the said *James Watts*, therein described as Portionist and Prebendary of the Portion or Prebend called '*Netherhall* in the Parish Church of *Ledbury* in the County of *Hereford*, of the one Part, and *Philip* '*John Miles* Esquire, of the other Part, for Three Lives,) were considered to have become vested in the 'said Ecclesiastical Commissioners by virtue of the said Act, as being the Estates of a Prebend not 'residentiary; but a Claim has since been set up to the said last-mentioned Prebend or Portion by the 'said *James George Watts*, as Vicar of the said Vicarage, on the Ground, as he contends, that the same 'Prebend or Portion was a Rectory without Cure of Souls, and having been held by the said *James* '*Watts* deceased, together with the said Vicarage, for the Period of Twenty Years last past before the 'passing of the said Act, the same Rectory and Vicarage had under the Provisions of the said Act 'become permanently united, and do now constitute a Rectory with Cure of Souls; and the Rents which 'had become payable upon the Twenty-ninth Day of *September* One thousand eight hundred and fifty-two in respect of the last-mentioned Prebend or Portion since the Death of the said *James Watts*, 'amounting to Eighty-four Pounds, have been paid into the Court of Queen's Bench, under a Judge's 'Order in an Action of Ejectment: And whereas, in order to avoid the Costs of Litigation in regard to 'the Claim of the said *James George Watts*, which is resisted on the Part of the said Ecclesiastical Commissioners, a Proposal has been agreed upon by the said Ecclesiastical Commissioners and the said '*James George Watts*, with the Consent of the Right Reverend *Renn Dickson*, Bishop of *Hereford*, that 'the

'the said Parish of *Ledbury* should be and be considered or be made a Rectory with Cure of Souls, in the 'Patronage of the Bishop of *Hereford* for the Time being, and that the said *James George Watts* should, 'without further Collation, Induction, or Institution thereto, become and be the Rector thereof, and that 'in addition to the Tithes Rentcharge and other Profits and Emoluments belonging to the said Vicarage 'to be annexed to the said Rectory, the said Rectory should be endowed in the Manner herein-after in 'this Act provided, and, subject thereto, that the whole of the Lands, Tithes, and other Hereditaments '(excepting Rights of Patronage), and all other Emoluments and Endowments belonging to the said 'Prebend or Portion of *Netherhall*, subject to the said Lease, should remain or become vested in the 'said Ecclesiastical Commissioners for the Purposes of the said Acts:' But inasmuch as the aforesaid Objects cannot be carried into effect without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Parish and Parish Church of Ledbury to become a Rectory with Cure of Souls.

I. The Parish and Parish Church of *Ledbury* in the Diocese and County of *Hereford* shall henceforth be and be deemed a Rectory with Cure of Souls in the Gift or Patronage of the Bishop of *Hereford* for the Time being, and the said *James George Watts* shall, without further Collation, Presentation, Institution, or Induction, be and be deemed the Rector of the said Rectory, and the Freehold of the Parish Church and Burial Ground of *Ledbury* aforesaid shall henceforth and for ever hereafter be vested in the said *James George Watts* as such Rector, and his Successors Rectors thereof for the Time being.

Rentcharge, &c. of Vicarage to remain vested in the Rector for the Time being;

II. The Rentcharge of Four hundred and sixty Pounds Two Shillings, awarded or agreed to be paid, under the Act for the Commutation of Tithes in *England* and *Wales*, to the Vicar of the said Vicarage, in lieu of the Tithes theretofore belonging to the said Vicarage, and also all Mortuaries, *Easter* Offerings, Surplice Fees, and all other Fees, Profits, and Emoluments heretofore payable to or enjoyed by the Vicar for the Time being of the said Vicarage, shall henceforth belong and be paid to the said *James George Watts* as Rector, and his Successors Rectors for the Time being of the said Rectory.

also Lands and Tithe Rentcharge specified in Schedule;

III. The several Closes or Parcels of Land and Tithes Rentscharge mentioned and specified in the Schedule to this Act (being Parcel of the late Prebend or Portion of *Netherhall*), freed and discharged from the yearly Pension of Sixteen Bushels of Wheat and Sixteen Bushels of Oats payable to the Vicar for the Time being of the said Parish Church of *Ledbury*, and from the Land Tax in respect of the said Land, which has been redeemed, and Tithe Rentcharge, shall, from and immediately after the Expiration or other sooner Determination of the Term, Estate, and Interest granted therein by the said Indenture of Lease of the Fifteenth of *January* One thousand eight hundred and twenty-eight, (but without conferring any Right to any Portion of the Rent reserved by the said Lease during the Continuance thereof,) belong to and be permanently annexed to the said Rectory, and be held and enjoyed by the Rector thereof for the Time being for ever hereafter, by way of Augmentation of the said Rectory; but subject, nevertheless, and charged to and with the keeping in due State of Repair the North Side of the Chancel of the Parish Church of *Ledbury*, and also to and with the Payment of the Yearly Sum of Thirty Pounds to the Minister or Curate for the Time being of the District of *Wellington Heath* in *Ledbury*, by half-yearly Payments to be made on the First Day of *June* and the First Day of *December* in each Year, the first of such half-yearly Payments or a proportionate Part thereof to be made on such One of the said Days as shall happen next after the Expiration or sooner Determination of the said Lease.

subject to Payment of 30*l.* per Annum to Minister of District of Wellington Heath in Ledbury.

Until Determination of Lease, Ecclesiastical Commissioners to pay annual Sum to the Rector;

IV. In the meantime, until the Expiration or sooner Determination of the said Lease, the said Ecclesiastical Commissioners shall, out of their Common Fund, pay to the said *James George Watts* as Rector, and his Successors Rectors for the Time being of the said Rectory, an annual Sum of Two hundred and thirty Pounds, clear of all Deductions, other than on account of Property or Income Tax, by equal half-yearly Payments, to be made on the First Day of *May* and the First Day of *November* in each Year, such Payment to be considered to have commenced and taken effect from the First Day of *May* One thousand eight hundred and fifty-three, and also a proportionate Part of the said annual Sum in respect of the Number of Days which shall have elapsed of the current Half Year in which the said Lease shall expire or be determined, and such annual Sum and proportionate Part to be by way of Augmentation of the said Rectory, in lieu of the said Parcels of Land and Tithes Rentscharge mentioned in the said Schedule, until the same shall fall into the Possession and Receipt of the said Rector, and to be charged with the Payment of the like annual Sum of Thirty Pounds as from the said First Day of *May* One thousand eight hundred and fifty-three to the Minister or Curate for the Time being of the said District of *Wellington Heath*, and on the like Days as are in this Act before mentioned in respect to the Payment of the said annual Sum of Two hundred and thirty Pounds.

charged with the annual Payment of 30*l.*

Residue of Lands and Profits of Prebend or Portion of Netherhall to vest in Ecclesiastical Com-

V. All other the Lands, Tithes, Tithes Rentscharge, and Hereditaments belonging to or constituting the Corps of the Prebend or Portion of *Netherhall*, whether the same be or be not a Sinecure Rectory, within the Intent and Meaning of the said recited Act of the Third and Fourth Years of Her said Majesty's Reign, (save and except Rights of Patronage, and also save and except the Right, from and after the Expiration or other sooner Determination of the said Lease, to the said Pieces or Parcels of Land

missioners, and be held as Part of Common Fund, under 3 & 4 Vict. c. 113.

Land and Tithes Rentscharge, and the redeemed Land Tax in respect thereof, comprised in the Schedule to this Act, and intended to be hereby vested in expectancy in the Rector for the Time being of the said Rectory,) together with, and not by way of Exception, the whole of the Rents, and the Benefit of all the Covenants, Conditions, and Agreements reserved and contained by and in the said Indenture of Lease, and which on the Lessee's or Assignee's Part are or ought to be paid, observed, and performed, including the Right to all Sums paid into Court as aforesaid, and all other Sums now due on account of the said Rent, shall, freed and discharged from the said yearly Pension of Sixteen Bushels of Wheat and Sixteen Bushels of Oats, or any other Payments or Dues, to the Rector or Vicar of the Parish Church of *Ledbury*, from and after the passing of this Act, but subject and without Prejudice to the Term, Estate, and Interest granted by the said Lease, remain and be absolutely vested in the said Ecclesiastical Commissioners for *England*, their Successors and Assigns, to be by them held, possessed, and administered for the Purposes and under and according to the Provisions of the said Act of the Third and Fourth Years of Her Majesty's Reign, or any other Act or Acts relating to the said Ecclesiastical Commissioners with regard to the Estates of Non-residentiary Prebends.

Powers of Ecclesiastical Commissioners as Reversioners of Property in Lease.

VI. For the Purpose of enabling the said Ecclesiastical Commissioners and their Successors, as Reversioners of the Premises comprised in the said Indenture of Lease, to receive and recover the Rents due or to become due under the said Lease, and to exercise all Rights and Remedies in respect thereof, and of the Covenants, Conditions, and Agreements on the Part of the Lessee therein contained, and also of enabling the said Ecclesiastical Commissioners, if they shall think fit, to accept a Surrender of the Term, Estate, and Interest of the Lessee in the said Lands and Tithes Rentscharge comprised in the said Schedule hereto, the Reversion of and in the whole of the Premises comprised in or held under the said Lease shall be or be considered to be vested in them the said Ecclesiastical Commissioners during the Remainder of and subject to the Term, Estate, and Interest granted by the said Lease; but so, nevertheless, that in case the said Ecclesiastical Commissioners should accept a Surrender of the said Term, Estate, and Interest in the said Lands and Tithes Rentscharge comprised in the said Schedule, the same shall operate as an Extinguishment of the said Term and Interest therein, for the Benefit of the Rector for the Time being of the said Rectory, so as to accelerate his Right to the Possession and Receipt of the said last-mentioned Lands and Rentscharge; and thereupon the said annual Sum of Two hundred and thirty Pounds herein-before directed to be paid to the Rector for the Time being by the said Commissioners, out of their Common Fund, shall cease, anything herein-before contained to the contrary notwithstanding.

Style of Act.

VII. For all Purposes of Recital or Reference it shall be sufficient in all Cases to mention this Act as "The Rectory of *Ledbury* Act, 1855."

The SCHEDULE.

No. on Tithe Commutation Apportionment for the Parish of Ledbury.	Lands.	Cultivation.	Acreage. A. R. P.
Part 991	Orchard and Stable - - -	Pasture - -	1 1 15
980	Doghill Orchard - - - -	Pasture - -	3 0 34
			4 2 9

The several annual Sums belonging to the said Prebend of Ledbury Netherhall, as apportioned by way of Tithe Rentcharge upon certain Lands in the said Parish of Ledbury, and payable, subject to Variation, under the Acts of Parliament passed for the Commutation of Tithes, amounting together to Two hundred and fifty Pounds (being exclusive of the Amount of Twenty-three Pounds and Twelve Shillings apportioned on the Estate belonging to such Prebend numbered 166, 160, 1663, 154, 157, 1402, 167, 164, 165, 991, 153, 156, 155, 161, 1434, 1435, 1403, 1404, 1406, 981, 180, 378, 388, 390, 174, 175, 172, 152, 995, 996, 169, 168, 150, 151, 1457, 1681, 376, 980, and 159, and on the Field numbered 1426 on the Plan annexed to the confirmed Tithe Apportionment for the said Parish of Ledbury).

The several annual Sums, amounting to Twenty Pounds Six Shillings and Sixpence, also belonging to the said Prebend, apportioned by way of Rentcharge upon certain Lands in the Parish of Aylton in the said County of Hereford, and payable, subject to Variation, under the said Acts of Parliament passed for the Commutation of Tithes.

Court of Judicature (Prince of Wales Island).

CAP. XCIII.

An Act to amend certain Acts relating to the Court of Judicature of *Prince of Wales Island, Singapore,* and *Malacca,* and to the Supreme Courts of Judicature in *India.*

[14th *August* 1855.]

'WHEREAS by Letters Patent of His late Majesty King *George* the Fourth His said late Majesty ordained that there should be within the Settlement of *Prince of Wales Island, Singapore,* and *Malacca* a Court of Judicature to be holden before the Governor and the Resident Councillor for the Time being of the Station where the Court should be held, as Two of the Judges of the said Court, and before One other Judge called the Recorder of *Prince of Wales Island, Singapore,* and *Malacca:* And whereas by Letters Patent of His late Majesty King *William* the Fourth, granted under the Powers of the Act of the Sixth and Seventh Years of His Reign, Chapter Eighty-three, His said late Majesty granted to the said Court of Judicature the Powers of a Court of Admiralty: And whereas by Letters Patent of Her present Majesty, granted in the present Year of Her Reign, Her said Majesty has ordained that the said Court of Judicature should consist of Two Courts or Divisions, One of which shall be holden within the Stations of *Singapore* and *Malacca* before the Governor or President and the Resident Councillor for the Time being of the Station, where the same shall be held, and before One other Judge called the Recorder of *Singapore,* and the other of which Courts or Divisions shall be holden within the Station of *Prince of Wales Island* before the said Governor or President and the Resident Councillor for the Time being of the Station where the same shall be held, and before the other Judge, who shall be called the Recorder of *Prince of Wales Island,* and that all the Powers of the said Court of Judicature shall and may be exercised by each of the said Courts or Divisions, together with various other Provisions concerning the same: And whereas, in consequence of the Alteration made by the last-mentioned Letters Patent in the Constitution of the said Court of Judicature, it is desirable to amend the several Acts of Parliament herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sections 5. 7. 13. 14. and 16. of 6 G. 4. c. 85. to apply to Recorders of Singapore and Prince of Wales Island.

I. The Provisions contained in the Statute of the Sixth Year of *George* the Fourth, Chapter Eighty-five, Sections Five, Seven, Thirteen, Fourteen, and Sixteen, respecting the Recorder of the Court of Judicature of *Prince of Wales Island,* and respecting the Grant of an Allowance to him on Retirement, and respecting the Computation of the Time of Residence in case he shall be appointed a Judge of One of the Supreme Courts in *India,* shall apply to the Recorder of *Singapore* and to the Recorder of *Prince of Wales Island* respectively, and Residence partly as one and partly as the other of such Recorders shall be reckoned as if such Residence had been wholly in the same Capacity: Provided always, that (save and except only in the Case of the present Recorder of *Singapore,* who was appointed to the Office of Recorder of *Prince of Wales Island, Singapore,* and *Malacca* prior to the lastly-recited Letters Patent), it shall not be lawful to grant to any Recorder of *Singapore* or Recorder of *Prince of Wales Island* any larger retiring Allowance than the Sum of Five hundred Pounds, unless he shall have resided as Recorder for Ten Years, nor if he shall have resided for that Period any larger Allowance than the Sum of Eight hundred Pounds.

Sum to be paid to Recorders for Equipment and Voyage.

II. In lieu of the Sum which by the Act of the Fifty-third Year of *George* the Third, Chapter One hundred and fifty-five, Section Eighty-nine, is directed to be paid to any Recorder of *Prince of Wales Island* for the Expenses of his Equipment and Voyage, the Court of Directors of the *East India* Company shall pay to the Person who by the said Letters Patent of Her Majesty has been appointed Recorder of *Prince of Wales Island,* and to every Person to be hereafter appointed Recorder of *Singapore* or Recorder of *Prince of Wales Island* who shall be resident in the United Kingdom at the Time of his Appointment, for the Purpose of defraying the Expenses of his Equipment and Voyage, the Sum of Five hundred Pounds.

Court for Relief of Insolvent Debtors may be held by either of the Recorders.

III. The Court for Relief of Insolvent Debtors, which by the Statute of the Eleventh and Twelfth Years of Her present Majesty, Chapter Twenty-one, Section Eighty-eight, is directed to be held within the said Settlement, may henceforth be held by the Recorder of *Singapore* and by the Recorder of *Prince of Wales Island* respectively, each of whom is hereby empowered and required to hold such Court, and to appoint proper Officers, Assignees, and Examiners for enabling the Provisions of such Act to be carried into effect, and to establish Rules as to the Advocates and Attornies and Agents who may practise in the said Court before such Recorder; and the several other Powers given by the said Act to the Court of Judicature of *Prince of Wales Island, Singapore,* and *Malacca* shall and may be henceforth exercised by the Governor of the said Settlement and the said Recorders, or by any Two of them.

6 & 7 W. 4. c. 53. to apply to present Charter, which is confirmed.

IV. The Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Fifty-three, for enabling His late Majesty, by Letters Patent, to grant Admiralty Jurisdiction to the Court of Judicature of *Prince of Wales Island, Singapore,* and *Malacca,* shall be construed to apply to the said Letters Patent or Charter of Her present Majesty, and such Charter is hereby in all respects ratified and confirmed.

V. 'And

As to Allowances to Judges of the Supreme Courts in India on Retirement.

V. 'And whereas Doubts have been entertained whether the Provisions of the Act of the Sixth *George* 'the Fourth, Chapter Eighty-five, respecting the Grant of Allowances to the Judges of the Superior 'Courts in *India* on Retirement, apply to Cases where the required Period of Residence as a Judge has 'been partly as a Judge of one and partly as a Judge of another of the said Supreme Courts:' Be it enacted, That for the Purpose of the said last-mentioned Provisions Residence in *India* as a Judge of any of the said Supreme Courts (though such Residence shall have been partly as a Judge of one of the said Supreme Courts and partly as a Judge of another of such Courts) shall be computed and reckoned as Residence as a Judge of the Supreme Court to which the Judge shall belong at the Time of his Retirement: Provided always, that in the Case of any Judge retiring from the Supreme Court of Judicature at *Fort William* whose Period of Residence in *India* as a Judge shall have been partly as a Judge of the Supreme Court at *Madras* or *Bombay*, it shall not be lawful to grant to such Judge any larger Allowance than might have been granted if he had been during his whole Period of Residence a Judge of the Supreme Court at *Madras* or *Bombay*, unless he shall have resided as a Judge of the Supreme Court at *Fort William* for Five Years at the least.

CAP. XCIV.

An Act to impose increased Rates of Duty of Excise on Spirits distilled in the United Kingdom; to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively; and to amend the Laws relating to the Duties of Excise. [14th *August* 1855.]

'WHEREAS it is expedient to impose increased Rates of Duty of Excise on Spirits distilled in the 'United Kingdom, and to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling 'of Spirits, in lieu of Allowances and Drawbacks of Excise now payable on such Spirits and Sugar and 'Molasses respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On and after October 1, 1855, the following Duties of Excise to be paid on Spirits distilled in Great Britain and Ireland.

I. There shall be charged, collected, and paid, for the Use of Her Majesty, Her Heirs and Successors, for and upon every Gallon of Spirits of the Strength of Hydrometer Proof which, on or after the First Day of *October* One thousand eight hundred and fifty-five, shall be distilled within the United Kingdom, or be in the Stock, Custody, or Possession of any Distiller, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled within the United Kingdom, shall on or after the said Day be in Warehouse, and be taken out of Warehouse for Consumption within the United Kingdom, the respective Rates and Duties following; that is to say,

	£	s.	d.
In *Great Britain* - - - - - - - -	0	8	0
In *Ireland* - - - - - - - -	0	6	2

and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity, in lieu of all other Duties of Excise on such Spirits chargeable under any Act in force.

Duties to be under Management of Commissioners of Inland Revenue, and to be collected under Acts in force relating to Excise.

II. The said Duties by this Act granted shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, collected, and paid in like Manner and by the same Ways and Methods by which other Duties of Excise on Spirits are or may be charged, collected, and paid; and all Powers, Provisions, Clauses, Regulations, and Directions, Forfeitures, Pains, and Penalties, contained in or imposed or made by or under the Authority of any Act relating to Duties of Excise, and in force at the Time of the passing of this Act, shall respectively extend, so far as the same are applicable, to the said Duties by this Act granted, and shall be observed, applied, enforced, and put in execution for collecting and securing of the said last-mentioned Duties, and otherwise in relation thereto (except so far as the same are altered or superseded by the Provisions of this Act), as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted.

Allowances on Spirits in Distiller's Stock or in Warehouse.

III. And there shall be allowed and paid to the Distiller or Proprietor of all Spirits which, having been distilled within the United Kingdom from Wort or Wash made before the First Day of *October* One thousand eight hundred and fifty-five, shall on or after the said last-mentioned Day be in the Stock of any Distiller or in Warehouse, the several Allowances and Drawbacks of Excise following; that is to say, for and upon every Gallon of such last-mentioned Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity, or any greater or less Degree of Strength, if such Spirits shall have been distilled from Malt only, under the Provisions and Regulations entitling the Distiller to the Allowance in that Behalf, the Allowance of Eightpence *per* Gallon; and if such Spirits shall have been distilled from any other Materials than Malt only, or otherwise than in conformity with such Provisions and Regulations, the Allowance of Twopence *per* Gallon.

Former Allowances on Malt and Sugar used in distilling to cease.

IV. On and after the First Day of *October* One thousand eight hundred and fifty-five all Allowances and Drawbacks of Excise granted by any former Act for or upon Spirits distilled in any Part of the United Kingdom, in respect of the Malt or other Materials used in making such Spirits, and for or upon

upon Sugar and Molasses used in the Distillation of Spirits, shall respectively cease and determine, save and except as to Spirits distilled from Wort or Wash made before the said First Day of *October*.

Malt may be made and used free from Duty in distilling Spirits.

V. And from and after the passing of this Act it shall be lawful for any Distiller, or for any other Person who shall give such Security as herein-after required in that Behalf, such Distiller or other Person taking out a proper Licence as a Maltster, to make Malt, under the Provisions of this Act, in a Malthouse approved by the Commissioners of Inland Revenue, for the sole Purpose of being consumed, on or after the First Day of *October* One thousand eight hundred and fifty-five, in the distilling of Spirits; and all Malt which shall be so made by a Distiller and consumed in his Distillery, and all Malt which shall be made by such other Person, and delivered into the Storeroom of a Distiller at his Distillery, shall respectively be free from the Duties of Excise chargeable on Malt: Provided always, that the Provisions, Regulations, Penalties, and Forfeitures contained in the several Acts of Parliament and now in force in relation to Maltsters, or the making of Malt, shall (except so far as the same are repealed, altered, or superseded by the express Provisions of this Act,) be observed, applied, and enforced with respect to Distillers or other Persons making Malt, and to the making of Malt, under the Provisions and Regulations of this Act.

Special Entry to be made of Malthouse.

VI. Every Malthouse to be used for the making of Malt under the Provisions of this Act shall be specially entered for that Purpose, and no such Entry shall be withdrawn whilst any Malt or any Corn or Grain making into Malt shall be in such Malthouse, or in any Storeroom belonging thereto.

Persons other than Distillers making Duty-free Malt to give Security against Frauds.

VII. Every Person, other than a Distiller, who shall intend to make Malt Duty-free, under the Provisions of this Act, shall enter into a Bond to Her Majesty, with Two or more sufficient Sureties, to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum as the said Commissioners shall think proper, conditioned to the Purport or Effect following; (that is to say,) that such Maltster shall duly make into Malt all Corn and Grain which shall be received into any such Malthouse as aforesaid belonging to him, and shall not sell any such Malt to any other Person than a Distiller, or take, send out, remove, or deliver from any such Malthouse as aforesaid any Malt, or Corn or Grain, except Malt duly removed to a Distillery under a Permit duly granted in that Behalf, and shall not convey away, hide, or conceal any Malt, or Corn or Grain, contrary to any of the Provisions of this Act or of any Act in force in relation to Maltsters or the making of Malt; and the Condition of such Bond shall also contain all such further Terms and Stipulations as the Commissioners of Inland Revenue shall deem to be necessary or proper for preventing Frauds in relation to the Malt to be made by such Maltster; and such Maltster shall give a fresh Bond, with such Sureties as aforesaid, when and as often as he shall be required so to do by the said Commissioners, and in default thereof he shall not be entitled to make Malt Duty-free, under the Provisions of this Act.

Malt may be removed for Exportation.

VIII. Provided always, That it shall be lawful for any Maltster to remove Malt from any such Malthouse for Exportation under such Regulations as the Commissioners of Inland Revenue shall make in that Behalf.

Distillers on giving Security to have Duty-free Sugar and Molasses delivered to them, to be used in the distilling of Spirits.

IX. And from and after the Fifteenth Day of *September* One thousand eight hundred and fifty-five every Distiller who shall have given Security by Bond to Her Majesty, with Sureties, to the Satisfaction of the Commissioners of Customs or Excise, in the Manner and for the Purpose herein-after mentioned, shall be entitled to remove, on such Terms and Conditions and in such Manner as the said last-mentioned Commissioners shall think fit, Sugar and Molasses, without previously paying the Duties of Customs or Excise thereon, from any Customs or Excise Warehouse in which the same may be deposited to the proper Storeroom at his Distillery provided for Sugar and Molasses, pursuant to the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred, for the sole Purpose of being consumed, on or after the First Day of *October* One thousand eight hundred and fifty-five, in the distilling of Spirits in his Distillery; and all such Sugar and Molasses which shall be so consumed shall be free from the Duties of Customs or Excise: Provided always, that the Provisions, Regulations, Penalties, and Forfeitures contained in the said last-mentioned Act in relation to Sugar and Molasses on which the Duties of Customs or Excise have been paid shall be observed, applied, and enforced respectively in relation to Sugar and Molasses to be removed as aforesaid, under the Provisions of this Act, without the previous Payment of the said Duties.

Distiller to give Bond, with Sureties, conditioned to secure the due Consumption of Duty-free Sugar and Molasses in the distilling of Spirits.

X. Every Distiller who shall intend to use Sugar or Molasses Duty-free in the distilling of Spirits, under the Provisions of this Act, shall enter into a Bond to Her Majesty, with Two or more sufficient Sureties to the Satisfaction of the Commissioners of Customs or Excise, and in such Sum as the said last-mentioned Commissioners shall think proper, conditioned to the Purport or Effect following; (that is to say,) that all Sugar and Molasses which shall be from Time to Time delivered to him from any Warehouse without Payment of the Duties of Customs or Excise thereon shall be forthwith duly conveyed to and deposited in a Storeroom for Sugar and Molasses provided at his Distillery, pursuant to the said Act of the Eleventh and Twelfth Years of Her Majesty's Reign, and that all such Sugar and Molasses shall from Time to Time, within the Space of One Calendar Month next after the Delivery thereof from any such Warehouse, be used and consumed by such Distiller solely in the distilling of Spirits in his Distillery; and the Condition of every such Bond shall also contain all such further Terms and Stipulations as the Commissioners of Customs or Excise shall deem to be necessary or proper for preventing

preventing Frauds in relation to the Use or Disposal of Sugar or Molasses delivered Duty-free under the Provisions of this Act; and the Distiller shall give a fresh Bond, with such Sureties as aforesaid, when and as often as he shall be required so to do by the said last-mentioned Commissioners, and in default thereof he shall not be entitled to have Sugar or Molasses Duty-free under the Provisions of this Act.

Distiller and Maltster to make Entry of his Malthouse, and to provide a Kiln adapted for securing the Malt whilst drying.

XI. Every Distiller and Maltster respectively who shall make Malt to be consumed as aforesaid Duty-free shall make due Entry of every Malthouse in which he shall make such Malt as a Place to be used for that Purpose only, and shall provide therein a proper and secure Kiln, approved in Writing by the proper Collector and Supervisor of the District, and to be entered and used for the drying of such Malt, and for securing the same during the Process of drying, and until it shall be removed from such Kiln in the Manner herein directed; and such Kiln shall at all Times be kept locked up by the Officer, who shall not be required to unlock or open the same, except upon Notice in Writing to be given to him on behalf of the Distiller or Maltster, and for a reasonable and proper Object, to be specified in such Notice: Provided always, that it shall be lawful for any such Distiller or Maltster to use such Kiln for the drying of Barley, under such Regulations and Restrictions as the Commissioners of Inland Revenue may make in that Behalf.

Distillers to make Entry of Kilns used for drying Barley, &c.

XII. Provided always, That every Distiller who shall have or make use of any Kiln for the drying of Barley or other Corn or Grain, wheresoever such Kiln may be situated, and although the same may not be used for the drying of Malt, shall make Entry of such Kiln with the proper Officer of Excise as a Building or Place used by such Distiller in carrying on his Trade or Business, under the Penalty imposed by Law in that Behalf for any Neglect or Omission to make such Entry.

If Malthouse more than a Mile from Market Town, Distiller or Maltster to provide Lodgings for Officer.

XIII. If any such Malthouse as aforesaid shall be situated at a greater Distance than One Mile by the nearest Highway from a Market Town, the Distiller or Maltster shall provide (if required so to do by the Commissioners of Inland Revenue) a House or Lodgings or Rooms fit and proper for the Residence of the Officer having the Survey of such Malthouse, the same to be situated within the Distance aforesaid from such Malthouse, and to be approved by the said Commissioners, and at a reasonable Cost or Rent, not exceeding Ten Pounds a Year, to be paid by such Officer for the same: Provided always, that such House, Lodgings, or Rooms shall not form any Part of the Dwelling House, Residence, Distillery, or Malthouse of such Distiller or Maltster.

Secure Rooms to be provided for the Purposes herein expressed; viz., a Storeroom at Malthouse for Deposit of Malt on Removal from Kiln;

a Storeroom at Distillery for Malt on Removal from Malthouse;

also Millroom at Distillery for grinding Malt.

XIV. Every Distiller and every such Maltster as aforesaid shall also provide safe and secure Rooms, approved in Writing by the proper Collector and Supervisor of the District, and to be entered and used by such Distiller and Maltster respectively for the several Purposes herein-after expressed; (that is to say,) a Room at the Malthouse of such Distiller or Maltster to be entered and used as a Storeroom for depositing Malt therein immediately on the Removal thereof from the Kiln, and such Room shall be so situated with respect to such Kiln as that the Officer attending the Removal of Malt from the Kiln shall be enabled at One View to see the same taken from the Kiln and carried directly into such Storeroom, or if the Situation of such Storeroom will not admit of such View, then the Communication between the Kiln and the Storeroom shall be by an enclosed and covered Passage having no other Communication, or otherwise the Removal of all such Malt from the Kiln to the Storeroom shall be ensured to the Satisfaction of the Commissioners of Inland Revenue by such Ways and Means as they shall require or approve of, to be adopted by or at the Expense of the Distiller or Maltster; and if such Storeroom shall not be at the Distillery of the Person making such Malt, then the Distiller shall also provide a Room at his Distillery, to be entered and used by him as a Storeroom for depositing Malt therein, on the Removal thereof from the Malthouse to the Distillery, previously to the grinding of such Malt; and every Distiller shall also provide a Room at his Distillery, to be called the Millroom, and to be entered and used by him for the grinding of Malt therein; and all Malt to be used in the Distillery shall be ground by Metal Rollers only; and the Removal of such Malt to and from such Millroom, and the grinding thereof, and the depositing and securing of the same afterwards, shall be under and subject to such Rules and Regulations as the Commissioners of Inland Revenue may from Time to Time make in that Behalf; and all such Rooms so to be provided as aforesaid shall be properly secured to the Satisfaction of the said Collector and Supervisor, and shall be at all Times kept locked by the proper Officer of Excise, and neither the Distiller nor Maltster nor their respective Servants or Workmen shall be admitted therein, except upon due Notice in Writing given to such Officer, in the Manner and for the Purposes directed by this Act.

All such Rooms to be properly secured.

All Fastenings (except Locks) for Security of Kilns and other Rooms provided at Expense of the Distiller.

Penalty for refusing to defray such Expense, or for removing or damaging

XV. Wherever any Kiln, Room, or Place is by this Act directed to be kept locked or secured by the Officer of Excise, all fit and proper Fastenings (except Locks) for the Purpose of enabling such Officer to affix Locks thereto, or otherwise to secure such Kiln, Room, or Place, shall be provided and affixed, and renewed from Time to Time, by the Distiller or Maltster, to the Satisfaction of the proper Collector and Supervisor for the Time being, or otherwise such Collector or Supervisor shall provide and affix or renew such Fastenings, at the Expense of such Distiller or Maltster; and if any Distiller or Maltster shall neglect or refuse to pay to such Collector or Supervisor the Cost or Expense incurred by him in providing, affixing, or renewing any such Fastening, such Distiller or Maltster shall forfeit the Sum of One hundred Pounds; and if such Distiller or Maltster, or his Servant or Workman, shall wilfully destroy, damage, or injure any such Fastening as aforesaid, by whomsoever provided or affixed, or any Lock or Key belonging thereto, or shall by any Means open, take off, or remove any such Lock or Fastening, or make

make any Way or Entrance or improperly gain Access or Admittance into any such Kiln, Room, or Place, such Distiller or Maltster shall for every such Offence, whether committed by himself or his Servant or Workman, forfeit the Sum of Two hundred Pounds. Locks or Fastenings.

XVI. It shall be lawful for the Commissioners of Inland Revenue at any Time to revoke the Approval of any Malthouse, Kiln, Storeroom, or Millroom, or the Mode of Communication between any Kiln and Storeroom provided under this Act, which may have been approved of either by the said Commissioners or by the Collector and Supervisor of Excise, or either of them, and to require the Distiller or Maltster to provide another proper and secure Malthouse, Kiln, or Room in lieu thereof, or to make any Alteration therein, to the Satisfaction of the said Commissioners; and in case of the Refusal or Neglect of the Distiller or Maltster to comply with any Requisition of the said Commissioners in that Behalf, all Malt of such Distiller or Maltster then being at his Malthouse or Distillery, and all Malt thereafter made by him, until he shall so comply, shall be charged with the proper Duty of Excise on Malt, and the Amount of such Duty shall be paid to the proper Collector immediately after the Charge thereof shall have been made. Commissioners may revoke Approval of Malthouse, Kiln, or Storerooms, and require Alterations or additional Fastenings.

XVII. In respect of all Corn or Grain in process of making into Malt in any such Malthouse as aforesaid, the Allowance to be made upon the Gauges thereof during the Time that the same shall be in the Cistern, or in the Couch Frame, whilst directed by Law to be deemed and gauged as in Couch, shall be at the Rate of Seventeen Bushels only for every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge. Allowance on Cistern or Couch Gauges to be 17 per Cent.

XVIII. Every Distiller and Maltster who shall make Malt under the Provisions of this Act shall give Six Hours Notice in Writing to the proper Officer of Excise of the Day and the particular Hour when he shall intend to place any Grain upon the Kiln, and shall specify in such Notice the Floor of Corn or Grain, and the particular Portion thereof, whether the whole or the First or Second Portion, intended to be placed on the Kiln, and for this Purpose no Floor shall be divided into more than Two Portions; and the Officer shall attend pursuant to such Notice, and unlock the Door of the Kiln, and permit the loading thereof with Grain, conformably with such Notice: Provided always, that the loading of the Kiln shall not take place at any other Time than between the Hours of Five o'Clock in the Morning and Seven o'Clock in the Evening, and that such loading shall be completed within the Space of Two Hours from the Time specified in such Notice; and in default thereof the Door of the Kiln shall be again locked by the Officer. Distiller, &c. to give Notice to Officer to attend, when it is intended to load the Kiln.

XIX. Immediately after the loading of the Kiln, the Officer shall again lock up and secure the same, but during the Time that any Grain shall be upon the Kiln the Officer shall attend and admit the Workmen into the Kiln, for the Purpose of turning or stirring such Grain, from Time to Time and at such Times as shall be specified in any Notice in Writing which may be given to him for that Purpose, on behalf of the Distiller or Maltster, Six Hours at the least before the Attendance of such Officer shall be required for the Purpose aforesaid: Provided always, that the Officer shall not be required to unlock the Kiln oftener than Four Times in any One Day, nor at any Time between the Hours of Nine o'Clock in the Evening and Five o'Clock in the Morning, or to allow the Kiln to remain open or unlocked, for the Purpose aforesaid, for a greater Length of Time than Half an Hour on any One Occasion. Officer to admit the Workmen into the Kiln to stir the Grain from Time to Time, pursuant to Notice.

XX. Every such Distiller and Maltster respectively shall give to the proper Officer Twelve Hours Notice in Writing of the Day, and particular Hour of the Day, not earlier than Five o'Clock in the Morning nor later than Seven o'Clock in the Evening, when such Distiller or Maltster shall intend to remove the Malt from the Kiln; and the Officer shall attend according to such Notice, and the Malt shall be forthwith measured in his Presence, and from the Quantity of Malt found according to such measuring a Deduction shall be made at the Rate of Five *per Centum* for Heat, Commings or Roots, and the unclean State of such Malt; and if the Quantity after such Deduction shall prove to be less than the Quantity which was given by the highest Gauge of the Grain whilst in the Process of making into Malt, deducting the proper Allowance in that Behalf, the Deficiency shall be charged with the Duty of Excise on Malt, and the Distiller or Maltster shall forthwith pay the Amount of such Duty to the proper Collector of Excise; and all the Malt upon the Kiln, after having been so measured, shall be removed therefrom, and carried, in the Presence of the Officer, directly into the Storeroom to be provided and entered by the Distiller or Maltster for that Purpose as aforesaid, and shall be locked up and secured therein by such Officer: Provided always, that it shall be lawful for the Distiller or Maltster, if he shall think fit, to screen such Malt on the Kiln before the same shall be measured, and if the same shall be so screened then no Deduction shall be made from the Quantity found by such measuring, and the Distiller or Maltster shall be charged with Duty in respect of so much only as the actual Quantity so found shall be deficient of the Quantity given by such highest Gauge as aforesaid. Notice to be given for Removal of Malt from the Kiln. Malt to be measured, and Deficiency charged with Duty.

XXI. When the Distiller or Maltster shall desire to remove any Malt from the Storeroom at his Malthouse to the Storeroom at a Distillery, he shall give Twelve Hours Notice in Writing to the proper Officer of Excise of the Time when and the Rooms and Places to and from which he intends to remove such Malt, and the Quantity thereof which he intends to remove; and such Officer shall attend pursuant to such Notice at the Storeroom from which such Malt is to be removed, to unlock the Door thereof, and see Removal of Malt from the Storeroom at the Malthouse to the Storeroom at the Distillery.

see measured or weighed out therefrom the Quantity of Malt expressed in such Notice; and such Officer may take Samples of the Malt to be removed, and shall grant a Permit for the Removal of such Malt from and to the several Storerooms expressed in such Notice; and there shall be expressed in such Permit the Time for which the same shall be in force, such Time being a reasonable and sufficient Time for such Removal, and also the Measure or Weight of such Malt; and if such Distiller or Maltster shall not duly remove all such Malt, and deposit the same, according to the Terms of such Permit, or shall remove the same or any Part thereof to any other Place than that expressed in such Permit as the Place to which such Malt is to be removed, or if the Weight of the Malt deposited in such last-mentioned Place shall differ by more than Two and a Half *per Centum*, or if the Measure thereof shall differ by more than Five *per Centum*, from the Weight or Measure of Malt expressed in such Permit, such Distiller or Maltster shall forfeit the Sum of Two hundred Pounds, and all such Malt shall be forfeited, and may be seized by any Officer of Excise; and if any such Malt shall be found removing or removed without being or having been accompanied by a Permit duly granted, or accompanied by a Permit expired or out of Force, or which shall not agree with the Time or Manner of the Removal of such Malt, or in which the Weight or Measure of Malt authorized to be removed shall differ more than after the respective Rates aforesaid from the Weight or Measure of the Malt removing or removed under Colour thereof, all such Malt shall also be forfeited, and may be seized by any Officer of Excise.

How Malt to be removed from Malthouse to Distillery.

XXII. All Malt intended to be removed from a Storeroom at the Malthouse to a Storeroom at the Distillery shall be contained in Sacks, and each Sack shall contain the exact Quantity of Four Bushels of Malt by Measure, or One hundred and sixty-eight Pounds by Weight, secured therein in such Manner as the Commissioners of Inland Revenue may direct.

Twelve Hours Notice to be given for Removal of Malt from Storeroom to Millroom. Four Hours Notice for Removal of Malt to Mash Tun.

XXIII. And when the Distiller shall desire to remove any Malt from the Storeroom at his Distillery to the Millroom, for the Purpose of being ground, he shall give Twelve Hours Notice in Writing to the proper Officer of Excise, specifying in such Notice the Quantity of Malt intended to be so removed; and the Officer shall attend in pursuance of such Notice, and see measured or weighed the Quantity of Malt specified in such Notice, and such Malt shall be forthwith conveyed, in the Presence of the Officer, into the Millroom, and be there locked up and secured by the Officer; and before the Removal of any Malt, after the grinding thereof, to the Mash Tun, the Distiller shall give to the proper Officer Four Hours previous Notice in Writing, specifying the Quantity thereof to be mashed, and the Officer shall attend accordingly and deliver out such Malt, and the same shall be forthwith mashed in his Presence.

Distillers and Maltster to enter in Books Particulars of Malt received into and removed from their Storerooms.

XXIV. Books prepared with proper Columns for such Purposes as herein-after mentioned shall be delivered by the proper Officer of Excise to every Distiller and to every such Maltster, to be kept by them respectively at every such Storeroom as aforesaid, and whenever any Malt shall be received into or removed from any such Storeroom, the Distiller or Maltster shall enter in such Book as aforesaid, and in the proper Columns prepared for the Purpose, the Quantity of Malt, in Bushels, or in Pounds Weight, if the same shall be weighed, received into or removed from the Storeroom, and in the Case of Malt removed the Number of Sacks or the Weight of the Malt contained therein, if the same shall be weighed; and he shall also enter in such Book the particular Day and Hour of the Day when any such Malt was received into or removed from the Storeroom, and the particular Place from or to which the same was received or removed; and if any Distiller or any such Maltster as aforesaid shall not keep such Book as aforesaid, or shall not write and truly make therein all such Entries as aforesaid, or shall make any false Entry therein, or cancel, obliterate, or destroy or alter any Entry therein, or shall not deliver up any such Book to any Officer of Excise demanding the same, or shall refuse to permit such Officer to make any Minute therein, or to take any Extract therefrom, or shall conceal or convey away the same, or destroy or tear out any Leaf therefrom, such Distiller or Maltster shall for every such Offence forfeit the Sum of One hundred Pounds.

Malt remaining in Storeroom to be measured, and a Balance to be struck of Account of Malt received and delivered; if a Deficiency, Duty to be charged on the Quantity;

XXV. From Time to Time, when and as often as the Officer of Excise shall deem it to be necessary or proper, and at least once in every Year, the Stock of Malt remaining in any such Storeroom as aforesaid shall be measured or weighed in the Presence of the Officer, and a Balance shall be struck of the Account of Malt received into and delivered out of such Storeroom; and if the Quantity of Malt then remaining in such Storeroom, according to such measuring or weighing, shall be deficient by more than Three *per Centum* by Measure, or One *per Centum* by Weight, (computed as herein-after mentioned,) of the Quantity which, according to the Balance of such Account, ought to be found therein, the Distiller or Maltster shall be charged with the Duty of Excise on Malt for the whole Quantity deficient; and if at any Time the whole of the Malt shall be removed from any such Storeroom, and upon striking such Balance there shall appear to be any such Deficiency exceeding the Rate aforesaid, the Distiller or Maltster shall also be charged with the said Duty on the whole of such Deficiency, and in every such Case as aforesaid the Distiller or Maltster shall forthwith pay the Amount of the Duty so charged upon him to the proper Collector of Excise; and if at any Time, upon striking such Balance as aforesaid, there shall be found in any such Storeroom a Quantity of Malt exceeding by more than Three *per Centum* the Quantity which, according to the Balance of such Account, ought to be found therein, the whole Quantity of such Excess shall be forfeited, and may be seized by any Officer of Excise; and on the striking of such Balance as aforesaid the said respective Rates *per Centum* shall be computed and allowed on the whole Quantity of Malt

if an Excess, the same to be forfeited.

received

received into the Storeroom since the First Entry and Use thereof as such Storeroom, if there shall have been no previous Stock-taking, or on the whole Quantity received since the last Stock-taking, and also on the Quantity then remaining in such Storeroom, as the Case may be; and for the Purpose of charging the Duty on any such Deficiency as aforesaid, where the Stock Account of Malt in any such Storeroom shall be kept by Weight, Forty Pounds Weight of Malt shall be deemed to be equal to a Bushel of Malt, and the Duty of Excise chargeable on a Bushel of Malt shall be charged accordingly on every Forty Pounds Weight of the Quantity of Malt deficient.

Malt to be either measured or weighed, or both, as the Commissioners may order.

XXVI. In all Cases where Malt in any Storeroom, or on the Removal thereof to or from any Storeroom, is by this Act directed to be measured or weighed, it shall be lawful for the Commissioners of Inland Revenue, by any Order or Regulation from Time to Time by them in that Behalf made, to determine and direct that such Malt shall be either measured or weighed, or both measured and weighed, and that any Account thereof shall be taken and kept either by Measure or Weight, as the said last-mentioned Commissioners shall think fit.

Distiller and Maltster to provide a correct Bushel Measure and Scales and Weights; and assist Officer in measuring and weighing Malt.

XXVII. Every Distiller and every such Maltster as aforesaid shall provide and keep at his Malthouse and also at his Distillery, and in such proper and convenient Place therein respectively as the Supervisor of Excise shall approve, a correct Bushel Measure, and also just and true Sales and Weights, properly adapted for the weighing of Malt in Sacks, and shall permit any Officer of Excise to use such Measure and Scales and Weights for the Purpose of measuring, weighing, and taking an Account of all or any Malt in the Possession of such Distiller or Maltster; and every such Distiller and Maltster respectively, with his Servants and Workmen, shall, whenever thereto required by any Officer of Excise, measure and weigh, and aid and assist the Officer in measuring and weighing and taking Account of such Malt as aforesaid; and if any Distiller or any such Maltster as aforesaid shall refuse or neglect to provide and keep such Bushel Measure, or to provide and keep such Scales and Weights, in such Place as aforesaid, or shall refuse to permit any Officer of Excise to use the same, or refuse or neglect, whenever thereto required as aforesaid, with his Servants or Workmen, to measure or weigh any such Malt, or to aid and assist the Officer in measuring or weighing and taking Account of the same as aforesaid, such Distiller or Maltster shall for every such Offence forfeit the Sum of One hundred Pounds; and if any Measure which shall be provided or kept by such Distiller or Maltster at his Malthouse or Distillery as or for such Bushel Measure as aforesaid shall not be a true and correct Bushel Measure, or if any Scales or Weight which shall be so provided or kept as aforesaid shall be false or unjust, or if any Distiller or Maltster shall use or cause or permit or suffer to be used any false, unjust, or insufficient Measure, Scales, or Weight in the measuring or weighing of any Malt by or on the Requisition of any Officer of Excise, or shall practise any Art, Device, or Contrivance by which any Officer may be hindered or prevented from taking the just and true Quantity, Measure, or Weight of any Malt, such Distiller or Maltster shall forfeit the Sum of Two hundred Pounds for every such Offence; and all false, unjust, or insufficient Measures, Scales, and Weights respectively shall be forfeited, and may be seized and taken away by any Officer of Excise.

Distiller to deliver an Account of the Malt, Sugar, and Molasses used in every distilling Period, verified by Declaration.

XXVIII. Every Distiller shall at the End of every distilling Period deliver to the proper Officer an Account in Writing of the Number of Bushels of Malt, and the true Quantity of Sugar and Molasses, (specifying the same and the Quantities thereof respectively,) actually used in making the Wort or Wash distilled during such Period; and the Officer shall transmit such Account, together with a Return in Writing signed by him, to the Collector of Excise, specifying the Number of Bushels of Malt, and the Quantities of Sugar and Molasses respectively so used, and the Quantity of Proof Spirits with which such Distiller shall have been charged in respect of such Wort or Wash; and the Distiller or the principal Manager of his Distillery shall make and subscribe a Declaration to the Truth of such Account in the Form or to the Effect following:

'I *A.B.*, Distiller [*or* principal Manager, *as the Case may be*,] of the Distillery at
'do solemnly declare, That within the Brewing Period commencing on the Day of
'and ending on the Day of both inclusive, there were
'actually mashed and used in the said Distillery, and consumed in the distilling of Spirits therein, the
'several Quantities of Malt and of Sugar and Molasses respectively herein-after specified, and no more;
'(that is to say,) Bushels of Malt, Pounds of Sugar, and
'Pounds of Molasses [*or as the Case may be*]; and all this I declare to the best of my Knowledge and
'Belief, and according to the best Information in my Power to obtain.'

And in default of such Declaration being made, or if any such Declaration shall be untrue, the Distiller shall forfeit the Sum of Two hundred Pounds.

Distillers, &c. to designate their Malthouses by painting certain Words on the principal Entrance.

XXIX. Every Distiller or other Person who shall make Malt under the Provisions of this Act shall paint or place and fix in Letters distinctly legible, Three Inches at the least in Height, and of a proper and proportionate Breadth, conspicuously upon the principal Gate, Door, or Entrance of his Malthouse, his Christian and Surname, together with the Words "Entered to make Malt to be used in distilling Spirits only," and shall preserve and keep the same so painted or placed and fixed, and shall repaint and renew the same as often as Occasion shall require, upon pain of forfeiting the Sum of Twenty Pounds for

Penalty on Neglect.

for any Refusal or Neglect to comply in any Particular with the several Directions aforesaid in this Clause contained.

Distillers prohibited from selling Malt, Sugar, or Molasses.

Penalty.

XXX. It shall not be lawful for any Distiller to sell any Malt, Sugar, or Molasses, or to send out or deliver any Malt, Sugar, or Molasses from any Malthouse, Distillery, or other Premises belonging to him; and every Person who shall knowingly buy any Malt, Sugar, or Molasses from a Distiller, or who shall take or receive any Malt, Sugar, or Molasses from a Distillery or any Malt from any Malthouse or Premises on the principal or outer Gate whereof the Words "Entered to make Malt to be used in distilling Spirits only" shall be painted, fixed, or placed, shall forfeit the Sum of One hundred Pounds; and if any Distiller shall sell any Malt, Sugar, or Molasses, or take or send out or remove any Malt from his Malthouse (except Malt duly removed therefrom to his Distillery under a Permit granted in that Behalf), or take or send out or remove any Malt, Sugar, or Molasses from his Distillery, or if any Distiller shall not use all Corn or Grain received at his Malthouse by making the same into Malt, and consume all such Malt in his Distillery, or shall convey away, hide, or conceal any Malt, or Corn, or Grain, or any Sugar or Molasses, such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds; and all Malt, Sugar, and Molasses which shall be found in any Distillery or the Premises belonging thereto, otherwise than in the proper Storeroom or Millroom, or in the Mash Tun, or being duly removed to or from any such Places in the Manner directed or allowed by this Act, shall be deemed to be conveyed away, hidden, and concealed by the Distiller, and shall subject him to the said Penalty in that Behalf; and all Malt, Corn, and Grain, and all Sugar and Molasses, which shall be respectively sold, sent out, delivered, or received, or conveyed away, hidden, or concealed, contrary to any of the Provisions of this Act, shall be forfeited, and may be seized by any Officer of Excise.

Commissioners may revoke the Licence of a Distiller or Maltster on a Second Conviction of certain specified Offences.

XXXI. And if any Distiller shall be convicted of any of the several Offences specified in the last preceding Clause of this Act, and shall afterwards be again convicted either of the like Offence or of any other of the said several Offences specified as aforesaid, or if after Judgment shall be obtained against any Maltster upon the Bond entered into by him under the Provisions of this Act, by reason of any Breach of the Condition thereof, he shall do any Act which shall be a Breach of the Condition of any such Bond subsequently entered into by him, and by reason thereof Judgment shall be obtained against him upon such last-mentioned Bond, it shall be lawful for the Commissioners of Inland Revenue, and they are hereby empowered, to revoke and annul the Licence granted to such Distiller or Maltster, as the Case may be, and to refuse to grant to him any further Licence, either as a Distiller or a Maltster, at any Time thereafter, and also to refuse to grant during the Space of One Year any such Licence to any other Person to exercise the like Trade or Business at the same Premises where the Act or Offence which shall be the Ground of such Second Conviction or Judgment as aforesaid was done or committed.

Persons found unlawfully removing Malt from a Distiller's Malthouse or a Distillery may be arrested and taken before a Justice, and summarily dealt with.

XXXII. And if any Person shall be found taking or removing Malt, or any Corn or Grain making into Malt, from any Malthouse or Premises on the principal or outer Gate whereof the Words "Entered to make Malt to be used in distilling Spirits only" shall be painted, fixed, or placed, unless in the Case of Malt the same shall be removed under and accompanied by a Permit granted under the Provisions of this Act, or if any Person shall be found taking or removing any Malt, Sugar, or Molasses, or any Wort or Wash, from any Distillery or the Premises thereto belonging, it shall be lawful for any Officer of Excise to arrest and detain such Person, and to convey him before a Justice of the Peace residing near the Place where such Arrest shall be made; and such Justice is hereby authorized and required to hear and determine, as soon afterwards as practicable, the Charge against the Person so arrested, and on the Confession of such Person, or on due Proof upon Oath of such Offence, to convict such Offender in the Penalty of One hundred Pounds; and the Person so convicted shall forthwith pay the said Penalty into the Hands of the said Officer, for the Order and Direction of the Commissioners of Inland Revenue, and in default thereof such Justice shall commit such Offender to any Gaol or Prison of the County, there to be kept to Hard Labour for any Period not exceeding Six Calendar Months nor less than Two Calendar Months, unless such Penalty shall be sooner paid.

No Abatement for Deficiencies on Spirits deposited in Warehouse less than Three Days.

XXXIII. 'And whereas by the Twenty-eighth Section of the Act passed in the Sixteenth and 'Seventeenth Years of Her Majesty's Reign, Chapter Thirty-seven, certain Rates of Allowance or 'Abatement are directed to be made in respect of the Deficiencies which may occur in *British* Spirits 'warehoused without Payment of Duty:' Be it enacted, That no such Allowance or Abatement shall be made on any Spirits which shall not be and remain deposited in a Warehouse for the Period of Three Days or more.

Rectifiers may send out compounded Spirits at certain additional Strengths.

XXXIV. 'And whereas it is expedient to allow compounded Spirits to be sent out at other Degrees 'of Strength than are now allowed by Law:' Be it enacted, That it shall be lawful for any Rectifier or Compounder of Spirits to sell and send out compounded Spirits at any Degree of Strength at which *British* Spirits may be sold and sent out by any Distiller, as well as at the Strength at which such Rectifier or Compounder may now sell and send out compounded Spirits under any Act in force.

Malting Barley or other Corn how long to be kept in operation.

XXXV. And for amending the Laws relating to the Duties of Excise on Malt, be it enacted, That all Barley making into Malt in any Malthouse shall be kept in operation for the full Period of One hundred and sixty-eight Hours at the least from the Time of the same being removed from the Cistern into the Couch Frame before the same or any Portion of it shall be placed on the Kiln; and all other Corn or Grain

Grain making into Malt shall be kept in operation for such Period of Time as the Commissioners of Inland Revenue shall order or direct in that Behalf; and if any Maltster shall place on the Kiln any Barley making into Malt which shall not have been kept in operation for the full Period directed by this Act, or any other Corn or Grain making into Malt which shall not have been kept in operation for such Period of Time as the said last-mentioned Commissioners shall order or direct in that Behalf, every such Maltster so offending shall forfeit the Sum of Two hundred Pounds.

Brewer not to have raw or unmalted Grain in his Brewery or in Premises adjacent.

XXXVI. And for preventing Fraud and Evasion of the Duty of Excise on Malt by the Use of raw or unmalted Corn or Grain in the brewing of Beer for Sale, be it enacted, That it shall not be lawful for any Brewer of Beer for Sale to have in his Brewery, or in any Premises belonging or adjacent thereto, whether the same shall be entered by him or not, any raw or unmalted Corn or Grain whatsoever, either whole or unground, or ground or bruised, except Corn or Grain, not ground or bruised, being in Premises entered by such Brewer for the Purpose of making Malt; and all raw or unmalted Corn or Grain which shall be found in such Brewery or other Premises (except as aforesaid), and also all malted Corn or Grain, whether whole or unground, or ground or bruised, with which such raw or unmalted Corn or Grain may be mixed, shall be forfeited, and may be seized by any Officer of Excise, together with all Sacks, Casks, Vessels, or Packages in which such raw or unmalted Corn or Grain may be contained, and the Brewer for every such Offence shall forfeit the Sum of Two hundred Pounds: Provided always, that no such Penalty or Forfeiture shall be incurred in respect of any Oats or Beans *bonâ fide* intended to be used and consumed as Food for Horses, such Oats or Beans being in Premises of which such Brewer shall specially make Entry as Places for the Deposit of Horse Corn, and which shall be so far distinct from his entered Brewery Premises as not to have any internal Communication to or with the same.

Malt used by Brewers to be ground by Metal Rollers only.

XXXVII. No Brewer of Beer for Sale shall have or use, for the Purpose of grinding, crushing, or bruising Malt, any Millstones, or any Mill constructed otherwise than with Metal Rollers only, such Rollers not being fluted but having plain and smooth Surfaces; and no Malt which shall be ground by any Means, or crushed or bruised otherwise than by means of such Metal Rollers as aforesaid, shall be used by or be received into the Possession of any such Brewer; and if any such Brewer shall commit any Offence contrary to any of the Prohibitions contained in this Clause he shall forfeit the Sum of Two hundred Pounds; and all Malt which shall be found in the Possession of any such Brewer ground, crushed, or bruised in any Manner contrary to any such Prohibition shall also be forfeited, and may be seized by any Officer of Excise.

CAP. XCV.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to provide additional Offices for the Public Service in or near *Downing Street, Westminster.*

[14th *August* 1855.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to extend to* Charing Cross, *the* Strand, *and Places adjacent the Powers of an Act for making a more convenient Communication from* Marylebone Park, *and to enable the Commissioners of His Majesty's Woods, Forests, and Land Revenues to grant Leases of the Site of* Carlton Palace, the Commissioners of His Majesty's Woods, Forests, and Land Revenues were empowered to purchase certain Houses, Tenements, and Hereditaments situate in the Parish of *Saint Margaret* within the Liberty of *Westminster* in the County of *Middlesex;* and the said Commissioners, in pursuance of the Powers so vested in them, purchased several Houses and Tenements on the South Side of *Downing Street* and North Side of *Fludyer Street* in the said Parish and County, and thereupon the same became vested in the Crown as Part of the Land Revenue, and such Houses and Tenements have been since taken down, and the Materials thereof removed, and the Sites thereof are now vacant: And whereas, with the view to provide further and better Accommodation for carrying on the Public Service of Her Majesty, it is necessary and expedient that the Sites of the said Houses and Tenements so purchased as aforesaid, and the further and additional Site herein-after mentioned, should be appropriated by the Commissioners of Her Majesty's Works and Public Buildings for the Erection thereon by them of Offices and Buildings for the Public Service: And whereas a Map or Plan showing the Area proposed to be appropriated and used as a Site for the said new Offices and Buildings for the Public Service was made, for the Purpose of being deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and on such Map or Plan the Site originally intended to be appropriated and used for such Offices and Buildings is coloured Red, Brown, and Yellow: And whereas it has been determined to extend and enlarge the Area for the Site of such new Offices and Buildings as aforesaid, and for that Purpose to take and use, in addition to the said Ground and Buildings shown by the Colours Red, Brown, and Yellow on the said Map or Plan, certain other Ground and Buildings adjoining thereto, all of which said additional Ground and Buildings belong to Her Majesty, and form Part of the Hereditary Land Revenues of the Crown, and are shown by the Colour Blue on the said Map or Plan: And whereas, under and by virtue of an Act passed in the Session of Parliament holden in the Third and Fourth Years of the Reign

7 G. 4. c. 77.

3 & 4 Vict. c. 87.
14 & 15 Vict. c. 42.

'Reign of Her present Majesty, Chapter Eighty-seven, intituled *An Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to make additional Thoroughfares in the Metropolis,* and of another Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Forty-two, intituled *An Act to make better Provision for the Management of the Woods, Forests, and Land Revenues of the Crown, and for the Direction of Public Works and Buildings,* certain Ground and Hereditaments situate and being in the Parishes of *Saint Giles in the Fields* and *Saint George Bloomsbury* in the County of *Middlesex* were purchased and acquired by the Commissioners named in the said first-mentioned Act, and by the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of such Act, and such Ground, with the Messuages and other Buildings lately erected and built thereon, are now vested in the said last-mentioned Commissioners, in trust for the Consolidated Fund of *Great Britain* and *Ireland,* and the said Ground, Messuages, and other Buildings are described and set forth in the First Schedule hereto: And whereas the Ground and Hereditaments belonging to Her Majesty, and forming Part of the Hereditary Land Revenues of the Crown, which will be required for the Purposes of such new Offices and Buildings for the Public Service, are described and set forth in the Second Schedule hereto, and are coloured Red and Blue on the before-mentioned Map or Plan: And whereas for the accomplishing the Purposes aforesaid it is intended that the Hereditaments described and set forth in the First Schedule hereto, and now vested in and belonging to the Commissioners of Her Majesty's Works and Public Buildings, in trust as aforesaid, should be vested in Her Majesty, Her Heirs and Successors, as Part of the Hereditary Land Revenues of the Crown, in exchange for the Hereditaments belonging to Her Majesty, and described and set forth in the Second Schedule hereto, to be vested in the Commissioners of Her Majesty's Works and Public Buildings, in trust for the Purposes of this Act: And whereas the Hereditaments described in the said First and Second Schedules respectively have been valued as herein-after mentioned, and it is intended that the Difference in Value shall be paid as herein-after is provided:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners incorporated for the Purposes of the Act.

I. The Persons who for the Time being, under the Provisions of the Act passed in the Session of Parliament Fourteenth and Fifteenth *Victoria,* Chapter Forty-two, shall be Commissioners of Her Majesty's Works and Public Buildings, shall for the Purposes of this Act be and are hereby constituted a Corporation by the Name and Style of the Commissioners of Her Majesty's Works and Public Buildings, and by that Name shall have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they think fit.

Hereditaments in the Second Schedule (subject to Leases, &c.) vested in the Commissioners of Works.

II. From and after the passing of this Act, the said Hereditaments mentioned and comprised in the Second Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said Second Schedule to this Act mentioned or referred to) be and the same are by this Act vested in the Commissioners of Her Majesty's Works and Public Buildings so hereby incorporated as aforesaid, their Successors and Assigns, for ever, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said Second Schedule, and with the same Power of Recovery of the Rents and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of the Tenants to be paid and performed, as were possessed by Her Majesty immediately before the passing of this Act, but freed and discharged and absolutely exonerated of and from all former and other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same, in trust nevertheless for the Purposes of this Act: Provided always, that all Rents in arrear at the passing of this Act, or which shall accrue due in respect of the Hereditaments comprised in the said Second Schedule to this Act, up to the first quarterly or half-yearly Day of Payment of such Rents which shall first happen after the passing of this Act, shall be received by the Commissioners of Her Majesty's Works and Public Buildings, but shall be payable and paid by them to the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues.

Hereditaments in the First Schedule (subject to Leases, &c.) vested in the Crown.

III. From and after the passing of this Act, the Hereditaments mentioned and comprised in the First Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said First Schedule to this Act mentioned or referred to) be and the same are by this Act vested in the Queen's most Excellent Majesty, Her Heirs and Successors for ever, as Part and Parcel of the Hereditary Revenues of the Crown within the Order and Survey of the Court of Exchequer, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said First Schedule, and with the same Power of Recovery of the Rents and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of the Tenants to be paid and performed, as were possessed by the said Commissioners

missioners of Her Majesty's Works and Public Buildings immediately before the passing of this Act, but freed and discharged and absolutely exonerated from all other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same: Provided always, that all Rents in arrear at the passing of this Act, or which shall accrue due in respect of the Hereditaments comprised in the said First Schedule to this Act, up to the first quarterly or half-yearly Day of Payment of such Rents which shall first happen after the passing of this Act, shall be received by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues on behalf of Her Majesty, but shall be payable and paid by them to the Commissioners of Her Majesty's Works and Public Buildings, in trust for the Consolidated Fund.

Commissioners of Works to pay to Commissioners of Woods 2,600*l.*, being the Difference between Valuations of Property comprised in Schedules 1. and 2.

IV. 'And whereas it was referred to *John Clutton* of Number Eight, *Whitehall Place*, in the City of *Westminster*, Surveyor, on the Part of Her Majesty, and *James Pennethorne* of *Whitehall Yard* in the said City, Surveyor, on the Part of the Commissioners of Her Majesty's Works and Public Buildings, to value the Hereditaments respectively comprised in the First and Second Schedules to this Act; and the said *John Clutton* and *James Pennethorne* not having agreed touching the Value of such Hereditaments respectively, such Value has been ascertained and determined by *Daniel Norton* of *Old Broad Street* in the City of *London*, Surveyor, as the Umpire appointed by them; and in the Fourth Schedule to this Act is contained a Copy of the Award of the said *Daniel Norton* concerning the Premises aforesaid, whereby it appears that the Value of the Hereditaments comprised in the said First Schedule to this Act has been ascertained by the said *Daniel Norton* to be One hundred and twenty thousand six hundred Pounds, and that the Value of the Hereditaments comprised in the said Second Schedule to this Act has been ascertained to be One hundred and twenty-three thousand two hundred Pounds, and the said Sum of One hundred and twenty thousand six hundred Pounds being deducted from the said Sum of One hundred and twenty-three thousand two hundred Pounds, there remains a Balance of Two thousand six hundred Pounds:' Be it therefore enacted, That the said Sum of Two thousand six hundred Pounds shall, within Three Calendar Months after the passing of this Act, be paid by the Commissioners of Her Majesty's Works and Public Buildings out of any Monies which may be put at their Disposal for the Purposes of this Act to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are by an Act of the Tenth Year of *George* the Fourth, Chapter Fifty, directed to be applied.

Certain Ground, &c. to vest in Commissioners.

V. The Piece of Ground and Buildings in the said Plan coloured Yellow (being Hereditaments which were purchased out of Monies from the Consolidated Fund or otherwise for the Public Service) shall from and after the passing of this Act be vested in the said Commissioners so hereby incorporated as aforesaid, their Successors and Assigns, for the Purposes of this Act.

Commissioners of Works to carry this Act into execution.

VI. It shall be lawful for the said Commissioners of Her Majesty's Works and Public Buildings, and they are hereby authorized and empowered, out of any Monies which may be appropriated by Parliament, and put at their Disposal for that Purpose, to purchase, as after provided or referred to, the Hereditaments in the Parish of *Saint Margaret Westminster* in the County of *Middlesex* mentioned and described in the Third Schedule to this Act, or such Part or Parts of the said Hereditaments not by this Act vested in the said Commissioners, and to pull down and remove the Buildings thereon when so purchased, and to appropriate the Sites of the said Buildings, and all the Ground and Buildings mentioned and described in the Second and Third Schedules to this Act, whether now used as Streets, Yards, or vacant Ground, or otherwise, as a Site for the Erection thereon of Offices and Buildings for the Public Service, and the necessary Accesses and Approaches to such Offices and Buildings, and to carry the Purposes of this Act into execution in manner herein mentioned.

The new Buildings and Offices to be erected out of Monies to be appropriated by Parliament.

VII. The Buildings and Offices so to be erected as aforesaid shall be erected out of such Monies as may from Time to Time be appropriated by Parliament, and placed at the Disposal of the said Commissioners for that Purpose, and as the Commissioners of Her Majesty's Treasury shall from Time to Time direct; and all Hereditaments so to be purchased, and the Hereditaments so by this Act vested in the said Commissioners, shall be vested in them for the Public Service, and shall be subject to the Provisions of an Act passed in the Session of Parliament holden in the Fifteenth Year of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Plan to be deposited in the Office of Works, &c., and be open for Inspection.

VIII. The said Map or Plan, describing the Houses, Tenements, and Hereditaments on the Site or Sites of which the new Offices and Buildings for the Public Service are proposed to be erected and built, shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and the Map or Plan so deposited shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Certain Sections of 3 & 4 Vict. c. 87.

IX. For the Purposes of this Act, the following Sections of the Eighty-seventh Chapter of the Statutes made in the Session of Parliament held in the Third and Fourth Years of the Reign of Her Majesty Queen

incorporated with this Act.

Queen *Victoria*, being *An Act to enable Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings to make additional Thoroughfares in the Metropolis*, namely, Sections Eleven to Twenty-six, both inclusive, Sections Twenty-eight to Fifty-seven, both inclusive, and Sections Sixty-six to Seventy-five, both inclusive, shall be deemed to be herein repeated, with the Alterations necessary to make the same applicable to the Purposes of this Act, and to the Commissioners hereby incorporated, instead of the Commissioners by that Act incorporated, and so as to enable the Commissioners hereby incorporated to carry into effect the Purposes of this Act; and all Provisions in the said Act referring to or affecting any particular Commissioners of Sewers, or Persons or Bodies having the Control of any Sewers, shall be held to apply to the Commissioners or Body or Person or Persons having the Control or Management of the Sewers to which such Provisions became applicable.

Period for Commissioners purchasing Houses, &c. limited.

X. If the Commissioners of Her Majesty's Works and Public Buildings shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Tenements, Ground, and Hereditaments, or Parts thereof respectively, which they are empowered by this Act to purchase, take, and use, in pursuance of the Provisions hereby referred to, then and from thenceforth the compulsory Powers hereby granted to them for such Purpose shall cease.

Application of Purchase Monies.

XI. With respect to any Purchase Monies payable into the Bank of *England* under the Provisions of this Act, the same shall be paid to the Account of the Accountant-General of the Court of Chancery pursuant to the Method prescribed by an Act of the Twelfth Year of King *George* the First, intituled *An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Indorsements thereon, and likewise Indorsements on* South Sea *Bonds*, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Use of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*, in like Manner as Monies are by the said Act of the Third and Fourth Years of the Reign of Her present Majesty directed to be paid to the Account of the Accountant General of the Court of Exchequer; and such Monies shall be applied under the Direction of the Court of Chancery in like Manner as Monies are by the said Act directed to be applied under the Directions of the Court of Exchequer, with such Powers to the Court of Chancery with regard to Costs as by the said Act of the Third and Fourth Years of the Reign of Her present Majesty, Chapter Eighty-seven, were vested in the Court of Exchequer.

12 G. 1. c. 32.

12 G. 2. c. 24.

Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.

XII. All Monies payable to the Commissioners of Her Majesty's Works and Public Buildings, under the Provisions of this Act, from the Sale of any Materials or otherwise, shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt, unstamped, shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the said Commissioners shall so direct.

Contracts made by First Commissioner of Works to be valid.

XIII. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings, in the Execution of any of the Powers by this Act given to the said Commissioners of Her Majesty's Works and Public Buildings, incorporated as aforesaid, shall be valid, and shall be binding on the said Commissioners as if the same had been under their Corporate Seal.

Deeds to be enrolled in the Court of Exchequer.

XIV. Every Conveyance, Assignment, or other Deed or Instrument whereby any of the Hereditaments by this Act authorized to be purchased shall be conveyed or assigned to the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners of Her Majesty's Works and Public Buildings; and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be as good and available in Law, and of the like Force and Effect in all respects, and to all Intents and Purposes, as if the same or a Memorial thereof had been registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the County of *Middlesex*, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Short Title.

XV. It shall be sufficient for all Purposes to cite this Act as "The *Downing Street* Public Offices Extension Act, 1855."

SCHEDULES referred to by the foregoing Act.

SCHEDULE No. 1., also referred to by the Award of Daniel Norton.

Name of Lessee.	Premises.		Annual Rent.	Date of Lease.	Term granted.	Expiration of Lease.
		No.	£ s. d.			
Sir Henry Meux and Co.	A Messuage on the South Side of Oxford Street	441	50 0 0	14th October 1854	80 Years	Lady-day 1925.
John Hill	Ditto	442	35 0 0	Agreement dated 14th April 1845. Lease not yet granted.	80 Years	Lady-day 1925.
Idem	Ditto	443	32 0 0			
Idem	Ditto	444	35 0 0			
Idem	Ditto	445	24 10 0			
George Healey	Ditto	446	205 0 0 including Nos. 449 & 450	Lease not yet granted	80 Years	Lady-day 1925.
Idem	Ditto	447				
George Plum	Ditto	448	55 10 0	12th September 1850	80 Years	Lady-day 1925.
George Healey	Ditto	449	See Nos. 446 and 447 above.	—	—	—
Idem	Ditto	450				
John Todd Merrick	A Factory behind Houses on the South Side of Oxford Street	—	79 0 0	22d January 1846	80 Years	Lady-day 1925.
Charles Pitt Barclay	A Messuage on the South Side of Oxford Street (Corner of the new Street leading to St. Giles's Church).	451	10 0 0	11th December 1845	80 Years	Lady-day 1925.
John Todd Merrick	Ditto, 2d East from ditto	452	70 0 0	22d December 1845	80 Years	Lady-day 1925.
Idem	Ditto, 3d ditto	453	70 0 0	20th December 1845	80 Years	Lady-day 1925.
Idem	Ditto, 4th ditto	454	70 0 0	19th December 1845	80 Years	Lady-day 1925.
Idem	Ditto, 5th ditto	455	70 0 0	18th December 1845	80 Years	Lady-day 1925.
Idem	Ditto, 6th ditto	456	70 0 0	17th December 1845	80 Years	Lady-day 1925.
Idem	Ditto, 7th ditto	457	12 0 0	28th July 1846	80 Years	Lady-day 1925.
Idem	Ditto, 8th ditto	458	12 0 0	29th July 1846	80 Years	Lady-day 1925.
Idem	Ditto, 9th ditto	459	70 0 0	30th July 1846	80 Years	Lady-day 1925.
Idem	Ditto, 10th ditto	460	70 0 0	31st July 1846	80 Years	Lady-day 1925.
Idem	Ditto, 11th ditto	461	70 0 0	1st August 1846	80 Years	Lady-day 1925.
Idem	Ditto, 12th ditto	462	70 0 0	3d August 1846	80 Years	Lady-day 1925.
Idem	Ditto, 13th ditto	463	95 0 0	4th August 1846	80 Years	Lady-day 1925.
Idem	Ground and Premises in the Rear of Messuages South Side of Oxford Street	—	2 0 0	28th July 1853	80 Years	Lady-day 1925.

Name of Lessee.	Premises.	Annual Rent.	Date of Lease.	Term granted.	Expiration of Lease.
John Todd Merrick - -	Ground and Premises in the Rear of Messuages South Side of Oxford Street - - - No. –	£ s. d. 0 12 0	28th July 1853 -	80 Years -	Lady-day 1925.
Samuel Rowe Brooking -	A Messuage on the South Side of Oxford Street - - - 464 (2d House Westward from George Street.)	37 15 0	1st December 1845 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, Corner of Oxford Street and George Street - - 465	37 15 0	2d December 1845 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	Ditto, Corner of Bloomsbury Street - - - 467	40 0 0	27th December 1847	80 Years -	Christmas 1926.
Idem - - -	Ditto, 2d East from ditto - 468	20 0 0	30th December 1847	80 Years -	Christmas 1926.
Fanny Ann Bell - -	Ditto, 3d ditto (Crown Public House) - - - 469	60 0 0	19th August 1848 -	36 Years -	Christmas 1880.
Sir Henry Meux and Co. -	Ditto, 4th ditto - - 470	47 0 0	19th August 1848 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	Ditto, 2d House Westward from the Corner House of Oxford Street and Thorney Street 471	30 0 0	29th December 1847	80 Years -	Christmas 1926.
Idem - - -	Ditto, 1st House Westward from ditto - - - 472	30 0 0	28th December 1847	80 Years -	Christmas 1926.
Idem - - -	Ditto, Corner House of Oxford Street and Thorney Street - 473	40 0 0	24th December 1847	80 Years -	Christmas 1926.
Hugh Welch Cooper -	Messuage on the South Side of Oxford Street - - - 480	35 0 0	22d November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, 2d East from ditto - 481	35 0 0	27th November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, 3d ditto - - 482	30 0 0	26th November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, 4th ditto - - 483	30 0 0	23d November 1849	80 Years -	Michaelmas 1926.
Idem - - -	Ditto, Corner of the North Side of Hyde Street - 484	25 0 0	24th November 1849	80 Years -	Michaelmas 1926.
Idem - - -	A Messuage at the Corner or East Side of Museum Street and Hyde Street Bloomsbury - - 53	20 0 0	22d November 1849	80 Years -	Michaelmas 1926.
Thomas Probyn - -	A Messuage on the North Side of Holborn (Compasses Public House) 146	80 0 0	21st October 1845 -	60 Years -	Lady-day 1905.
Robert Cox - - -	A Messuage on the South Side of Oxford Street, 3d West from Holborn - - - - 492	40 0 0	16th April 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 2d ditto Westward from Holborn - - - 493	70 0 0	18th April 1846 -	80 Years -	Lady-day 1925.

Idem - - -	Ditto, Corner of Holborn -	494	51 10 0	17th April 1846 -	80 Years -	Lady-day 1925.
John Swaine - - -	Ditto, North Side of Oxford Street (North-west Corner of Bury Place) - -	495	52 8 0	27th January 1847 -	80 Years -	Lady-day 1926.
Richard Hodge - -	Ditto, 2d West from ditto -	496	90 0 0	8th August 1850 -	80 Years -	Lady-day 1926.
Idem - - - -	Ditto, 3d ditto -	497	87 12 6	11th November 1848	80 Years -	Lady-day 1926.
Idem - - - -	Ditto, 4th ditto -	498	79 12 0	28th July 1849 -	76¾ Years -	Lady-day 1926.
Kensington, Lewis - -	Ditto - - - -	504	110 0 0	14th April 1852 -	80 Years -	Lady-day 1925.
—	And a Messuage in the Rear thereof, No. 7, Hart Street - -	—	—	—	—	—
Idem - - - -	Ditto - - -	505	106 0 0	14th April 1852 -	80 Years -	Lady-day 1925.
—	And a Messuage in the Rear thereof, No. 6, Hart Street - -	—	—	—	—	—
Idem - - - -	Ditto, 3d East from Hart Street	506	105 0 0	10th December 1849	80 Years -	Lady-day 1925.
Samuel Rowe Brooking -	Ditto, 2d ditto -	507	80 0 0	24th February 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, Corner of Hart Street -	508	80 0 0	23d February 1846 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	Ditto, North-west Corner of Oxford Street and Duke Street - - -	516	55 0 0	16th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 9th Eastward from Bloomsbury Street -	517	49 19 0	15th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 8th ditto -	518	40 0 0	13th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 7th ditto -	519	40 0 0	12th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 6th ditto -	520	40 0 0	11th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 5th ditto -	521	50 0 0	10th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 4th ditto -	522	45 0 0	9th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 3d ditto -	523	40 0 0	8th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 2d ditto -	524	45 0 0	6th June 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, North-east Corner of Oxford Street and Bloomsbury Street - - -	525	45 0 0	17th June 1846 -	80 Years -	Lady-day 1925.
William Kitchen - -	Ditto, Corner of the West Side of George Street - -	533	156 0 0	29th June 1848 -	80 Years -	Christmas 1925.
John Todd Merrick - -	Ditto, 2d West from ditto -	534	50 0 0	31st October 1849 -	80 Years -	Michaelmas 1928.
George Dodd - - -	Ditto, 3d ditto -	535	5 0 0	17th August 1849 -	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 4th ditto -	536	5 0 0	9th August 1850 -	80 Years -	Michaelmas 1928.
Idem - - - -	A Messuage on the North Side of Oxford Street, 5th West of George Street - - - -	537	5 0 0	10th August 1850 -	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 6th ditto -	538	5 0 0	12th August 1850 -	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 7th ditto -	539	5 0 0	17th August 1849 -	80 Years -	Michaelmas 1928.

Name of Lessee.	Premises.	Annual Rent.	Date of Lease.	Term granted.	Expiration of Lease.
	No.	£ s. d.			
John Todd Merrick - -	A Messuage on the North Side of Oxford Street, 8th West of George Street - - - - 540	50 0 0	13th December 1849	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 9th ditto - 541	50 0 0	12th December 1849	80 Years -	Michaelmas 1928.
Idem - - - -	Ditto, 10th ditto - 542	50 0 0	11th December 1849	80 Years -	Michaelmas 1928.
Idem - - - -	Several Messuages forming the Arcade behind Nos. 534 to 540 on the North Side of Oxford Street - -	275 0 0	1st March 1851 -	80 Years -	Michaelmas 1928.
William and George Law -	A Messuage on the North Side of Oxford Street, 7th East of Bainbridge Street - - - 544	100 0 0	2d November 1854 -	80 Years -	Michaelmas 1928.
Robert Archbutt - -	Ditto, 6th ditto - 545	42 0 0	24th April 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 5th ditto - 546	63 0 0	25th April 1846 -	80 Years -	Lady-day 1925.
Thomas Archbutt - -	Ditto, 4th ditto - 547	52 10 0	24th April 1846 -	80 Years -	Lady-day 1925.
Idem - - -	Ditto, 3d ditto - 548	52 10 0	23d April 1846 -	80 Years -	Lady-day 1925.
Idem - - - -	Ditto, 2d ditto - 549	52 10 0	22d April 1846 -	80 Years -	Lady-day 1925.
Samuel Archbutt - -	Ditto - - - - 550	52 10 0	22d April 1846 -	80 Years -	Lady-day 1925.
Joseph and William Bennett -	A Messuage on the East Side of Bloomsbury Street, 2d South from Oxford Street - - - -	20 0 0	31st December 1847 -	80 Years -	Christmas 1926.
William Acocks - -	Ditto, 3d from ditto - - -	60 0 0	9th March 1850 -	40 Years -	Michaelmas 1888.
Samuel Morton Peto - -	A Chapel and Schoolhouse on the West Side of Bloomsbury Street - -	200 0 0	31st July 1848 -	80 Years -	Lady-day 1927.
Mary Ann Wright - -	A Messuage in Hyde Street, Bloomsbury, the Bull's Head Public House - - - - 26	70 0 0	30th August 1848 -	21 Years -	Lady day 1876.
Thomas Arthur Edwards -	A Messuage No. 145 in High Holborn -	28 0 0	25th April 1853 -	14 Years -	Lady-day 1866.
William Hersee - -	A Messuage at the Corner of High Holborn and Broad Street - -	80 0 0	3d July 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	A Messuage on the West Side of Bloomsbury Street, being the 2d House Northward from Broad Street - - - -	55 0 0	3d July 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 3d ditto - -	15 0 0	18th August 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 4th ditto - -	15 0 0	18th August 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 5th ditto - -	15 0 0	18th August 1854 -	80 Years -	Lady-day 1933.
Idem - - - -	Ditto, 6th ditto - -	15 0 0	18th August 1854 -	80 Years -	Lady-day 1933.
Herbert Sturmey - -	Ditto, 7th ditto - -	15 0 0	18th August 1854 -	80 Years -	Lady-day 1933.

SCHEDULE No. 2., also referred to by the Award of Daniel Norton.

Downing Street.

Tenant.	Situation.	Tenure.	Amount of Rent.
			£ s. d.
Secretary of State for Colonial Affairs.	Two Messuages in Downing Square.	Yearly Tenancy at 20*l.* per Annum, less Land Tax 4*l.*	16 0 0
Secretary of State for Foreign Affairs.	Three Messuages in Downing Street and Downing Square, and Two Messuages Nos. 5 and 6 Fludyer Street.	Yearly Tenancy at 1,400*l.* per Annum.	1,400 0 0
Henry Doughty -	A Messuage in Crown Street	Lease for Fifty-six Years and a Half from 5th April 1809 at 32*l.* 3*s.* 6*d.*	32 3 6
William Ross - -	Ditto - -	Ditto - -	37 12 0
Catherine Barnes -	Ditto - -	Lease for Sixty-one Years from 10th October 1812.	37 2 0
Chancellor of the Exchequer.	Two Messuages in Downing Square.	—	—
First Lord of the Treasury.	Ditto.	—	—
The Lords of the Treasury.	Part of the Yard of the Treasury Chambers.	—	—
—	Vacant Ground, Downing Street.	—	—
—	Vacant Ground between Crown Street and the South Parade.	—	—
—	The Site of Part of the Passage leading from Downing Street to St. James's Park.	—	—
—	The Site of Downing Street and Downing Square.	—	—

SCHEDULE No. 3.

The Parish of SAINT MARGARET in the City and Liberty of Westminster in the County of Middlesex.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Saint James's Park, South Parade.		
18	Dwelling House and Yard.	Sir Samuel Fludyer, Bart.	Edward Erskine Tustin.	Empty.
		Fludyer Street.		
8	Dwelling House and Yard.	Sir Samuel Fludyer, Bart.	Edward Erskine Tustin.	Edward Erskine Tustin.
10	Dwelling House and Yard.			Empty.
11	Dwelling House and Yard.		David Eaton -	David Eaton.
12	Dwelling House and Yard.		Henry Morrison -	Henry Morrison.
13	Dwelling House and Yard.		- - -	Jessie Beetson, Peter Thompson.
14	Dwelling House and Yard.		James Jackson -	Alexander Dalgleish.
15	Dwelling House and Yard.		- - -	Ann Law.
16	Dwelling House and Yard.		Thomas Jones, Margaret Jones.	Margaret Jones.
17	Dwelling House and Yard.		William Bowley -	James Dodds.
17			Hugh Hope -	John Borthwick Greig, Charles Sanderson, Hugh Hope.
18	Dwelling House and Yard.		Thomas Knox Holmes, James Anton, Walter Turnbull.	Thomas Knox Holmes, James Anton, Walter Turnbull.
19	Dwelling House and Yard.		Hugh Hope, Charles Waring.	Charles Waring.
20	Dwelling House and Yard.		William Wainewright	William Wainewright.
21	Dwelling House and Yard.		John Richardson, William Adam Lock, Dougald Maclaurin.	John Richardson, William Adam Lock, Dougald Maclaurin.
22	Dwelling House and Yard.		- - -	Alexander Gordon.
23	Dwelling House and Yard.		Thomas Deans -	Thomas Deans.

Downing Street Public Offices Extension.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
–	Public Street -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
	King Street.			
–	Public Street -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
6	Dwelling House, Shop, and Back Premises.	The Dean and Chapter of St. Peter Westminster.	James Elyard, Edward Hoey.	Edward Hoey.
7	Dwelling House, Shop, back Premises, and Yard.		Thomas Denley -	Thomas Denley.
9	Public House called the "Anchor and Crown," with Yard, Workshops, and Premises in the Rear, and Right of Way to Yard in Say's Alley.		James Bigg, Joseph Carter Wood, George Garwood.	George Garwood.
10	Dwelling House, Shop, Workshops, Premises in the Rear, and Yard.	The Dean and Chapter of St. Peter Westminster, Joseph Gurney.	Edward Higgs, Hemdan Higgs.	Edward Higgs, Hemdan Higgs, Thomas Henry Harris.
11	Public House called the "Coach and Horses," with Yard, Outbuilding, Premises in the Rear, and back Entrance to Say's Alley.	The Dean and Chapter of St. Peter Westminster.	Eliza Fitzherbert Forssteen, John Carpenter.	John Carpenter.
12	Dwelling House, Shop, and Yard, and Passage to Say's Alley.	The Dean and Chapter of St. Peter Westminster.	Richard Whatley, John Stone, Elizabeth Wilmot Whatley.	David Moss.
12	Dwelling House, Shop, and Yard.		William Thomas Mackrell.	John Geesing.
14 and 1, Lower Crown Street.	Dwelling House, Shop, and Yard.			John Fisher.

Downing Street Public Offices Extension.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Lower Crown Street.		
–	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
2	Dwelling House and Yard.	The Dean and Chapter of St. Peter Westminster.	William Thomas Mackrell.	Charles Coote.
3	Dwelling House and Yard.			William Tiddy.
4	Dwelling House and Yard.			George Edward Bent.
5	Dwelling House and Yard.			Henry Welch.
6	Dwelling House and Yard.			Elizabeth Powell.
7	Dwelling House and Yard.			William Davies.
8	Dwelling House and Yard.			James Hallifax.
9	Dwelling House and Yard.			John Wadley.
10	Dwelling House and Yard.			William Eve.
11	Dwelling House and Yard.			Joel Bowditch.
12	Public House called the "Rose and Crown," with Yard.		Richard Whatley, John Stone, Elizabeth Wilmot Whatley, Henry William Miles, Edwin Walker.	Edwin Walker.
		Upper Crown Street.		
	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
57	Dwelling House, Yard, Stables, Coach-houses, Sheds, and Outbuildings.	The Dean and Chapter of St. Peter Westminster.	William Griffith -	George Dawson, Thomas Dicks Carter.

Downing Street Public Offices Extension.

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
14	Dwelling House and Yard.	The Dean and Chapter of St. Peter Westminster.	William Griffith	Sarah Pymm.
15	Dwelling House and Yard.			Frances Grant.
16	Dwelling House and Yard.		Eliza Fitzherbert Forssteen.	Robert Tyler.
17	Dwelling House and Yard.			Mark Kerslake.
18	Dwelling House and Yard.			John Searle.

Crown Yard.

1	Cottage and Yard	The Dean and Chapter of St. Peter Westminster.	Mary Ann Davis, William Inwood.	William Dawson.
2	Cottage and Yard			Samuel Janes.

Say's Alley.

–	Carpenters' Shops, Stables, Coach-houses, and Sheds.	The Dean and Chapter of St. Peter Westminster.	Richard Whatley, John Stone, Elizabeth Wilmot Whatley, Henry William Miles.	Thomas Dicks Carter.
2	Dwelling House, Coach-house, and Yard.		Eliza Fitzherbert Forssteen, James Bigg, Charles Payne.	Charles Payne and his weekly Tenants.
–	Stables, Coach-houses, Sheds, and Yard.		Eliza Fitzherbert Forssteen, James Bigg, Charles Payne, George Garwood.	Charles Payne and his weekly Tenants, George Garwood.
–	Public Way - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.

Duke Street.

–	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.

Downing Street Public Offices Extension. *Customs Laws Consolidation.*

No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Downing Street.		
–	Public Street - -	The Commissioners for paving and improving the Parishes of St. Margaret and St. John Westminster, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company.	- - -	The Public.
15	The Foreign Office -	The Crown - -	- - -	The Crown.
16				
–	Vacant Ground -			
		Saint James's Park, South Parade.		
–	Vacant Ground -	The Crown -	- - -	The Commissioners of Metropolitan Police.
21	Dwelling House and Yard.		Henry Wood, Kenneth Macaulay.	Kenneth Macaulay.
20	Dwelling House and Yard.		William Pulteney Scott, Isambard Kingdom Brunel.	Isambard Kingdom Brunel, Joseph Bennett.
19	Dwelling House and Yard.		Elizabeth Morice, Peter Brophy.	Peter Brophy.

SCHEDULE No. 4.

I, Daniel Norton, of Old Broad Street, Surveyor, having been appointed by John Clutton and James Pennethorne to value the Hereditaments respectively comprised in the First and Second Schedules to this my Award annexed, do ascertain and determine that the Value of the Hereditaments comprised in the First Schedule is One hundred and twenty thousand six hundred Pounds, and that the Value of the Hereditaments comprised in the said Second Schedule is One hundred and twenty-three thousand two hundred Pounds. As witness my Hand this Twelfth Day of July One thousand eight hundred and fifty-five.

(Signed) D. Norton.
62, Old Broad Street.

C A P. XCVI.

An Act to consolidate certain Acts, and otherwise amend the Laws of the Customs, and an Act to regulate the Office of the Receipt of Her Majesty's Exchequer at *Westminster*.

[14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Customs Duties, &c. payable to Exchequer Account of Bank of England to be received under

I. All Customs Duties and other Public Moneys payable to the Exchequer Account at the Bank of *England* shall be received to the Credit of such Account by the Governor and Company of the said Bank, under such Regulations and Directions as the Commissioners of Her Majesty's Treasury shall from Time to Time prescribe; and the Specifications or Statements of Particulars required by an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Office of the Receipt of His Majesty's Exchequer at* Westminster, to be delivered to the Cashier or other Officer

Officer of the Bank of *England* by the Person paying in any such Money, shall be required only in such Cases and shall be signed and issued by such Person as the said Commissioners shall from Time to Time direct; and the Acquittances for all Payments made to the Account of the Exchequer at the Bank of *England* shall be made out in such Form and under such Regulations as shall be prescribed by the said Commissioners; and such Acquittances shall have in all respects the same Force and Validity in Law as the Acquittances heretofore given by the Comptroller of the Exchequer by virtue of the Ninth Section of the said recited Act of the Fourth Year of the Reign of King *William* the Fourth, Chapter Fifteen; and the several Orders, Rules, and Regulations which may be issued under the Authority of this Act by the said Commissioners of Her Majesty's Treasury, as relating to such Specifications and Acquittances as aforesaid, shall be laid before both Houses of Parliament within Six Weeks after the Issue of such Orders, Rules, and Regulations, if Parliament shall be sitting, or if not sitting, then within Six Weeks next immediately after the re-assembling of Parliament.

such Regulations as the Treasury shall prescribe. 4 & 5 W. 4. c. 15.

II. Tobacco, Cigars, and Snuff are hereby prohibited to be imported into the United Kingdom, unless in whole and complete Packages, each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff, and unless in Ships of not less than One hundred and twenty Tons Burden, and unless into such Ports as are or may be approved by the Commissioners of Customs for the Importation and Warehousing of Tobacco; and any Tobacco, Cigars, or Snuff imported into the United Kingdom contrary hereto shall be subject to the Provisions contained in the Forty-fourth Section of "The Customs Consolidation Act, 1853," in the same Manner as if this Prohibition had been originally enacted in the Table of Prohibitions and Restrictions to the said Section, of which it is hereby declared to form a Part.

Importation of Tobacco in Packages less than 80 lbs. prohibited.

III. Goods not duly reported may be detained by any Officer or Officers of Customs until the same are so reported, and the Cause of the Omission explained to the Satisfaction of the Commissioners of Customs, who may thereupon restore the same on such Terms as they may deem proper; and such Goods may in the meantime, should the said Commissioners deem necessary, be removed to the Queen's Warehouse.

Goods not reported may be detained.

IV. The Time prescribed by the Sixty-fourth Section of "The Customs Consolidation Act, 1853," for perfecting Entries by Bill of Sight, may be extended at the Discretion of the Commissioners of Customs.

Time for perfecting Entries by Bills of Sight.

V. The Commissioners of Customs may permit the Entries of Goods in such Form and Manner and on such Conditions as they may direct to meet the Exigencies of any Case to which the general Laws and Regulations may not be strictly applicable.

Commissioners may permit special Entries.

VI. All Goods not being of a perishable Nature deposited in the Queen's Warehouse, and not cleared within Three Months, and all Goods of a perishable Nature so deposited and not cleared forthwith, may, in case the same cannot be sold for a Sum sufficient to pay the Duties and Charges if offered for Sale for Home Consumption, or the Charges if offered for Sale for Exportation, be destroyed by Direction of the Commissioners of Customs.

Certain Goods in Queen's Warehouse may be destroyed.

VII. No Goods of a combustible or inflammable Nature shall be brought into or deposited in the Queen's Warehouse, unless with the Sanction of the Commissioners of Customs; and if any such Goods shall be landed by the Officers of Customs under the Seventy-fourth Section of "The Customs Consolidation Act, 1853," the same may be deposited in any Place that such Officers may deem fit, and whilst so deposited the same shall be deemed to be in the Queen's Warehouse, and be liable to be dealt with, at the Expiration of Fourteen Days, in the same Manner as Goods of a perishable Nature actually deposited in the Queen's Warehouse, unless duly cleared or warehoused in some approved Warehouse in the meantime; and such Goods shall be chargeable with such Expenses for securing, watching, and guarding the same until sold, cleared, or warehoused as aforesaid, as the Commissioners shall see fit, and neither the said Commissioners nor their Officers shall be liable to make good any Damage which such Goods may sustain by reason or during the Time of their being so deposited and dealt with as aforesaid.

Combustibles not to be deposited in Queen's Warehouse.

VIII. On the re-warehousing in the Name of the Proprietor of Goods, either by himself or by the Warehouse-keeper, after the Expiration of Five Years from the last preceding warehousing or re-warehousing thereof under Sections One hundred and three and One hundred and four of "The Customs Consolidation Act, 1853," the Commissioners of Customs may (first being satisfied that the same are in the Warehouse, that the Packages are entire, and that there is no Ground to suspect that there is any undue Deficiency therein,) dispense with the re-weighing, re-gauging, or re-measuring, and strict Examination thereof, if they be such as are liable on Delivery to the Payment of Duty according to the landing Weight, Measure, or Quantity thereof, and also at the Request of the Warehouse-keeper or Proprietor of the Warehouse may (first being satisfied as aforesaid) dispense with the re-weighing, re-gauging, re-measuring, or strict Examination on such re-warehousing as aforesaid of Goods being Wines or other Goods the Duties whereon are payable at the Delivery, Weight, Measure, or Quantity, and which may be liable to Injury by such re-weighing, re-gauging, re-measuring, or strict Examination; but in either of these Cases the Warehouse-keeper or Proprietor of such Warehouse shall be liable at the Time of Delivery of such Goods to pay the Duties due on any Deficiency therein not allowed by Law which may then be found to exist, instead of being called upon to make good any Deficiencies which might

Power to dispense with the re-weighing, &c. of Goods on quinquennial re-warehousing, in certain Cases.

might have been found to exist had such re-weighing, re-gauging, re-measuring, or Examination been resorted to at the Time of such re-warehousing.

Goods not to be shipped except on proper Days and Places, nor until Entry and Clearance.

IX. No Goods shall be shipped, put off, or water-borne to be shipped for Exportation from any Port or Place in the United Kingdom, except on Days not being *Sundays* or Holidays, nor from any Place except some Legal Quay, Wharf, or other Place duly appointed for such Purpose, nor without the Presence or Authority of the proper Officer of Customs, nor before due Entry Outwards of such Ship and due Entry of such Goods, nor before such Goods shall have been duly cleared for Shipment; and any Goods shipped, put off, or water-borne to be shipped contrary hereto shall be forfeited; and it shall be lawful for the Searcher to open or cause to be opened and to examine all Goods shipped or brought for Shipment at any Place in the United Kingdom, and the opening for that Purpose of Packages containing Goods upon which any Drawback of Customs or Inland Revenue is claimed, and the weighing, repacking, landing (when water-borne), and the shipping thereof shall be done by or at the Expense of the Exporter.

Searcher may open Packages and examine Goods.

Penalty on failing to deliver Shipping Bill.

X. Any Exporter of Goods who shall fail, either by himself or his Agent, to deliver to the Searcher a Shipping Bill, with Duplicates thereof, of the Goods exported by him, as prescribed by the One hundred and twenty-fifth Section of "The Customs Consolidation Act, 1853," shall forfeit the Sum of Twenty Pounds.

Penalty on departing without Clearance.

XI. If any Ship having Cargo on board shall depart from any Port without being duly cleared, the Master shall forfeit the Sum of One hundred Pounds.

Exportation of British and Irish Spirits to Isle of Man, &c.

XII. *British* or *Irish* Spirits may be exported from *Great Britain* or *Ireland* to Parts beyond the Seas or be removed to the *Isle of Man* in Casks of the Content of Ten Gallons each at the least, but no *British* or *Irish* Spirits shall be removed or exported from the *Isle of Man* to any other Part of the United Kingdom, under pain of Forfeiture thereof.

Foreign Ships in Coasting Trade to be subject to same Rules as British Ships.

XIII. Every Foreign Ship employed in carrying Goods or Passengers Coastwise from one Part of the United Kingdom to another, or from the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man* to the United Kingdom, or from the United Kingdom to any of the said Islands, or from any of the said Islands to any other of them, or from any Part of any one of the said Islands to any other Part of the same, shall be subject, as to Stores for the Use of the Crew and in all other respects, to the same Laws, Rules, and Regulations to which *British* Ships when so employed are now subject.

Foreign Ships employed in Coasting Trade not to be subject to higher Rates than British Ships.

XIV. No Foreign Ship employed in the Coasting Trade as aforesaid, nor any Goods carried in any such Ship, shall, during the Time such Ship is so employed, be subject to any higher or other Rate of Dock, Pier, Harbour, Light, Pilotage, Tonnage, or other Dues, Duties, Tolls, Rates, or other Charges whatsoever, or to any other Rules as to the Employment of Pilots, or any other Rules or Restrictions whatsoever, than *British* Ships employed in like Manner or Goods carried in such Ships, any Law, Charter, special Privilege, or Grant to the contrary notwithstanding; nor shall any Body Corporate or Person having or claiming any Right or Title to any such higher or other Rates, Dues, Duties, Tolls, or other Charges as aforesaid be entitled to any Compensation in respect thereof under any Law or Statute relating thereto, or otherwise howsoever.

Her Majesty may exercise Powers as conferred by 16 & 17 Vict. c. 107. ss. 324, 325, 326.

XV. It shall be lawful for Her Majesty to exercise in respect of Foreign Ships employed in the Coasting Trade as aforesaid, and of Goods carried Coastwise in such Ships, such or the like Powers as are conferred on Her Majesty by the Three hundred and twenty-fourth, Three hundred and twenty-fifth, and Three hundred and twenty-sixth Sections of the said Customs Consolidation Act, 1853, in respect of Foreign Ships employed in the Over-sea Trade, and of Goods exported or imported in such Ships.

Powers of Commissioners of Customs as to Colonies extended to Governors, &c.

XVI. The Powers and Authorities now vested in the Commissioners of Customs with regard to any Act or Thing relating to the Customs or to Trade or Navigation in any of the *British* Possessions abroad shall, from and after the passing of this Act, be vested in the Governor, Lieutenant Governor, or other Person administering the Government in any such Possession, and every Act required by any Law to be done by or with any particular Officer or at any particular Place, if done by or with any such Officer or at any Place appointed or nominated by such Governor, Lieutenant Governor, or other Person so administering such Government, shall be deemed to have been done by or with such particular Officer or at such particular Place, as the Case may be, and as required by Law; and all Commissions, Deputations, and Appointments granted to any Officers of Customs in force at the Commencement of this Act shall have the same Force and Effect to all Intents and Purposes as if the same had been granted or made in the first instance by such Governor, Lieutenant Governor, or Person so administering the Government of any such Possession; and all Bonds or other Securities which shall have been given by or for any such Officers and their respective Securities for good Conduct or otherwise shall remain in force, and shall and may be enforced and put in suit at the instance of or by Directions of any such Governor, Lieutenant Governor, or Person administering the Government of any such Possession.

Bay Islands placed on same Footing as the Bermudas.

XVII. The Islands in the *Bay of Honduras* called the *Bay Islands* shall be deemed and taken to be excepted or excluded from the Operation of the One hundred and fifty-ninth Section of the "Customs Consolidation Act, 1853," to the same Extent as the *Bahamas* or *Bermuda* Islands are thereby excepted or excluded.

XVIII. No

Provision as to Importation of Tobacco, &c. into Channel Islands.

XVIII. No Tobacco, Cigars, or Snuff shall be imported into the Channel Islands, nor be carried from any one of the said Islands to another of them, or from one Part of any of the said Islands to another Part of the same, unless in Ships of not less Burden than Fifty Tons, except from the United Kingdom in Ships of not less than Forty Tons Burden regularly trading from thence to those Islands, nor unless in Packages each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff, nor unless the Provisions in and under which the like Sort of Goods may be legally imported into the United Kingdom are complied with; and all Tobacco, Cigars, or Snuff imported into the said Island or carried, shipped, or removed contrary hereto, or which shall be found or discovered to have been on board any Ship or Boat within One League of the Coasts thereof, shall be forfeited, together with the Ship or Boat.

As to importing and exporting Spirits from and to Channel Islands in Ships of 50 Tons and Casks of 20 Gallons.

Not to extend to Spirits in Bottles, or Stores; nor to certain warehoused Goods exported; nor to licensed Boats of Ten Tons supplying Island of Sark.

XIX. No Spirits (except Rum of the *British* Plantations) shall be imported into or exported from the Channel Islands or any of them, or be removed from any one to any other of the said Islands, or be carried Coastwise from any one Part to any other Part of any One of the said Islands, or shall be shipped in order to be so removed or carried in any Ship of less Burden than Fifty Tons, or in any Cask or other Vessel capable of containing Liquids not being of the Size or Content of Twenty Gallons at the least; and all Spirits imported, exported, removed, carried, shipped, or water-borne to be so shipped, removed, or carried contrary hereto shall be forfeited, together with the Ship and any Boat importing, exporting, removing, or carrying the same: Provided always, that nothing herein contained shall extend to any Spirits imported in any such Ship in Glass Bottles as Part of the Cargo, nor to any Spirits being really intended for the Consumption of the Seamen and Passengers of such Ship during their Voyage, and not being more in Quantity than is necessary for that Purpose; nor to any warehoused Goods exported from the United Kingdom in Ships of not less than Forty Tons Burden being regular Traders to those Islands; nor to any Boat of less Burden than Ten Tons, for having on board at any One Time any Foreign Spirits of the Quantity of Ten Gallons or under, such Boat having a Licence from the proper Officer of Customs at either of the Islands of *Guernsey* or *Jersey* for the Purpose of being employed in carrying Commodities for the Supply of the Island of *Sark*, which Licence such Officer of Customs is hereby required to grant without Fee or Reward; but if any such Boat shall have on board at any One Time any greater Quantity of Spirits than Ten Gallons, unless in Casks or Packages of the Size and Content of Twenty Gallons at the least, such Spirits and Boat shall be forfeited.

Prohibited Goods not to be shipped from the Channel Islands to the United Kingdom.

XX. If in the Channel Islands any Goods the Importation whereof into the United Kingdom is prohibited, or any Goods in any Packages or in any Manner in which the same cannot be legally imported into the United Kingdom, shall be shipped or brought to any Wharf, Quay, or other Place in or be water-borne to be shipped on board any Ship clearing or departing from those Islands to the United Kingdom, such Goods shall be forfeited, and any Person who shall so ship, bring, or water-bear to be shipped any such Goods, or be otherwise knowingly concerned therein, shall forfeit the Sum of One hundred Pounds or Treble the Value of the Goods, at the Election of the Commissioners of Customs.

Reward to Officers for Seizures in Channel Islands.

XXI. Where any Seizures of Tobacco or Spirits shall be made in any of the Channel Islands or within One League of the Coast thereof by any Officer of Customs or Person employed for the Prevention of Smuggling, it shall be lawful for the Commissioners of Customs to allow to such Officer or Person such Reward beyond the Sum directed by the One hundred and eighty-fourth Section of "The Customs Consolidation Act, 1853," as the said Commissioners may deem advisable, not exceeding in any Case the Sum of Five Pounds.

Terms "Governor," &c. in Channel Islands to include Jurats, &c.

XXII. The Terms "Governor, Deputy Governor, and Deemster," used in the Two hundred and sixty-third and Two hundred and seventy-seventh Sections of "The Customs Consolidation Act, 1853," shall be deemed to apply to and include Jurats of any of the Channel Islands, and each such Jurat shall have and exercise, in respect of any Offence against any Act relating to the Customs committed in or within One League of the Island in which he may be a Jurat, the same Powers as are vested in any Justice of the Peace in respect of any such Offences committed therein.

Goods the Growth or Manufacture of Isle of Man may be imported into Great Britain or Ireland on Certificate, &c.

XXIII. Any Goods the Growth of the *Isle of Man*, or there manufactured from Materials the Growth of the said Isle, or from Materials not subject to Duties in *Great Britain* or *Ireland*, or from Materials upon which the Duty has been paid in *Great Britain* or *Ireland* and upon which no Drawback has been subsequently granted, may be brought from the said Isle into *Great Britain* or *Ireland* without Payment of any Duty: Provided always, that such Goods may nevertheless be charged with such Proportion of such Duties as shall fairly countervail any Duties of Excise payable on the like Sort of Goods the Produce of that Part of the United Kingdom into which they shall be brought or payable upon any of the Materials from which such Goods are manufactured; and any Articles either wholly or in part manufactured in the said Isle from any Materials upon which a higher Duty is payable upon their Importation into the United Kingdom than on their Importation into the *Isle of Man*, may be brought from the said Isle into *Great Britain* or *Ireland* on Payment of the Duty payable on such Goods in that Part of the United Kingdom into which they shall be so brought.

Isle of Man to be Part of United Kingdom for Customs Purposes.

XXIV. The *Isle of Man* shall be deemed and taken to be Part of the United Kingdom for the Purposes of this or any other Act relating to the Customs; but nothing herein contained shall prejudice or affect, or be construed in any way, directly or indirectly, to prejudice or affect, any of the Rights or Privileges legally exercised or enjoyed by the said Isle at the Time of the passing of this Act.

XXV. If

Certain Vessels belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of Coast of United Kingdom or Channel Islands with certain Goods on board, forfeited, with Goods.

XXV. If any Ship or Boat belonging wholly or in part to Her Majesty's Subjects, or having Half the Persons on board Subjects of Her Majesty, shall be found or discovered to have been within Four Leagues of that Part of the Coast of the United Kingdom which is between the *North Foreland* on the Coast of *Kent* and *Beachy Head* on the Coast of *Sussex*, or within Eight Leagues of any other Part of the Coast of the United Kingdom, or if any Foreign Ship or Boat having One or more Subjects of Her Majesty on board shall be found or discovered to have been within Three Leagues of the Coast of the United Kingdom, or if any Foreign Ship or Boat shall be found or discovered to have been within One League of the Coast of the United Kingdom, or if any Ship or Boat shall be found or discovered to have been within One League of the Channel Islands, any such Ship or Boat so found or discovered, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tea exceeding Six Pounds Weight in the whole, or any Tobacco or Snuff not being in a Cask or a whole and complete Package containing Eighty Pounds Weight of Tobacco or Snuff at the least, or any Tobacco Stalks, Tobacco Stalk Flour, Snuff Work, or any Cordage or other Articles adapted and prepared for slinging or sinking small Casks, or any Casks or other Vessels whatsoever of less Size or Content than Twenty Gallons of the Description used for the smuggling of Spirits, then and in every such Case the said Spirits, Tea, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work, together with the Casks or Packages containing the same, and the Cordage or other Articles, Casks, and other Vessels of the Description aforesaid, and also the Ship or Boat, shall be forfeited.

Any Vessel or Boat arriving within any Port of United Kingdom or Channel Islands having prohibited Goods on board, &c. forfeited.

Power to Commissioners to waive Forfeiture.

XXVI. If any Ship or Boat shall be found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits, not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff, imported contrary to the Prohibitions and Restrictions contained in this or any other Act relating to the Customs, or any Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work, every such Ship or Boat, and such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, and Snuff Work shall be forfeited; but if it shall be made to appear to the Satisfaction of the Commissioners of Customs that such Spirits, Tobacco, Snuff, Tobacco Stalks, Tobacco Stalk Flour, or Snuff Work were on board without the Knowledge or Privity of the Owner or Master of such Ship or Boat, and without any wilful Neglect or Want of reasonable Care on their Parts, then and in such Case the said Commissioners shall deliver up the said Ship or Boat to the Owner or Master of the same.

Forfeiture not to extend to Ships and Goods in certain Cases.

XXVII. Nothing herein contained shall extend to render any Ship of One hundred and twenty Tons Burden or upwards liable to Forfeiture on account of any Tobacco, Cigars, or Snuff, if in whole and complete Packages, each containing not less than Eighty Pounds net Weight of such Tobacco, Cigars, or Snuff; nor to render any Ship of Fifty Tons Burden or upwards liable to Forfeiture on account of any Tea, or of any Spirits in Glass Bottles or Stone Bottles not exceeding the Size of Three Pints each, such Tea and Spirits being really Part of the Cargo of such Ship; nor to render any Ship liable to Forfeiture on account of any Spirits or Tea, or of any Tobacco really intended for the Consumption of the Seamen or Passengers on board during their Voyage, and not being more in Quantity than is necessary for that Purpose; nor to render any Ship liable to Forfeiture if really bound from one Foreign Port to another Foreign Port, and pursuing such Voyage, Wind and Weather permitting.

Persons on board Vessels within Ports of United Kingdom or Channel Islands, with contraband Articles, subject to Penalty of 100*l.* and Detention.

XXVIII. Every Person who shall be found or discovered to have been on board any Ship or Boat liable to Forfeiture under this or any other Act relating to the Customs for being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or of the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, such Goods or Things as subject such Ship or Boat to Forfeiture, or who shall be found or discovered to have been on board any of Her Majesty's Ships or Vessels, or on board any Ship or Vessel in Her Majesty's Employment or Service, or on board of any Foreign Post Office Packet, being a national Vessel, employed in carrying the Mails between any Foreign Country and the United Kingdom, such last-mentioned Ships, Vessels, or Packets being found or discovered to have been within any Port, Bay, Harbour, River, or Creek of the United Kingdom or the Channel Islands, having on board or in any Manner attached thereto, or having had on board or in any Manner attached thereto, or conveying or having conveyed in any Manner, any Spirits not being in a Cask or other Vessel capable of containing Liquids of the Size or Content of Twenty Gallons at the least, or any Tobacco or Snuff not being in a whole and complete Package containing Eighty Pounds Weight of such Tobacco or Snuff at least, shall forfeit the Sum of One hundred Pounds; and every such Person shall and may be detained, and taken before any Justice, to be dealt with as herein-after directed.

Notice of Seizure of Goods.

XXIX. The Notice in Writing now required by the Two hundred and twenty-sixth Section of "The Customs Consolidation Act, 1853," on the Seizure of Goods, shall not be required in Cases where the Seizure is made on the Person or in the Presence of the Offender; and where any such Notice is required,

required, the same may be served either in the Manner prescribed by the said Section, or by Delivery at the Place of Abode of the Party to whom the same is addressed.

Where Persons are taken before a Justice for any Offence under any Act relating to Customs, or likely to abscond, such Justice may order them to be detained a reasonable Time, or admit to Bail.

XXX. When any Person shall have been detained for any Offence against this or any other Act relating to the Customs, and taken before any Justice, such Justice may, if he see reasonable Cause, order such Person to be detained in Gaol or in the Custody of the Police or Constabulary Force a reasonable Time, to obtain the Order of the Commissioners of Customs or Inland Revenue, and to prepare the necessary Informations, Convictions, and Warrants of Commitment, and at the Expiration of such Time to be brought before him, or any other Justice or Justices, who may then finally hear and determine the Matter; or when any Information shall have been preferred before any Justice against any Person for any such Offence, and it shall appear to such Justice, by Depositions on Oath, that such Person is likely to abscond before such Information can be heard, such Justice may, in lieu of issuing a Summons for the Appearance of the Offender, grant his Warrant to apprehend and bring such Offender before him or any other Justice, at a Time and Place to be named in such Warrant, for the Hearing of such Information; but any Person so detained or apprehended may be liberated, on giving, by Recognizance, Security to the Satisfaction of such Justice in the Sum of One hundred Pounds, or in the Amount of the Penalty sought to be recovered, to appear at such Time and Place as shall be appointed by such Justice for hearing the Case.

Penalty and Costs to be stated in Convictions, &c.

XXXI. When any Person is convicted before any Justice and adjudged to pay a pecuniary Penalty for any Offence against this or any Act relating to the Customs, such Justice shall state in the Conviction, and also in the Commitment of such Person, if committed in default of Payment, the Amount of Costs awarded to be paid by such Person, as well as the Penalty so adjudged, and shall commit such Person until Payment of such Penalty and Costs.

Execution may issue after Trial out of Term.

XXXII. In any Case where a Verdict is or shall have been obtained at the Suit of the Crown against any Defendant in any of the Superior Courts, in any Cause tried out of Term, Execution thereon may issue on or after the Expiration of Fourteen Days from the Date of such Verdict, in the same Manner as Execution may issue in any Case under the One hundred and twentieth Section of "The Common Law Procedure Act, 1852," unless the Judge who tried the Cause, or some other Judge, or the Court, shall order Execution to issue at any earlier or later Period with or without Terms.

Defendant's Option to remove Case, when to be exercised.

XXXIII. The Option given to a Defendant by Section Two hundred and sixty-four of "The Customs Consolidation Act, 1853," of removing any Proceedings against himself before any Justice to a Superior Court, shall not be exercised after the Commencement of the Trial or Hearing thereof before such Justice.

Count for harbouring, &c. smuggled Goods.

XXXIV. The Words "otherwise dealing with certain prohibited, restricted, or uncustomed Goods" in Count Sixteen of Schedule B. to "The Customs Consolidation Act, 1853," shall be deemed to apply to and include the harbouring or having Possession, as the Case may be, of any such Goods, and it shall not be necessary to prove that the Party charged was concerned in the unshipping thereof.

Evidence of Condemnation of Forfeiture.

XXXV. The Condemnation of Goods by any Justice as forfeited under the Laws relating to the Customs may be proved in any Court of Justice, or before any competent Tribunal, by the Production of such Condemnation purporting to be signed by such Justice, or an examined Copy of the Record of such Condemnation certified by the Clerk to such Justice.

Section 2. of 14 & 15 Vict. c. 99. not to extend to Revenue Cases.

XXXVI. The Second Section of the Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Ninety-nine, shall not be deemed to apply to any Prosecution, Suit, or other Proceeding in respect of any Offence, or for the Recovery of any Penalty or Forfeiture, under any Law now in force or hereafter to be made relating to the Customs or Inland Revenue.

Defendants in Customs Cases to have choice of Attorney and Counsel in Scotland.

XXXVII. Any Writer to the Signet, Solicitor before the Supreme Courts in *Scotland*, or Solicitor at Law duly licensed to practise as an Agent in the Courts of Session and Justiciary in *Scotland*, who shall be retained by any Defendant at the Suit of the Crown for any Offence against the Laws relating to the Customs, shall be competent to undertake the Defence of such Defendant, and to instruct Counsel for that Purpose; and any such Defendant who may not have retained any such Agent shall be entitled to be heard by his Counsel on any Trial for such Offence, although such Defendant may have previously appeared to answer such Suit in Person instead of appearing by Agent.

Penalty on making false Declarations, signing false Documents and untruly answering Questions, and counterfeiting and using false Documents.

XXXVIII. If any Person shall in any Matter relating to the Customs make and subscribe any false Declaration, or make or sign any Declaration, Certificate, or other Instrument required to be verified by Signature only, the same being false in any Particular, or if any Person shall make or sign any Declaration made for the Consideration of the Commissioners of Customs, on any Application presented to them, the same being untrue in any Particular; or if any Person required by this or any other Act relating to the Customs to answer Questions put to him by the Officers of Customs shall not truly answer such Questions; or if any Person shall counterfeit, falsify, or wilfully use when counterfeited or falsified any Document required by this or any Act relating to the Customs or by or under the Directions of the Commissioners of Customs, or any Instrument used in the Transaction of any Business or Matter relating to the Customs, or shall fraudulently alter any Document or Instrument, or counterfeit the Seal, Signature, Initials, or other

Mark of or used by the Officers of the Customs for the Verification of any such Document or Instrument, or for the Security of Goods, or any other Purpose in the Conduct of Business relating to the Customs, or under the Control or Management of the Commissioners of Customs or their Officers; every Person so offending shall for every such Offence forfeit the Penalty of One hundred Pounds.

Persons complaining of Prohibition of Books in Copyright Lists may appeal to a Judge in Chambers.

XXXIX. If any Person shall have cause to complain of the Insertion of any Book in the Lists required by the Forty-sixth and One hundred and sixtieth Sections of "The Customs Consolidation Act, 1853," to be published by the Commissioners of Customs, it shall be lawful for any Judge at Chambers, on the Application of the Person so complaining, to issue a Summons calling upon the Person upon whose Notice such Book shall have been so inserted to appear before such Judge, at a Time to be appointed in such Summons, to show Cause why such Book shall not be expunged from such Lists, and such Judge shall at the Time so appointed proceed to hear and determine upon the Matter of such Summons, and make his Order thereon in Writing, and upon Service of such Order, or a certified Copy thereof, upon the Commissioners of Customs or their Secretary for the Time being, the said Commissioners shall expunge such Book from the List, or retain the same therein, according to the Tenor of such Order; and in case such Book shall be expunged from such Lists, the same shall not be deemed to be prohibited under the Table of Prohibitions and Restrictions Inwards contained in the Forty-fourth Section of the said Act: If at the Time appointed in any such Summons the Person so summoned shall not appear before such Judge, then upon Proof by Affidavit that such Summons, or a true Copy thereof, has been personally served upon or left at the last known or usual Place of Abode of the Person so summoned, or in case the Person to whom such Summons was directed and his Place of Abode cannot be found, that due Diligence has been used to ascertain the same, such Judge shall be at liberty to proceed *ex parte* to hear and determine the Matter; but if either Party be dissatisfied with such Order he may apply to the Superior Court of which such Judge is a Member to review such Order, and make such further Order thereon as such Court may see fit.

Declaration of Truth of Notice of Copyright.

Nothing to prevent Persons aggrieved from proceeding at Law, &c.

XL. From and after the passing of this Act, no Book shall be inserted in any List published by the Commissioners of Customs, under the Forty-sixth and One hundred and sixtieth Sections of "The Customs Consolidation Act, 1853," until the Person giving the Notice thereby required shall have made and subscribed a Declaration before the Collector of the Customs or any Justice of the Peace, at some Port or Place in the United Kingdom, that the Contents of such Notice are true: Provided always, that nothing in this Act contained shall prevent, prejudice, or affect any Proceeding at Law or in Equity which any Party, aggrieved by reason of the Insertion of any Book in any such List, in pursuance of any such Notice, or upon the Removal of any Book from such List pursuant to any such Order as aforesaid, or by reason of any Declaration to be made under the Authority of this Act being false, might or would otherwise have against any Party giving such Notice, or obtaining any such Order, or making such false Declaration as aforesaid.

As to billeting Soldiers, &c.

XLI. No Soldiers or Militia shall be billeted on Officers or Coast Guard Men in the Service of the Customs.

Declaratory Explanation of Term "Malt."

XLII. The Term "Malt" in the Table of Prohibitions and Restrictions Inwards relating to Goods absolutely prohibited to be imported, contained in the Forty-fourth Section of "The Customs Consolida- Act, 1853," shall be deemed to include all Malt, whether in Grain or in the Form of concentrated Extract or Essence, but shall not include any of the fermented Liquors made from Malt now specified in the Tariff.

Interpretation of Terms.

XLIII. When any of the Terms mentioned in the Three hundred and fifty-seventh Section of "The Customs Consolidation Act, 1853," are used in this or any other Act relating to the Customs, the Terms so used shall have the same Interpretation and Meaning as are given to them in the said Section.

Acts and Parts of Acts set forth in Schedule repealed.

XLIV. The several Acts and Parts of Acts set forth in the Schedule to this Act annexed are hereby repealed, to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, except as to anything done before the Commencement of this Act, and except so far as relates to any Arrears of Duty or to any Drawback which shall have become due or payable, and except so far as may be necessary for the Purpose of supporting or continuing any Proceeding heretofore taken or to be taken after the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed or any Forfeiture which shall have been incurred before the Commencement of this Act; and all Orders made by Her Majesty in Council, all Bonds taken or Licences granted, and all Things done under the Authority or in pursuance of any of the Acts or Parts of Acts hereby repealed, shall nevertheless be valid and effectual.

Orders, &c. under Acts repealed to be valid.

Sections of this Act set forth in Table incorporated in the Customs Consolidation Act, 1853.

XLV. Each of the several Sections of this Act set forth in Column No. 1. of the Table to this Act shall be deemed and taken to be incorporated in and form Part of "The Customs Consolidation Act, 1853," in the Order and Place assigned to each such Section in and by Column No. 2. of the said Table, and the said several Sections of this Act shall be read and construed with the said Customs Consolidation Act, 1853, and the Provisions of the latter Act shall be deemed to relate to and be applicable to said several Sections of this Act, in the same Manner and to the same Extent as if the said several Sections

Sections of this Act had been originally enacted therein, in the Order and Place so assigned to each such Section in and by the said Table; and the several Forms contained in Schedule B. to the said "Customs Consolidation Act, 1853," shall and may be used with reference to any Offences under this Act in the same Manner as they are made applicable to Offences against the said "Customs Consolidation Act, 1853," and, when necessary, the numerical Reference in such Forms to the Sections of this Act creating the Offence charged shall be made accordingly.

Act to be registered in Guernsey and Jersey.

XLVI. This Act shall be registered in the Royal Courts of the Islands of *Guernsey* and *Jersey* respectively, and the said Royal Courts respectively shall have full Power and Authority and are hereby required to register the same.

Commencement and Short Title of Act.

XLVII. This Act shall come into operation on the Day of the passing of this Act; and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Supplemental Customs Consolidation Act, 1855."

SCHEDULE of Acts to be repealed.

Date of Act.	Title of Act.	Extent of Repeal.
16 & 17 Vict. c. 107.	Customs Consolidation Act, 1853.	Sections 119, 192, 193, 198, 210, 212, 213, 214, 236, 240, 346, 348. So much of the Table of Prohibitions and Restrictions Inwards on Goods prohibited to be imported, except subject to the Restrictions on Importation therein contained, as relates to Tobacco and Snuff under the several Denominations of Tobacco, Cigars, Cigarillos, Cigarrettos, and Snuff, being Part of Section 44. The following Words, viz., "With "the Addition of the Value of "such Goods, if any, as shall have "been previously chargeable with "Duty at Value and of British "Goods," being Part of the Proviso contained in Section 125; and so much of Section 142 as relates to the Delivery of a Duplicate Bill of Lading on the Shipment of Goods, and within Fourteen Days after final Clearance of the Ship, a List of such Goods, with the Quantities and Values thereof, as thereby required.
17 Vict. c. 5. - -	An Act to admit Foreign Ships to the Coasting Trade.	The whole Act.
17 & 18 Vict. c. 122.	An Act for the further Alteration and Amendment of the Laws and Duties of Customs.	The whole Act.

TABLE referred to in Section XLV.

Column No. 1. Sections of "The Supplemental Customs Consolidation Act, 1855."	Column No. 2. Order and Place of Incorporation in "The Customs Consolidation Act, 1853."					—
Section 1	After	Section	21 of	"The Customs Consolidation Act, 1853"		
2	In lieu of / Part of	Section	44	„	„	Repealed by this Act.
3	After	Section	51	„	„	
4	After	Section	64	„	„	
5	After	Section	65	„	„	
6 & 7	After	Section	74	„	„	
8	After	Section	104	„	„	
9	In lieu of	Section	119	„	„	Repealed by this Act.
10	After	Section	125	„	„	
11	After	Section	145	„	„	
12	After	Section	118	„	„	
13, 14, & 15	In lieu of	Section	152	„	„	Repealed by 17 Vict. c. 5.
16	After	Section	158	„	„	
17	After	Section	159	„	„	
18	In lieu of	Section	193	„	„	Repealed by 17 & 18 Vict. c. 122. s. 16.
19	In lieu of	Section	192	„	„	Repealed by this Act.
20 & 21	After	Section	190	„	„	
22	After	Section	277	„	„	
23	In lieu of	Section	348	„	„	Repealed by this Act.
24	In lieu of	Section	346	„	„	Repealed by this Act.
25	In lieu of	Section	212	„	„	Repealed by this Act.
26	In lieu of	Section	213	„	„	Repealed by this Act.
27	In lieu of	Section	214	„	„	Repealed by this Act.
28	In lieu of	Section	236	„	„	Repealed by this Act.
29	After	Section	226	„	„	
30	In lieu of	Section	240	„	„	Repealed by this Act.
31	After	Section	263	„	„	
32	After	Section	312	„	„	
33	After	Section	264	„	„	
34	After	Section	269	„	„	
35 & 36	After	Section	308	„	„	
37	After	Section	323	„	„	
38	In lieu of	Section	198	„	„	Repealed by this Act.
39 & 40	After	Section	46	„	„	
41	After	Section	7	„	„	
42	After	Section	44	„	„	
43	After	Section	357	„	„	

CAP. XCVII.

An Act for the Amendment and Consolidation of the Customs Tariff Acts.

[14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties, &c. in Table (A.) to be paid instead of

I. From and after the passing of this Act, in lieu and instead of all other Duties and Drawbacks of Customs, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, upon

upon Goods imported into any Part of *Great Britain* or *Ireland*, the several Duties of Customs and there shall be allowed upon Goods exported the several Drawbacks as the same are respectively inserted, described, and set forth in Table (A.) to this Act annexed; and in lieu of all Duties of Customs now payable by Law upon the Importation of Goods into the *Isle of Man* there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, the several Duties of Customs as the same are respectively set forth in Figures in Table (B.) to this Act annexed; and all the Goods described as free in the said Table (A.) shall be exempt from Duty on the Importation thereof into *Great Britain* or *Ireland*, and those described as free in the said Table (B.) shall be exempt from Duty on the Importation thereof into the *Isle of Man*.

present Duties, &c.

Duties in Table (B.) to be levied on Goods imported into Isle of Man.

As to Free Goods in Tables (A.) and (B.)

II. The Commissioners of the Treasury may from Time to Time, by any Order or Orders under their Hands, declare that all or any Articles legally importable into the *Isle of Man*, and not enumerated in the said Table, and upon which the Duty of Fifteen Pounds for every Hundred Pounds Value is hereby imposed, shall and may, from and after any Day or Days named in such Order or Orders, be imported from the Places and in the Manner therein mentioned into the *Isle of Man* Duty-free during such Time or Times as shall be therein named, or until such Order or Orders respectively, or any of them, shall be rescinded, and such Articles shall be imported Duty-free accordingly so long as any such Order or Orders, or any of them, shall continue unrescinded; and the said Commissioners may, at any Time, by any Order under their Hands, revoke the whole or any Part of any previous Order or Orders, or any of them, for such Time and in such Manner as they may see fit; and all Orders of the Commissioners of the Treasury made in pursuance of this Enactment shall be duly published in the *London* and *Dublin* Gazettes twice at least within Fourteen Days from the Date of such Orders respectively, and a Copy of every such Order shall be laid before both Houses of Parliament within Six Weeks after the Date of such Order if Parliament be then sitting, and if not, then within Six Weeks after the Commencement of the then next Session of Parliament.

Power to the Treasury to remit and reimpose the Duties levied on unenumerated Articles imported into Isle of Man.

Orders to be published in the Gazette, and laid before Parliament.

III. The Drawbacks upon Sugar allowed under Table (A.) to this Act shall also be allowed and paid on the like Kinds of Sugar, upon the same being deposited in any approved Warehouse, upon such Terms and Conditions and subject to such Regulations as the Commissioners of Customs may direct, for Delivery therefrom as Ships Stores only, or for the Purpose of sweetening *British* Spirits in Bond.

Drawbacks on Sugar.

IV. For facilitating the due Assessment of Duties on White Clayed Sugar or Sugar rendered by any Process equal to White Clayed, and on Yellow Muscovado or Brown Clayed Sugar or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed Sugar, with reference to Colour, Grain, and Saccharine Matter, considered collectively as they affect the general Quality of such Sugars, the Commissioners of Customs shall provide and renew from Time to Time Samples of White Clayed Sugar and of Sugar rendered equal in Quality to White Clayed Sugar, and of Yellow Muscovado or Brown Clayed Sugar, which shall be deemed to be Standard Samples for the Purpose of comparing therewith Sugars entered for Home Consumption; and no Sugar shall, as regards the Payment of Duty, be deemed to be White Clayed Sugar or Sugar rendered by any Process equal to White Clayed Sugar, unless equal to the Standard Samples of White Clayed Sugar or of Sugar rendered equal in Quality to White Clayed Sugar, or be deemed to be Yellow Muscovado or Brown Clayed Sugar or Sugar rendered by any Process equal to Yellow Muscovado or Brown Clayed Sugar, unless equal to the Standard Sample of Yellow Muscovado or Brown Clayed Sugar: It shall also be lawful for the Commissioners of Customs, if the Commissioners of the Treasury shall so direct, to furnish separate Samples for the Assessment of the Duties on Yellow Muscovado and on Brown Clayed Sugars, and also for the Assessment of the Duties upon Refined Sugar.

Commissioners of Customs to provide Standard Samples of White Clayed Sugar and Brown Clayed Sugar.

V. The Metage Dues now payable upon Fruit imported into the Port of *London* shall not be increased in consequence of the Duties upon such Fruit being levied by the Bushel.

As to Metage Dues on Fruit.

VI. On the Entry of Arms and Ammunition of War, whether for Home Use, Exportation, or in Transit, the Number and Quantity of Articles of each Description, as denominated in Table (A.) to this Act, shall be stated in the Import, Export, or Transit Entry, as the Case may be.

As to Entries of Arms, &c.

VII. All Manufactures of *Gibraltar*, *Malta*, and *Heligoland*, made of Materials of Foreign Produce liable to Duty upon Importation into the United Kingdom, upon which no such Duty has been paid, or upon which Drawback of such Duty has been allowed in the United Kingdom, shall, for the Purposes of Duty, be deemed and taken to be the Produce of and imported from a Foreign Country.

As to Manufactures of Gibraltar, &c. from Foreign Materials.

VIII. The following Acts, viz., "The Customs Tariff Act, 1853," the Acts of the Seventeenth and Eighteenth Years of Her present Majesty, Chapters Twenty-eight and Twenty-nine, and the First and Fifth Sections of Chapter One hundred and twenty-two, and the Acts of the Eighteenth Year of Her said Majesty, Chapters Nine and Twenty-one, are hereby repealed, except as to anything done before the Commencement of this Act, and except so far as relates to any Arrears of Duty, or to any Drawback which shall have become due or payable, and except so far as may be necessary for the Purpose of supporting or continuing any Proceeding heretofore taken, or to be taken after the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed or any Forfeiture which shall have been incurred before the Commencement of this Act; and the Duties imposed by the several Acts in force at the Time of the passing of the Act of the Seventeenth and Eighteenth Years of Her present Majesty, Chapter One hundred and twenty-two, are hereby declared

Recital of Acts hereby repealed.

declared not to have been affected or repealed by that Act, except as to the Articles enumerated therein; and the Duties collected since the passing of that Act according to the Tables contained in the said several Acts and in that Act are hereby declared to have been legally charged and collected; and all Orders made by Her Majesty in Council, all Bonds taken or Licences granted, and all Things done under the Authority or in pursuance of any of the Acts or Parts of Acts hereby repealed, shall nevertheless be valid and effectual.

Orders, &c. under Acts repealed to be valid.

When Contracts have been entered into, Amount of increased or decreased Duty to be added or deducted.

IX. In the event of any Increase or Decrease by Law in the Duties of Customs chargeable upon any Goods or Commodities after the making of any Contract or Agreement for the Sale or Delivery of such Goods Duty-paid, it shall be lawful for the Seller, in case such Increase shall accrue before the Clearance and Delivery from the Warehouse of such Goods at such increased Duty, and after Payment thereof, to add so much Money to the Contract Price as will be equivalent to such Increase of Duty, and he shall be entitled to be paid and to sue for and recover the same; and it shall be lawful for the Purchaser under any such Contract or Agreement, in case such Decrease shall take effect before the Clearance and Delivery from the Warehouse at such decreased Duty, to deduct so much Money from the Contract Price as will be equivalent to such Decrease of Duty, and he shall not be liable to pay or be sued for or in respect of such Deduction.

Short Title.

X. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Customs Tariff Act, 1855."

TABLE (A.)

Duties applicable to Great Britain and Ireland.

		£	s.	d.
Agates or Cornelians, set	for every 100*l.* Value	10	0	0
not set, cut, or manufactured			Free.	
not cut or manufactured			Free.	
Albumen			Free.	
Ale. See Beer.				
Alganobilla Seed			Free.	
Alkali, not being Barilla			Free.	
Alkanet Root			Free.	
Almonds, not Jordan, nor Bitter	the Cwt.	0	10	0
Jordan	the Cwt.	0	10	0
Bitter			Free.	
Paste of	the lb.	0	0	2
Aloes			Free.	
Alum, Roch			Free.	
not Roch			Free.	
Amber, rough			Free.	
Manufactures of, not enumerated (except Beads)			Free.	
Ambergris			Free.	
Amboyna Wood			Free.	
Ammonia, Liquid			Free.	
Sulphate of			Free.	
Ammunition, viz.:—				
Shot, large and small, of Lead	the Cwt.	0	2	0
of Iron	the Cwt.	0	2	6
Rockets and other Combustibles, for Purposes of War, and not otherwise enumerated or described	for every 100*l.* Value thereof	10	0	0
Anchovies. See Fish.				
Angelica			Free.	
Animals (living), viz.:—				
Asses			Free.	
Goats			Free.	
Kids			Free.	
Oxen and Bulls			Free.	
Cows			Free.	
Calves			Free.	
Horses, Mares, Geldings, Colts, Foals			Free.	
Mules			Free.	
Sheep			Free.	
Lambs			Free.	
Swine and Hogs			Free.	
Pigs (Sucking)			Free.	

		£	s.	d.
Annatto, Roll and Flag		Free.		
Antimony, viz. :—				
Ore of		Free.		
Crude		Free.		
Regulus		Free.		
Apples, raw	the Bushel	0	0	3
of and from British Possessions	the Bushel	0	0	2
dried	the Bushel	0	1	0
Aquafortis		Free.		
Argol		Free.		
Aristolochia		Free.		
Arms, viz. :—				
Swords, Cutlasses, Matchetts, Bayonets, Gun Barrels, Gun Locks, Cannon, and Mortars of Iron, not mounted nor accompanied with Carriages	the Cwt.	0	2	6
Cannon and Mortars of Brass, not mounted nor accompanied with Carriages	the Cwt.	0	10	0
Cannon and Mortars, mounted or accompanied with Carriages, and other Fire Arms, viz., Muskets, Rifles, Carbines, Fowling Pieces, or Guns of any other Sort not enumerated, and Pistols	for every 100*l.* Value thereof	10	0	0
Arrowroot	the Cwt.	0	0	4½
Arsenic		Free.		
Art, Works of, of whatever Metal		Free.		
Ashes, viz. :—				
Pearl and Pot		Free.		
Soap		Free.		
Weed		Free.		
Wood		Free.		
not enumerated		Free.		
Asphaltum or Bitumen Judaicum		Free.		
Bacon		Free.		
Balsams, viz. :—				
Canada		Free.		
Capivi		Free.		
Peru		Free.		
Riga		Free.		
Tolu		Free.		
Balm of Gilead, and unenumerated Balsam		Free.		
Bandstring Twist		Free.		
Barilla		Free.		
Bark for Tanners or Dyers Use		Free.		
Cascarilla		Free.		
Peruvian		Free.		
of other Sorts		Free.		
Extract of. See Extract.				
Barley, Pearled	the Cwt.	0	0	4½
Barwood		Free.		
Barytes, Sulphate of, ground		Free.		
Basket Rods, peeled		Free.		
unpeeled		Free.		
Baskets	the Cubic Foot	0	0	4
Bast Ropes, Twines and Strands		Free.		
Beads, viz. :—				
Arango	the lb.	0	0	2
and Bugles of Glass		Free.		
Coral	the lb.	0	1	6
Crystal	the lb.	0	0	2
Jet	the lb.	0	0	2
not otherwise enumerated or described	the lb.	0	0	2
Beans, Kidney and French. See Seeds.				
Beef salted		Free.		
fresh, or slightly salted		Free.		
Beef Wood		Free.		

		£	s.	d.
Beer or Ale	the Barrel	1	0	0
Mum	the Barrel	1	0	0
Spruce	the Barrel	1	10	0
of other Sorts	the Barrel	1	0	0
Berries, viz.:—				
Bay		Free.		
Juniper		Free.		
Yellow		Free.		
Myrobalan		Free.		
unenumerated, commonly made use of in Chemical Processes		Free.		
unenumerated, not commonly made use of in Chemical Processes		Free.		
Birds, viz., Singing Birds		Free.		
Biscuit and Bread	the Cwt.	0	0	4½
Bitumen Judaicum. See Asphaltum.				
Blacking		Free.		
Black Wood		Free.		
Bladders		Free.		
Bones (except Whale Fins), whether burnt or not, or as Animal Charcoal		Free.		
Books, viz.:—				
being of Editions printed prior to the Year 1801, bound or unbound		Free.		
being of Editions printed in or since the Year 1801, bound or unbound	the Cwt.	1	10	0
admitted under Treaties of International Copyright, or if of and from any British Possession	the Cwt.	0	15	0
Boracic Acid		Free.		
Borax, refined		Free.		
or Tincal, unrefined		Free.		
Bottles of Earth and Stone		Free.		
Boxes, viz.:—				
Brass	the Cwt.	1	10	0
not otherwise charged with Duty	for every 100*l.* Value	10	0	0
Box Wood		Free.		
Bran		Free.		
Brass, Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Powder of		Free.		
Old, fit only to be re-manufactured		Free.		
Wire		Free.		
Brazil Wood		Free.		
Brazilletto Wood		Free.		
Bricks or Clinkers, Dutch		Free.		
other Sorts		Free.		
Brimstone, unrefined		Free.		
refined, in Rolls		Free.		
in Flour		Free.		
Bristles, rough and in the Tufts, and not in any way sorted		Free.		
in any way sorted or arranged in Colours, and not entirely rough and in the Tufts		Free.		
Brocade of Gold and Silver	the lb.	0	5	0
Bronze, all Works of Art		Free.		
Manufactures of, or of Metal bronzed or lacquered	the Cwt.	0	10	0
Powder		Free.		
Brushes, Paint		Free.		
Bullion and Foreign Coin, of Gold or Silver		Free.		
Bullrushes		Free.		
Butter	the Cwt.	0	5	0
of and from a British Possession	the Cwt.	0	2	6
Buttons, and Studs, of Metal		Free.		
other Sorts		Free.		
Cables (not being Iron Cables), tarred or untarred, old and new		Free.		
Cameos, not set		Free.		
Camomile Flowers		Free.		
Camphor, unrefined		Free.		
refined		Free.		

		£	s.	d.
Camwood		Free.		
Candles, viz., Spermaceti	the Cwt.	0	2	4
Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be repealed at an earlier Time, in which Case, or after the 5th April 1858, this Duty shall be reduced to the same Rate as Tallow Candles	the Cwt.	0	3	6
Tallow	the Cwt.	0	2	4
Wax	the Cwt.	0	2	4
Candlewick		Free.		
Canella Alba		Free.		
Canes, viz., Bamboo		Free.		
Rattans, not ground		Free.		
Reed Canes		Free.		
Walking Canes or Sticks, mounted, painted, or otherwise ornamented	the 100	0	6	0
Umbrella and Parasol Sticks	the 100	0	3	0
or Sticks, unenumerated		Free.		
Cantharides		Free.		
Caoutchouc		Free.		
Manufactures of	the lb.	0	0	4
Capers, including the Pickle	the lb.	0	0	1½
Cardamoms		Free.		
Cards, viz., Playing Cards	the Dozen Packs	0	15	0
Carmine		Free.		
Carriages of all Sorts		Free.		
Casks, empty		Free.		
Cassava Powder	the Cwt.	0	0	4½
Cassia, viz., Buds		Free.		
Fistula		Free.		
Lignea	the lb.	0	0	1
Castor		Free.		
Casts of Busts, Statues, or Figures		Free.		
Catlings		Free.		
Caviare		Free.		
Cedar Wood		Free.		
Chalk, viz., unmanufactured		Free.		
prepared or manufactured, and not otherwise enumerated		Free.		
Cheese	the Cwt.	0	2	6
of and from British Possessions	the Cwt.	0	1	6
The Duty on Cheese to be charged on landing Weight.				
Cherries, raw	the Bushel	0	0	2
dried, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia,	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Cherry Wood		Free.		
Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee, viz.:				
raw or kiln-dried		Free.		
roasted or ground, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	5
thereafter	the lb.	0	0	4
China Root		Free.		
China or Porcelain Ware, plain, painted, gilt, and ornamented	the Cwt.	0	10	0
Chip or Willow for platting		Free.		
Chloroform	the lb.	0	3	0
Cider		Free.		
Cinnabaris nativa		Free.		
Cinnamon	the lb.	0	0	2
Citrate of Lime		Free.		
Citric Acid		Free.		
Citron, preserved with Salt		Free.		

		£	s.	d.
Civet		Free.		
Clocks, viz., not exceeding the Value of 5*s.* each	the Dozen	0	4	0
exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each	the Dozen	0	8	0
exceeding the Value of 12*s.* 6*d.* and not exceeding the Value of 3*l.* each	each	0	2	0
exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each	each	0	4	0
exceeding the Value of 10*l.* each	each	0	10	0
Cloves	the lb.	0	0	2
Coals, Culm, or Cinders		Free.		
Cobalt		Free.		
Ore of		Free.		
Oxide of		Free.		
Cochineal		Free.		
Granilla		Free.		
Dust		Free.		
Cochinella Wood		Free.		
Cocoa	the lb.	0	0	1
Husks and Shells	the Cwt.	0	2	0
Paste or Chocolate	the lb.	0	0	2
Coculus Indicus	the Cwt.	0	5	0
Coffee, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia,	the lb.	0	0	4
thereafter	the lb.	0	0	3
kiln-dried, roasted, or ground, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	5
thereafter	the lb.	0	0	4
A Drawback shall be allowed on all roasted Coffee exported as Ship's Stores or removed to the Isle of Man for Consumption there, equal in Amount to the Import Duty on raw Coffee.				
Coir, Rope, Twine, and Strands		Free.		
Colocynth		Free.		
Columbo Root		Free.		
Comfits, dry, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Confectionery, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia,	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Copper, Ore of		Free.		
Regulus of		Free.		
old, fit only to be re-manufactured		Free.		
unwrought, viz., in Bricks or Pigs, Rose Copper, and all cast Copper		Free.		
part wrought, viz., Bars, Rods, or Ingots hammered or raised		Free.		
in Plates and Copper Coin		Free.		
Wire		Free.		
Manufactures of, not otherwise enumerated or described, and Copper Plates engraved,	the Cwt.	0	10	0
Copperas, Blue		Free.		
Green		Free.		
White		Free.		
Coral, viz., Beads. (See Beads.)				
in Fragments		Free.		
whole, polished		Free.		
unpolished		Free.		
Negligees	the lb.	0	1	0
Cordage		Free.		
Cork		Free.		

		£	s.	d.
Corks, ready made	the lb.	0	0	6
squared for rounding	the Cwt.	0	8	0
Fishermen's		Free.		
Corn, Grain, Meal, and Flour, viz. :—				
Wheat	the Quarter	0	1	0
Barley	the Quarter	0	1	0
Oats	the Quarter	0	1	0
Rye	the Quarter	0	1	0
Pease	the Quarter	0	1	0
Beans	the Quarter	0	1	0
Maize or Indian Corn	the Quarter	0	1	0
Buck Wheat	the Quarter	0	1	0
Bear or Bigg	the Quarter	0	1	0
Wheat Meal and Flour	the Cwt.	0	0	4½
Barley Meal	the Cwt.	0	0	4½
Oat Meal and Groats	the Cwt.	0	0	4½
Rye Meal and Flour	the Cwt.	0	0	4½
Pea Meal	the Cwt.	0	0	4½
Bean Meal	the Cwt.	0	0	4½
Maize or Indian Corn Meal	the Cwt.	0	0	4½
Buck Wheat Meal	the Cwt.	0	0	4½
Cowries		Free.		
Cotton Manufactures, viz. :—				
East India Piece Goods, viz. :—				
Calicoes and Muslins, White		Free.		
dyed or coloured		Free.		
Nankeens, not dyed or coloured		Free.		
dyed or coloured		Free.		
Handkerchiefs, dyed or coloured		Free.		
Manufactures, not being Articles wholly or in part made up, not otherwise charged with Duty		Free.		
Wool. See Wool.				
Yarn		Free.		
Fringe	the lb.	0	0	2
Gloves, of Cotton or Thread	the Dozen Pairs	0	0	3
Stockings, of Cotton or Thread	the Dozen Pairs	0	0	6
Socks, or Half Hose of Cotton or Thread	the Dozen Pairs	0	0	3
Articles or Manufactures of Cotton, wholly or in part made up, not otherwise charged with Duty	for every 100*l.* Value	5	0	0
Cranberries		Free.		
Crayons		Free.		
Cream of Tartar		Free.		
Crystal, viz. :—				
rough		Free.		
cut or manufactured, except Beads		Free.		
Cubebs		Free.		
Cubic Nitre. See Nitre.				
Cucumbers, viz., preserved in Salt		Free.		
Currants	the Cwt. and 5 per Cent. thereon.	0	15	0
Cutch		Free.		
Daguerreotype Plates	the lb.	0	0	3
Dates	the Cwt.	0	10	0
Diamonds		Free.		
Dice	the Pair	1	1	0
Divi Divi		Free.		
Down		Free.		
Drugs, not enumerated		Free.		
Earthenware, not otherwise enumerated or described	the Cwt.	0	10	0
Ebony		Free.		
Eggs, the Cubic Foot of the Package, internal Measurement		0	0	8
of and from British Possessions, the Cubic Foot of the Package, internal Measurement		0	0	4

	£	s.	d.
Elder Flower Water	Free.		
Embroidery and Needlework, viz. :—			
On Silk, or Silk mixed with other Materials, not being Silk Net, for every 100*l.* Value	15	0	0
of and from British Possessions for every 100*l.* Value	5	0	0
Silk Net, figured with the Needle, being Imitation Lace, and Articles thereof, the lb.	0	10	0
Cotton Net, figured with the Needle, being Imitation Lace, and Articles thereof, the lb.	0	8	0
Curtains, commonly called Swiss, embroidered on Muslin or Net the lb.	0	1	0
All other Embroidery not enumerated for every 100*l.* Value	10	0	0
of and from British Possessions for every 100*l.* Value	5	0	0
Enamel	Free.		
Essence of Spruce for every 100*l.* Value	10	0	0
Extract of Cardamoms for every 100*l.* Value	20	0	0
Coculus Indicus for every 100*l.* Value	20	0	0
Guinea Grains of Paradise for every 100*l.* Value	20	0	0
Licorice for every 100*l.* Value	20	0	0
Nux Vomica for every 100*l.* Value	20	0	0
Opium for every 100*l.* Value	20	0	0
Guinea Pepper for every 100*l.* Value	20	0	0
Peruvian or Jesuit's Bark for every 100*l.* Value	20	0	0
Quassia for every 100*l.* Value	20	0	0
Radix Rhataniæ for every 100*l.* Value	20	0	0
Vitriol for every 100*l.* Value	20	0	0
Chesnut Bark or Wood	Free.		
Quercitron Bark	Free.		
Logwood	Free.		
Safflower	Free.		
Bark, or of other Vegetable Substances to be used for tanning or other manufacturing Purposes	Free.		
or Preparation of any Article, not particularly enumerated, nor otherwise charged with Duty for every 100*l.* Value	20	0	0
or, and in lieu of the above Duty, at the Option of the Importer the lb.	0	5	0
Feathers for Beds, in Beds or otherwise	Free.		
Ostrich, dressed the lb.	0	3	0
undressed	Free.		
Paddy Bird, dressed the lb.	0	3	0
undressed	Free.		
not otherwise enumerated or described, viz. :—			
dressed the lb.	0	3	0
undressed	Free.		
Figs the Cwt. and 5 per Cent. thereon.	0	15	0
Fig Cake the Cwt.	0	15	0
Fish, viz. :			
Anchovies	Free.		
Cod	Free.		
Caplin	Free.		
Eels, Shiploads	Free.		
in small Quantities	Free.		
Herrings	Free.		
Lobsters	Free.		
Mackarel	Free.		
Oysters	Free.		
Salmon	Free.		
Soles	Free.		
Sounds and Tongues	Free.		
Turbots	Free.		
Turtle	Free.		
fresh, not otherwise enumerated	Free.		
cured, not otherwise enumerated	Free.		

	£	s.	d.
Flax, dressed	Free.		
rough or undressed	Free.		
Tow and Codilla of	Free.		
Flock for Paper Stainers	Free.		
Flocks	Free.		
Flower Roots	Free.		
Flowers, Artificial, whether of Silk or of other Materials, per Cubic Foot as packed; no Allowance for vacant Spaces — the Cubic Foot	0	12	0
Frames for Pictures, Prints, Drawings, or Mirrors	Free.		
Fruit, viz., raw, not otherwise enumerated — the Bushel	0	0	2
Furniture Woods, not particularly enumerated, except Ash, Beech, Birch, Elm, Oak, Wainscot	Free.		
Fustic	Free.		
Gallic Powder	Free.		
Galls	Free.		
Gamboge	Free.		
Garancine	Free.		
Garnets, cut, not set	Free.		
uncut	Free.		
Gauze of Thread	Free.		
Gelatine	Free.		
Gentian	Free.		
Ginger — the Cwt.	0	5	0
preserved, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia — the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April — the lb.	0	0	2
thereafter — the lb.	0	0	1
Ginseng	Free.		
Glass, viz.:—			
Any kind of Window Glass, White, or stained of One Colour only, (except Plate or Rolled Glass,) and Shades and Cylinders, until the 5th April 1857 inclusive, the Cwt.	0	1	6
from and after 5th April 1857	Free.		
Flint Cut Glass, Flint Coloured Glass, and Fancy Ornamental Glass, of whatever Kind — the Cwt.	0	10	0
Plate Glass, cast or rolled, of whatever Thickness, whether silvered, polished, or rough, and silvered Glass not otherwise enumerated	Free.		
Painted	Free.		
White Flint Glass Bottles, not cut, engraved, or otherwise ornamented	Free.		
Beads and Bugles. See Beads.			
Wine Glasses, Tumblers, and all other White Flint Glass Goods, not cut, engraved, or otherwise ornamented	Free.		
Bottles of Glass covered with Wicker (not being Cut Glass) or of Green or Common Glass	Free.		
Articles of Green or Common Glass	Free.		
Manufactures, not otherwise enumerated or described, and old broken Glass fit only to be re-manufactured	Free.		
Glue	Free.		
Clippings or Waste of any kind fit only for Glue	Free.		
Gold, Leaves of	Free.		
Ore of, and Ore of which the greater Part in Value is Gold	Free.		
Gongs — the Cwt.	1	0	0
Grains, Guinea, and of Paradise — the Cwt.	0	15	0
Grapes — the Bushel	0	0	2
Grease	Free.		
Greaves, for Dogs	Free.		
Tallow	Free.		
Guano	Free.		
Gum, viz.:—			
Animi	Free.		
Copal	Free.		
Arabic	Free.		

Gum—*continued.*			
Senegal			Free.
Lac Dye			Free.
Seed Lac			Free.
Shellac			Free.
Sticklac			Free.
Ammoniacum			Free.
Asafœtida			Free.
Euphorbium			Free.
Guiacum			Free.
Kino			Free.
Mastic			Free.
Tragacanth			Free.
unenumerated			Free.
Gunpowder			Free.
Gun Stocks in the rough, of Wood			Free.
Gutta Percha			Free.
Manufactures of, not moulded, such as Bands, Sheets, Soles, Tubing,	the Cwt.		0 5 0
Articles moulded	the lb.		0 0 2
Gypsum			Free.
Hair, viz.:			
Camels Hair or Wool			Free.
Cow, Ox, Bull, or Elk Hair			Free.
Goats Hair or Wool. See Wool.			
Horse Hair			Free.
Human Hair			Free.
unenumerated			Free.
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, not particularly enumerated or otherwise charged with Duty			Free.
Manufactures of Hair or Goat's Wool, or of Hair or Goat's Wool and any other Material, wholly or in part made up, not particularly enumerated or otherwise charged with Duty	for every 100*l.* Value		5 0 0
Hams, of all Kinds			Free.
Harp-strings or Lute-strings, silvered			Free.
Hats or Bonnets, viz.:—			
of Chip	the lb.		0 2 6
of Bast, Cane, or Horsehair	the lb.		0 2 6
of Straw	the lb.		0 2 6
of Felt, Hair, Wool, or Beaver	each		0 1 0
Hats of Silk or Silk Shag, laid upon Felt, Linen, or other Material	each		0 1 0
Hay			Free.
Heath for Brushes			Free.
Hellebore			Free.
Hemp, viz.:			
dressed			Free.
rough or undressed			Free.
Tow and Codilla of Hemp			Free.
Jute			Free.
other Vegetable Substances of the Nature and Quality of undressed Hemp, and applicable to the same Purposes			Free.
Hides, not tanned, tawed, curried, or in any way dressed,			
dry			Free.
wet			Free.
tawed, curried, or in any way dressed, not being varnished, japanned, or enamelled			Free.
if varnished, japanned, or enamelled			Free.
Losh Hides			Free.
Muscovy or Russia Hides, or Pieces thereof, tanned, coloured, shaved, or otherwise dressed			Free.
or Pieces thereof, raw or undressed, unenumerated			Free.
in any way dressed, not otherwise enumerated			Free.
Tails, Buffalo, Bull, Cow, or Ox			Free.
tanned, not otherwise dressed			Free.
Hones			Free.

		£	s.	d.
Honey		Free.		
Hoofs of Cattle		Free.		
Hoops of Wood. See Wood.				
Hops, until the 1st August 1855	the Cwt.	1	0	0
from and after that Date	the Cwt.	2	5	0
Horns, Horn Tips, and Pieces of Horn		Free.		
Ice		Free.		
Indigo		Free.		
Ink for Printers		Free.		
Indian		Free.		
Inkle, unwrought		Free.		
wrought		Free.		
Iron, Ore of		Free.		
Pig		Free.		
Bars, unwrought		Free.		
Wire		Free.		
Rough Castings		Free.		
Bloom		Free.		
Chromate of		Free.		
Slit or hammered into Rods		Free.		
Cast		Free.		
Hoops		Free.		
Old broken and old Cast Iron		Free.		
Iron and Steel, wrought or manufactured, except Arms and Ammunition, viz.:—				
Machinery, Wrought Castings, Tools, Cutlery, and other Manufactures of Iron or Steel, not enumerated	the Cwt.	0	2	6
Fancy ornamental Articles of Iron or Steel	the Cwt.	0	15	0
Manufactures of, coated with Brass or Copper by any Galvanic Process,	the Cwt.	0	3	6
Isinglass		Free.		
Jalap		Free.		
Japanned or Lacquered Ware	the Cwt.	1	0	0
Jet		Free.		
Jewels, Emeralds, and all other precious Stones, set	for every 100*l.* Value	10	0	0
unset		Free.		
Juice of Lemons, Limes, or Oranges		Free.		
Kernels. See Nuts.				
Kingwood		Free.		
Lace, and Articles thereof, viz.:—				
Mohair or Worsted	the lb.	0	1	0
Thread or Cotton Pillow Lace (not being Brussels Point or Saxon Bone Lace), not exceeding One Inch in Width	the lb.	1	0	0
exceeding One Inch in Width	the lb.	2	0	0
Silk Pillow Lace (not being Saxon Wire Ground Lace) and Application,	the lb.	1	10	0
Silk Saxon Wire Ground Lace, and all Lace known as Maltese	the lb.	0	8	0
Brussels Point and other Lace, made by the Hand, not otherwise charged with Duty	for every 100*l.* Value	10	0	0
Lacquered Ware. See Japanned Ware.				
Lamp Black		Free.		
Lapis Calaminaris		Free.		
Lard		Free.		
Latten		Free.		
Shaven		Free.		
Wire		Free.		
Lavender Flowers		Free.		
Lead, Ore of		Free.		
Black		Free.		
Pig and Sheet		Free.		
Red		Free.		
White		Free.		
Chromate of		Free.		
Manufactures of, not otherwise enumerated	the Cwt.	0	2	0

	£	s.	d.
Leather Manufactures, viz.:—			
Boots, Shoes, and Calashes, viz.			
Women's Boots and Calashes - - - the Dozen Pairs	0	6	0
If lined or trimmed with Fur or other Trimmings, the Dozen Pairs	0	7	6
Shoes with Cork or Double Soles, quilted Shoes, and Clogs, the Dozen Pairs	0	5	0
If trimmed or lined with Fur or any other Trimming, the Dozen Pairs	0	6	0
Of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather - - - - the Dozen Pairs	0	4	6
If trimmed or lined with Fur or any other Trimming, the Dozen Pairs	0	5	0
Girls' Boots, Shoes, and Calashes, not exceeding Seven Inches in Length, to be charged with Two Thirds of the above Duties.			
Men's Boots and Shoes:—			
If the Quarter do not exceed Two and Three Quarter Inches, or the Vamp Four Inches in Height from the Sole Inside - the Dozen Pairs	0	7	0
If either the Quarter or Vamp exceed the above Dimensions, but do not exceed Six Inches in Height from the Sole Inside - the Dozen Pairs	0	10	6
If either the Quarter or Vamp do exceed Six Inches in Height from the Sole Inside - - - - - the Dozen Pairs	0	14	0
Boys' Boots, not exceeding Seven Inches in Length - the Dozen Pairs	0	9	4
Shoes, not exceeding Seven Inches in Length - the Dozen Pairs	0	4	8
Boot Fronts, not exceeding Nine Inches in Height - the Dozen Pairs	0	1	9
exceeding Nine Inches in Height - the Dozen Pairs	0	2	9
Boot Backs - - - - - - the Dozen Pairs	0	1	6
Cut into Shapes - - - - - - the Cwt.	0	10	0
Gloves of Leather, the following Duties, with 5 per Cent. thereon, viz.:—			
Habit Mitts - - - - - the Dozen Pairs	0	2	4
Gloves - - - - - - the Dozen Pairs	0	3	6
Men's Gloves - - - - - - the Dozen Pairs	0	3	6
Women's Gloves or Mitts - - - - the Dozen Pairs	0	4	6
Any Articles made of Leather or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100*l.* Value	10	0	0
Leaves of Gold. See Gold.			
Leaves of Roses - - - - - - - - - -	Free.		
Leeches - - - - - - - - - -	Free.		
Lentils. See Seeds.			
Lignum vitæ - - - - - - - - - -	Free.		
Linen or Linen and Cotton Manufactures, viz.:—			
Cambric Handkerchiefs, hemmed or hem-stitched, not trimmed the Dozen	0	2	6
Articles, Manufactures of Linen, or of Linen mixed with Cotton or Wool, wholly or in part made up, not particularly enumerated or otherwise charged with Duty - - - - - - - for every 100*l.* Value	5	0	0
Cambrics and Lawns commonly called French Lawns, plain - - -	Free.		
bordered Handkerchiefs - - - - - - -	Free.		
Lawns of any Sort, not French - - - - - - -	Free.		
Damasks - - - - - - - - -	Free.		
Damask Diaper - - - - - - - - -	Free.		
Sails of all Sorts - - - - - - - -	Free.		
Plain Linens and Diaper, whether chequered or striped with dyed Yarn or not -	Free.		
Manufactures of Linen, or of Linen mixed with Cotton or with Wool, not particularly enumerated or otherwise charged with Duty, not being Articles wholly or in part made up - - - - - - -	Free.		
Liquorice Paste - - - - - - - the Cwt.	1	0	0
of and from British Possessions - - - - the Cwt.	0	10	0
Powder - - - - - - - - the Cwt.	1	0	0
of and from British Possessions - - - - the Cwt.	0	15	0
Root, until 5th April 1857 inclusive - - - - the Cwt.	0	5	0
from and after 5th April 1857 - - - - - -	Free.		
Juice - - - - - - - - the Cwt.	1	0	0

		£	s.	d.
Litharge		Free.		
Live Creatures illustrative of Natural History		Free.		
Logwood		Free.		
Lucifers of Wood, the Cubic Foot of the external Package, measured internally		0	0	4
Vesta, of Wax, in Boxes not exceeding 1,000 Matches	the Doz. Boxes	0	0	6
in Boxes exceeding 1,000 Matches	the 1,000 Matches	0	0	0½
Maccaroni. See Vermicelli.				
Mace	the lb.	0	1	0
Madder		Free.		
Root		Free.		
Magna Græcia Ware		Free.		
Mahogany		Free.		
Mandioca Flour	the Cwt.	0	0	4½
Manganese, Ore of		Free.		
Manna		Free.		
Manna Croup	the Cwt.	0	0	4½
Manures not enumerated		Free.		
Manuscripts		Free.		
Maps or Charts, or Parts thereof, plain or coloured		Free.		
Maple Wood		Free.		
Marmalade, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Mats and Matting		Free.		
Mattresses		Free.		
Mead or Metheglin		Free.		
Meat, salted or fresh, not otherwise described		Free.		
preserved in any other Way than salted		Free.		
Medals of Gold or Silver		Free.		
of any other Sort		Free.		
Medlars	the Bushel	0	0	2
Mercury, prepared		Free.		
Metal, Bell		Free.		
Leaf, not Gold		Free.		
Mill-boards	the lb.	0	0	2½
Minerals and Fossils, unenumerated		Free.		
Models of Cork or Wood		Free.		
Morphia and its Salts	the lb.	0	10	0
Moss, viz. :—				
Lichen Islandicus		Free.		
Rock, for Dyers Use		Free.		
other than Rock or Iceland Moss		Free.		
Mother-o'Pearl Shells		Free.		
Musical Instruments, viz. :—				
Musical Boxes, small, not exceeding Four Inches in Length	the Air	0	0	3
large	the Air	0	0	8
Overtures, or extra Accompaniments	the Air	0	2	6
Pianofortes, horizontal grand	each	3	0	0
upright or square	each	2	0	0
Harmoniums or Seraphines	each	0	12	0
Accordions commonly called Chinese	the 100 Notes	0	1	0
other Sorts, including Flutinas and Concertinas	the 100 Notes	0	5	0
Brass Instruments, all Sorts	the lb.	0	0	9
Musical Instruments, not otherwise enumerated or described, for every 100*l.* Value		10	0	0
Musk		Free.		
Mustard Flour	the Cwt.	0	1	6
mixed or manufactured, except Flour	the Cwt.	0	5	0
Myrobalans. See Berries.				
Myrrh		Free.		
Naphtha		Free.		
New Zealand Wood		Free.		

		£	s.	d.
Nicaragua Wood		Free.		
Nickel, Ore of		Free.		
metallic, and Oxide of, refined		Free.		
Arseniate of, in Lumps or Powder, being in an unrefined State		Free.		
Nitre, viz., Cubic Nitre		Free.		
Nutmegs, except those commonly called Wild	the lb.	0	1	0
Wild, in the Shell	the lb.	0	0	3
not in the Shell	the lb.	0	0	5
or other Spices or Admixtures thereof, ground	the lb.	0	1	0
Nuts, viz. :—				
Chesnuts		Free.		
Cocoa Nuts		Free.		
Pistachio Nuts		Free.		
Small Nuts	the Bushel	0	1	0
Walnuts	the Bushel	0	1	0
Nuts and Kernels of Walnuts, of Peach Stones, and all Nuts and Kernels unenumerated, commonly used for expressing Oil therefrom		Free.		
Nuts and Kernels unenumerated		Free.		
Nux Vomica	the Cwt.	0	2	0
Oakum		Free.		
Ochre		Free.		
Oil of Almonds	the lb.	0	0	1
Animal		Free.		
Bays	the lb.	0	0	1
Castor		Free.		
Chemical, Essential, or Perfumed, viz. :—				
Bergamot	the lb.	0	1	0
Carraway	the lb.	0	1	0
Cassia	the lb.	0	1	0
Cloves	the lb.	0	1	0
Lavender	the lb.	0	1	0
Lemon	the lb.	0	1	0
Mint and Spearmint	the lb.	0	1	0
Oil or Otto of Roses	the lb.	0	1	0
Peppermint	the lb.	0	1	0
Spike	the lb.	0	1	0
Thyme	the lb.	0	1	0
unenumerated	the lb.	0	1	0
Cocoa Nut		Free.		
Hempseed		Free.		
Lard		Free.		
Linseed		Free.		
Olive		Free.		
Palm		Free.		
Paran		Free.		
Rapeseed		Free.		
Rock		Free.		
Rosin		Free.		
Seed, unenumerated		Free.		
Train Oil or Blubber		Free.		
Spermaceti, or Head Matter		Free.		
Walnut		Free.		
or Spirit of Turpentine		Free.		
not particularly enumerated or described nor otherwise charged with Duty		Free.		
Oilseed Cake		Free.		
Oilcloth	the Square Yard	0	0	1½
Olibanum		Free.		
Olives		Free.		
Olive Wood		Free.		
Onions	the Bushel	0	0	1
Opera Glasses, single	each	0	1	0
double, and all Marine and Race Glasses, not being Telescopes	each	0	2	6
Opium	the lb.	0	1	0

		£	s.	d.
Orange Flower Water		Free.		
Oranges and Lemons	the Bushel	0	0	8
Peel of, viz. :—				
Orange Peel		Free.		
Lemon Peel		Free.		
Orchal		Free.		
Ore, unenumerated		Free.		
Orpiment		Free.		
Orris Root		Free.		
Orsedew		Free.		
Painters Colours, unenumerated, viz. :—				
unmanufactured		Free.		
manufactured		Free.		
Palmetto Thatch		Free.		
Manufactures of		Free.		
Paper, viz. :—				
Brown Paper, made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith	the lb.	0	0	2½
printed, painted, or stained Paper Hangings, or Flock Paper	the lb.	0	0	3
gilt, stained, coloured, embossed, and all fancy Kinds, not being Paper Hangings	the lb.	0	0	2½
waste Paper, or Paper of any other Sort, not particularly enumerated or described, not otherwise charged with Duty	the lb.	0	0	2½
Parchment		Free.		
Partridge Wood		Free.		
Pasteboard	the lb.	0	0	2½
Pearls		Free.		
Pears, raw	the Bushel	0	0	3
dried	the Bushel	0	1	0
Pencils, of Slate		Free.		
not of Slate		Free.		
Pens		Free.		
Pepper of all Sorts	the lb. and 5 per Cent. thereon.	0	0	6
Percussion Caps	the 1,000	0	0	1
Perfumery, not otherwise enumerated	the lb.	0	0	2
Perry		Free.		
Pewter, Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Phosphorus		Free.		
Pickles, preserved in Vinegar	the Gallon	0	0	1
and Vegetables, preserved in Salt		Free.		
Pictures		Free.		
Pimento	the Cwt.	0	5	0
Pink Root		Free.		
Pipes of Clay. See Tobacco Pipes.				
Pitch		Free.		
Burgundy		Free.		
Plantains		Free.		
Plants, Shrubs, and Trees, alive		Free.		
Plaster of Paris		Free.		
Plate, of Gold	the oz. Troy	1	1	0
of Silver, gilt or ungilt	the oz. Troy	0	1	8
battered		Free.		
Platina, and Ore of		Free.		
Platting, viz. :—				
of Chip, not being of greater Value than Sixpence per Piece of 60 Yards,	the lb.	0	0	6
or other Manufactures of Straw, Chip, or other Materials to be used in or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated or charged with Duty	the lb.	0	2	0
Cordonet, single, and Twist of Straw or of other Materials	the lb.	0	0	6
Willow Squares	the Cwt.	0	10	0

		£	s.	d.
Plums, commonly called French Plums, and Prunellos	the Cwt.	0	15	0
dried or preserved (except in Sugar), not otherwise described	the Cwt.	0	15	0
preserved in Sugar, until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia	the lb.	0	0	2½
for the following Twelve Months after such 5th Day of April	the lb.	0	0	2
thereafter	the lb.	0	0	1½
Pollard		Free.		
Pomatum	the lb.	0	0	2
Pomegranates		Free.		
Peel of		Free.		
Pork, salted (not Hams)		Free.		
fresh		Free.		
Potash, Prussiate of		Free.		
Sulphate of		Free.		
Potatoes		Free.		
Potatoe Flour	the Cwt.	0	0	4½
Pots, viz. :—				
Melting Pots for Goldsmiths		Free.		
of Stone		Free.		
Poultry and Game, alive or dead, including Rabbits		Free.		
Powder, viz. :—				
Hair Powder	the lb.	0	0	2
perfumed	the lb.	0	0	2
not otherwise enumerated or described, that will serve the same Purpose as Starch	the Cwt.	0	0	4½
Prints and Drawings, viz. :—				
plain or coloured	the lb.	0	0	3
admitted under Treaties of International Copyright	the lb.	0	0	1½
or, and at the Option of the Importer,				
single	each	0	0	0½
bound	the Dozen	0	0	1½
Prunes	the Cwt.	0	7	0
Puddings. See Sausages.				
Purple Wood		Free.		
Quassia	the Cwt.	0	1	0
Quicksilver		Free.		
Quills, viz., Goose		Free.		
Swan		Free.		
Quinces	the Bushel	0	0	3
Quinine, Sulphate of	the oz.	0	0	6
Radix Contrayervæ		Free.		
Enulæ Campanæ		Free.		
Eringii		Free.		
Ipecacuanhæ		Free.		
Rhataniæ		Free.		
Senekæ		Free.		
Serpentariæ, or Snake Root		Free.		
Rags, viz. :—				
Rags, old Ropes or Junk, old Fishing Nets, fit only for making Paper or Pasteboard		Free.		
Woollen Rags		Free.		
Pulp of Rags		Free.		
Raisins	the Cwt.	0	10	0
Rape of Grapes		Free.		
Red Wood or Guinea Wood		Free.		
Rhubarb		Free.		
Rice, viz. :				
not rough or in the Husk	the Cwt.	0	0	4½
rough and in the Husk	the Qr.	0	0	9
Dust for feeding Cattle		Free.		

Rice—*continued.*		£	s. d.
Upon Exportation from the United Kingdom of any Foreign Rice or Paddy cleaned therein, which shall have paid the Duties payable on the Importation thereof, and having been deposited in some Bonded Warehouse within One Calendar Month from the Date of such Payment, shall have there remained secured until the Time of Exportation, the Exporter making Declaration that such Rice was cleaned from rough Rice or Paddy upon which the Duties had been paid, there shall be allowed and paid for every Hundredweight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the Rough Rice or Paddy from which the same shall have been cleaned.			
Rose Water			Free.
Rose Wood			Free.
Rosin			Free.
Oil of. See Oil.			
Saccharum Saturni			Free.
Safflower			Free.
Saffron			Free.
Sago	the Cwt.	0 0	4½
Sal, viz. :—			
Ammoniac			Free.
Limonum			Free.
Prunellæ			Free.
Salep or Salop			Free.
Salicine	the oz.	0 0	3
Salt			Free.
Saltpetre			Free.
Sanguis Draconis			Free.
Santa Maria Wood			Free.
Sapan Wood			Free.
Sarsaparilla			Free.
Sassafras			Free.
Satin Wood			Free.
Sauces, not otherwise enumerated	the lb.	0 0	1
Saunders, viz. :—			
Red			Free.
White or Yellow			Free.
Sausages or Puddings			Free.
Scaleboards	the Cwt.	0 1	0
Scammony			Free.
Seeds, viz. :—			
Acorns			Free.
Aniseed			Free.
Beans, Kidney or French			Free.
Burnet			Free.
Canary			Free.
Caraway	the Cwt.	0 5	0
of and from British Possessions	the Cwt.	0 2	6
Carrot			Free.
Clover			Free.
Colchicum			Free.
Cole			Free.
Coriander			Free.
Croton			Free.
Cummin			Free.
Dari			Free.
Fenugreek			Free.
Flax			Free.
Forest			Free.
Garden, unenumerated			Free.
Grass Seeds of all Sorts			Free.
Hemp			Free.
Leek			Free.
Lentils			Free.

	£	s.	d.
Seeds—*continued.*			
Lettuce	Free.		
Linseed	Free.		
Lucerne	Free.		
Lupine	Free.		
Maw	Free.		
Millett	Free.		
Mustard	Free.		
Onion	Free.		
Parsley	Free.		
Poppy	Free.		
Quince	Free.		
Rape	Free.		
Sesamum	Free.		
Shrub or Tree	Free.		
Tares	Free.		
Trefoil	Free.		
Worm	Free.		
All Seeds unenumerated, commonly used for expressing Oil therefrom	Free.		
All other Seeds, not particularly enumerated or described, nor otherwise charged with Duty	Free.		
Semolina the Cwt.	0	0	4½
Senna	Free.		
Ships, with their Tackle, Apparel, and Furniture (except Sails), broken up or to be broken up, viz. :—			
Foreign for every 100*l.* Value	5	0	0
British Ships, or Vessels entitled to be registered as such, not having been built in the United Kingdom	Free.		
Shumach	Free.		
Silk, viz. :—			
Knubs or Husks of Silk and Waste Silk	Free.		
Raw Silk	Free.		
Thrown Silk, not dyed, Singles	Free.		
Tram	Free.		
Organzine or Crape	Free.		
Dyed, Single or Tram	Free.		
Organzine or Crape	Free.		
Millinery of Silk, or of which the greater Part of the Material is of Silk, viz. :—			
Turbans or Caps each	0	3	6
Hats or Bonnets each	0	7	0
Dresses each	1	10	0
Corahs, Choppas, Bandannas, Tussore Cloths, Romals, and Taffaties, viz. :—			
in Pieces not exceeding 6¼ Yards in Length the Piece	0	0	6
exceeding 6¼ and not exceeding 7¼ Yards in Length the Piece	0	0	8
exceeding 7¼ and not exceeding 12 Yards in Length the Piece	0	0	10
China Crape Shawls, Scarfs, Handkerchiefs, and Pieces, viz. :—			
plain and Damask the lb.	0	3	0
embroidered the lb.	0	5	0
Damask the running Yard	0	0	8
Pongees, viz. :—			
in Pieces not exceeding 15 Yards in Length the Piece	0	2	0
exceeding 15 Yards and not exceeding 21 Yards in Length the Piece	0	3	0
exceeding 21 Yards and not exceeding 31 Yards in Length the Piece	0	5	0
Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length, the Piece	0	1	6
exceeding 9 Yards and not exceeding 18 Yards in Length the Piece	0	3	0
Manufactures of Silk, or of Silk and any other Material, not being Articles wholly or in part made up, not particularly enumerated or otherwise charged with Duty for every 100*l.* Value	15	0	0
of and from a British Possession for every 100*l.* Value	5	0	0
Articles, Manufactures of Silk, or of Silk and any other Material, not particularly enumerated or otherwise charged with Duty for every 100*l.* Value	15	0	0
of and from a British Possession for every 100*l.* Value	5	0	0

	£	s.	d.
Silk—*continued.*			
Manufactures of Silk, or of Silk mixed with Metal or any other Material, the Produce of Europe, viz.:—			
Silk or Satin, plain, striped, figured, or brocaded, viz.:—			
Broad Stuffs - - - - - - - the lb.	0	5	0
Articles thereof, not otherwise enumerated - - - the lb.	0	6	0
or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Gauze or Crape, plain, striped, figured, or brocaded, viz.:—			
Broad Stuffs - - - - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated - - - the lb.	0	10	0
or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric, viz.:—			
Broad Stuffs - - - - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated - - - the lb.	0	10	0
or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Velvet, plain or figured, viz.:—			
Broad Stuffs - - - - - - - the lb.	0	9	0
Articles thereof, not otherwise enumerated - - - the lb.	0	10	0
or, and at the Option of the Officers of the Customs, for every 100*l.* Value	15	0	0
Broad Stuffs, the Foundation of which is wholly composed of Cotton or other Materials than Silk - - - - - the lb.	0	3	0
Ribbons, plain Silk, of One Colour only - - - - the lb.	0	6	0
Plain Satin, of One Colour only - - - - - the lb.	0	8	0
Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than One Colour - - - - - - - the lb.	0	10	0
Gauze or Crape, plain, striped, figured, or brocaded - - the lb.	0	14	0
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric - - - the lb.	0	12	0
Velvet or Plush, wholly of Silk, or of Silk mixed with Cotton, not exceeding Nine Inches in Width, viz.:—			
Plain, or embossed by Depression, without Satin or Fancy Edge, the lb.	0	5	0
Figured, brocaded, striped, or spotted, or with Fancy or Satin Edge, and Silk Ribbons, in any way mixed or ornamented with Velvet or Plush - - - - - - - the lb.	0	10	0
Fancy Silk Net, or Tricot - - - - - - the lb.	0	8	0
Plain Silk Lace or Net called Tulle - - - - - the lb.	0	8	0
Manufactures of Silk, or of Silk mixed with any other Materials, called Plush, not being Ribbons - - - - - - - the lb.	0	3	0
Articles thereof, not otherwise enumerated - - - - the lb.	0	3	6
Black Plush, commonly used for making Hats - - - - the lb.	0	1	0
Parasols and Umbrellas - - - - - - each	0	1	0
Damask of Silk and Wool, or of Silk and other Materials, for Furniture, the lb.	0	0	10
Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated or charged with Duty - - - for every 100*l.* Value	15	0	0
Silkworm Gut - - - - - - - - - -	Free.		
Silver Ore, or Ore of which the greater Part in Value is Silver - - -	Free.		
Skins, Furs, Pelts, and Tails, viz.:—			
Badger, undressed - - - - - - - -	Free.		
Bear „ - - - - - - - - -	Free.		
Beaver „ - - - - - - - - -	Free.		
Cat „ - - - - - - - - -	Free.		
Chinchilla „ - - - - - - - - -	Free.		
Coney „ - - - - - - - - -	Free.		
Deer „ - - - - - - - - -	Free.		
Indian, half dressed - - - - - - -	Free.		
tanned, tawed, or in any way dressed - - - -	Free.		
Dog, in the Hair, not tanned, tawed, or in any way dressed - - -	Free.		
Dog Fish, undressed - - - - - - - -	Free.		
Elk „ - - - - - - - - -	Free.		
Ermine „ - - - - - - - - -	Free.		
dressed - - - - - - - - -	Free.		
Fisher, undressed - - - - - - - -	Free.		

Skins—*continued.*		£	s.	d.
Fitch, undressed		Free.		
Fox „		Free.		
Tails „		Free.		
Goat, raw or undressed		Free.		
tanned, tawed, or in any way dressed		Free.		
Goose, undressed		Free.		
Hare „		Free.		
Husse „		Free.		
Kangaroo „		Free.		
Kid, in the Hair, undressed		Free.		
dressed		Free.		
and dyed or coloured		Free.		
Kolinski, undressed		Free.		
Lamb, undressed in the Wool		Free.		
tanned or tawed		Free.		
and dyed or coloured		Free.		
dressed in Oil		Free.		
Leopard, undressed		Free.		
Lion „		Free.		
Lynx „		Free.		
Marten „		Free.		
Marten Tails „		Free.		
Minx „		Free.		
dressed		Free.		
Mole, undressed		Free.		
Musquash „		Free.		
Nutria „		Free.		
Otter „		Free.		
Ounce „		Free.		
Panther „		Free.		
Pelts „		Free.		
tanned, tawed, or in any way dressed		Free.		
Racoon, undressed		Free.		
Sable „		Free.		
Tails or Tips, undressed		Free.		
Seal, in the Hair, not tanned, tawed, or in any way dressed		Free.		
Sheep, undressed in the Wool		Free.		
tanned or tawed		Free.		
dressed in Oil		Free.		
Squirrel or Calabar, undressed		Free.		
tawed		Free.		
Tails, undressed		Free.		
Swan, undressed		Free.		
Tiger		Free.		
Weasel		Free.		
Wolf		Free.		
tawed		Free.		
Wolverings, undressed		Free.		
Skins and Furs, or Pieces of Skins and Furs, unenumerated, viz.:—				
raw or undressed		Free.		
tanned, tawed, curried, or in any way dressed		Free.		
Articles manufactured of Skins and Furs		Free.		
Smalts		Free.		
Soap, viz.:—				
hard	the Cwt.	0	0	8
soft	the Cwt.	0	0	8
Naples	the Cwt.	0	0	8
scented or fancy Soap	the lb.	0	0	2
Soda, Sulphate of		Free.		
Soy	the Gallon	0	0	6
Spa Ware	the Cubic Foot	0	0	6
Specimens of Minerals or Fossils		Free.		
illustrative of Natural History		Free.		
Speckled Wood		Free.		

		£	s.	d.
Spectacles		Free.		
Spelter or Zinc, crude in Cakes		Free.		
rolled, but not otherwise manufactured		Free.		
Oxide and White of		Free.		
Rods for Bolts		Free.		
Manufactures of, not otherwise enumerated	the Cwt.	0	2	0
Spermaceti		Free.		
Spirits or Strong Waters, viz. :—				
Not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes's Hydrometer, for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon	the Gallon	0	15	0
Of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, if imported—				
into England or Scotland	the Gallon	0	8	2
into Ireland	the Gallon	0	6	4
Rum Shrub, Liqueurs, and Cordials of and from a British Possession in America, or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter, qualified as aforesaid, if imported—				
into England or Scotland	the Gallon	0	8	2
into Ireland	the Gallon	0	6	4
Other Spirits, being sweetened or mixed, so that the Degree of Strength cannot be ascertained as aforesaid, and perfumed Spirits to be used as Perfumery only,	the Gallon	1	0	0
Spirits or Strong Waters imported into the United Kingdom mixed with any Ingredient, and although thereby coming under some other Denomination, except Varnish, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.				
Sponge		Free.		
Squills, dried		Free.		
not dried		Free.		
Starch	the Cwt.	0	0	4½
Gum of, torrified or calcined	the Cwt.	0	0	4½
Stavesacre		Free.		
Stays or Corsets of Linen or of Cotton, or of Linen and Cotton mixed,	the Dozen Pairs	0	2	0
Stearine, till the 5th April 1858, unless the Duty upon Tallow shall be sooner repealed, in which Case the Duty shall cease	the Cwt.	0	3	6
after the 5th April 1858		Free.		
Steel, unwrought		Free.		
manufactured or wrought. (See Iron.)				
Scrap		Free.		
Stones, viz. :—				
Stone, in Lumps, not in any Manner hewn		Free.		
Slate, in rough Blocks or Slabs		Free.		
hewn		Free.		
Marble, in rough Blocks or Slabs		Free.		
sawn into Slabs or otherwise manufactured		Free.		
Limestone		Free.		
Asphalt Rock		Free.		
Flint		Free.		
Felspar and Stones for Potter's Use		Free.		
Pebble		Free.		
for Lithography		Free.		
in Blocks, shaped or rough scalped		Free.		
Mill Stones, rough		Free.		
shaped or hewn		Free.		
Burr Stones, rough		Free.		
shaped or hewn		Free.		
Quern Stones, rough		Free.		
shaped or hewn		Free.		
Dog Stones, rough		Free.		
shaped or hewn		Free.		
Straw or Grass for platting		Free.		

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated - - the lb.	0 0 2½	0 0 2	0 0 1½
Sugar, viz.:			
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, the Cwt.	1 0 0	0 16 8	0 13 4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined, or equal in Quality to Refined - the Cwt.	0 17 6	0 14 7	0 11 8
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed - - - - - - - the Cwt.	0 15 0	0 12 9	0 10 6
Brown Muscovado, or any other Sugar not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar - - - - - - - - the Cwt.	0 13 9	0 11 8	0 9 6
Molasses - - - - - - - - the Cwt.	0 5 4	0 4 6	0 3 9

The following Drawbacks shall be allowed on Exportation to Foreign Parts, or on Removal to the Isle of Man, for Consumption there, of the several Descriptions of Refined Sugar hereinafter mentioned; that is to say,

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
Upon Refined Sugar in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, not in any way inferior to the Export Standard, No. 3, approved of by the Lords of the Treasury, for every Cwt.	0 18 9	0 15 8	0 12 6
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters - - - - - for every Cwt.	0 18 9	0 15 8	0 12 6
Upon Refined Sugar, unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample, No. 1, approved by the Lords of the Treasury, and which shall not contain more than Five per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove - - - - - - for every Cwt.	0 17 10	0 14 10	0 11 10
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample, No. 2, approved by the Lords of the Treasury - - - for every Cwt.	0 16 6	0 13 9	0 11 0
Upon Bastard or Refined Sugar, being inferior in Quality to the said Export Standard Sample, No. 2 - for every Cwt.	0 13 9	0 11 8	0 9 6

		£	s.	d.
Sulphur Impressions		Free.		
Sweet Wood		Free.		
Talc		Free.		
Tallow	the Cwt.	0	1	6
of and from British Possessions	the Cwt.	0	0	1
Vegetable		Free.		
Tamarinds		Free.		
Tapioca	the Cwt.	0	0	4½
Tar		Free.		
Barbadoes		Free.		
Tares. See Seeds.				
Tarras		Free.		
Tartaric Acid		Free.		
Tea,—until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia,	the lb.	0	1	9
for the following Twelve Months after such 5th Day of April	the lb.	0	1	3
thereafter without any Allowance for Draft.	the lb.	0	1	0
Teasles		Free.		
Teeth, viz., Elephants		Free.		
Sea Cow, Sea Horse, or Sea Morse		Free.		
Telescopes		Free.		
Terra, viz., Japonica		Free.		
Sienna		Free.		
Verde		Free.		
Umbra		Free.		
Thread, not otherwise enumerated or described		Free.		
Tiles		Free.		
Tin, Ore and Regulus of		Free.		
in Blocks, Ingots, Bars, or Slabs		Free.		
Foil	the Cwt.	0	10	0
Manufactures of, not otherwise enumerated	the Cwt.	0	10	0
Tincal, unrefined. See Borax.				
Tobacco, the following Duties, with 5 per Cent. thereon, viz. :—				
unmanufactured, stemmed, or stripped	the lb.	0	3	0
unstemmed	the lb.	0	3	0
manufactured, or Segars	the lb.	0	9	0
Snuff	the lb.	0	6	0
Stalks and Flour of	prohibited.			
Manufactured in Great Britain or Ireland, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases containing not less than Eighty Pounds net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores	the lb. with 5 per Cent. thereon.	0	2	7½
Tobacco Pipes of Clay		Free.		
Tongues		Free.		
Tornsal		Free.		
Tortoise or Turtle Shell, unmanufactured		Free.		
Toys, viz.:—				
Marbles	the Cwt.	0	1	0
All other Toys	the Cubic Foot	0	0	4
Truffles		Free.		
Tulip Wood		Free.		
Turmeric		Free.		
Turnery, not otherwise described	the Cubic Foot	0	0	4
Turpentine		Free.		
Of Venice, Scio, or Cyprus		Free.		
Oil, or Spirit of. See Oil.				
Twine		Free.		
Ultra Marine		Free.		
Valonia		Free.		
Vanelloes		Free.		

		£	s.	d.
Varnish, containing any Quantity of Alcohol or Spirit	the Gallon	0	12	0
not otherwise described		Free.		
Vases, viz., ancient, not of Stone or Marble		Free.		
Vegetables, all, not otherwise enumerated or described		Free.		
preserved in Salt		Free.		
Vellum		Free.		
Veneers	the Cwt.	0	1	0
Verdigris		Free.		
Verjuice		Free.		
Vermicelli and Maccaroni	the Cwt.	0	1	0
Vermillion		Free.		
Vinegar	the Gallon	0	0	4½
Wafers		Free.		
Walnut Wood		Free.		
Washing Balls	the lb.	0	0	2
Watches of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each,	each	1	0	0
Other Watches, viz. :—				
Gold, open Faces	each	0	5	0
Hunters	each	0	7	6
Repeaters	each	0	15	0
Silver, or any other Metal not Gold :—				
Open Faces	each	0	2	6
Hunters	each	0	3	6
Repeaters	each	0	8	0
Water, Cologne, the Flask (Thirty of such Flasks containing not more than One Gallon)	each	0	0	8
When not in Flasks (as perfumed Spirit)	the Gallon	1	0	0
Mineral		Free.		
Wax, viz. :—Bleached		Free.		
Unbleached		Free.		
Myrtle		Free.		
Sealing		Free.		
Vegetable		Free.		
Weld		Free.		
Whale Fins		Free.		
Whipcord		Free.		
Wine, of and from Foreign Countries, the following Duties and 5 per Cent. thereon, viz. :—				
Red	the Gallon	0	5	6
White	the Gallon	0	5	6
Lees of such Wine	the Gallon	0	5	6
The Growth and Produce of any British Possession, and imported direct from thence, the following Duties and 5 per Cent. thereon, viz. :—				
Red	the Gallon	0	2	9
White	the Gallon	0	2	9
Lees of such Wine	the Gallon	0	2	9
The full Duties on Wine may be drawn back upon Exportation or Shipment as Stores, but no Drawback allowed on Lees of Wine.				
Wire, viz. :—Gilt or plated		Free.		
Silver		Free.		
Copper or Brass. See Copper and Brass respectively.				
Woad		Free.		
Wood and Timber, the following Duties, with 5 per Cent. thereon on all Wood and Timber the Produce of British Possessions, viz. :—				
Timber or Wood, not being Deals, Battens, Boards, Staves, Handspikes, Oars, Lathwood, or other Timber or Wood sawn, split, or otherwise dressed, except hewn, and not being Timber or Wood otherwise charged with Duty,	the Load of 50 Cubic Feet	0	7	6
Of and from British Possessions	the Load of 50 Cubic Feet	0	1	0
Deals, Battens, Boards, or other Timber or Wood sawn or split, and not otherwise charged with Duty	the Load of 50 Cubic Feet	0	10	0
Of and from British Possessions	the Load of 50 Cubic Feet	0	2	0

Wood and Timber—*continued.*

Or, in lieu of ascertaining the Cubical Contents in Pile, the Importer may have the Option, at the Time of passing the First Entry, in respect of Planks, Deals, Deal Ends, Battens, and Batten Ends, not the Produce of the British Possessions, of entering the same by Tale, upon a Computation of their Cubic Content calculated according to the under-mentioned Scale, specifying in such Entry the Number and Dimensions of the several Pieces included therein; and the Duties imposed thereon by this Act shall be ascertained, computed, and charged upon the Planks, Deals, Deal Ends, Battens, and Batten Ends included in such Entry on the Cubical Contents thereof computed in conformity with the said Scale.

	Planks.	Deals.	Battens.		
	3 × 11 Inch and not above 3¼ × 11½ Inch.	3 × 9 Inch and not above 3¼ × 9½ Inch.	3 × 7 Inch and not above 3¼ × 7¼ Inch.	2½ × 7 Inch and not above 2⅝ × 7¼ Inch.	2½ × 6½ Inch and not above 2⅝ × 6⅝ Inch.
	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.	Cubic Feet.
Not above 4 Feet in Length, the 120 -	115	95	73	61	57
Above 4 Feet and not above 5 Feet in Length, the 120 - - - -	144	118	91	77	71
Above 5 Feet and not above 6 Feet in Length, the 120 - - - -	173	142	110	92	86
Above 6 Feet and not above 7 Feet in Length, the 120 - - - -	202	165	128	107	100
Above 7 Feet and not above 8 Feet in Length, the 120 - - - -	231	189	146	123	114
Above 8 Feet and not above 9 Feet in Length, the 120 - - - -	260	213	165	138	128
Above 9 Feet and not above 10 Feet in Length, the 120 - - - -	288	236	183	153	143
Above 10 Feet and not above 11 Feet in Length, the 120 - - - -	317	260	201	169	157
Above 11 Feet and not above 12 Feet in Length, the 120 - - - -	346	284	220	184	171
Above 12 Feet and not above 13 Feet in Length, the 120 - - - -	375	307	238	200	185
Above 13 Feet and not above 14 Feet in Length, the 120 - - - -	404	331	256	215	200
Above 14 Feet and not above 15 Feet in Length, the 120 - - - -	433	354	274	230	214
Above 15 Feet and not above 16 Feet in Length, the 120 - - - -	462	378	293	246	228
Above 16 Feet and not above 17 Feet in Length, the 120 - - - -	490	402	311	261	242
Above 17 Feet and not above 18 Feet in Length, the 120 - - - -	519	425	329	276	257
Above 18 Feet and not above 19 Feet in Length, the 120 - - - -	548	449	348	292	271
Above 19 Feet and not above 20 Feet in Length, the 120 - - - -	577	473	366	307	285
Above 20 Feet and not above 21 Feet in Length, the 120 - - - -	606	496	384	322	300

	£	s.	d.
Staves, exceeding 72 Inches in Length, 7 Inches in Breadth, or 3¼ Inches in Thickness, the Load of 50 Cubic Feet - - - - -	0	9	0
of and from British Possessions, the Load of 50 Cubic Feet - -	0	2	0
Staves, not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor 3¼ in Thickness - - - - - - - - - -	Free.		
Birch and Fir, hewn, not exceeding 3 Feet in Length nor exceeding 8 Inches Square, imported for the sole Purpose of making Herring Barrels for the Use of the Fisheries - - - - - - - - -	Free.		
Firewood - - - - - the Fathom of 216 Cubic Feet	0	6	0
Of and from British Possessions - - the Fathom of 216 Cubic Feet	Free.		

	£	s.	d.
Wood and Timber—*continued.*			
Handspikes, not exceeding 7 Feet in Length - - - - the 120	0	6	0
Of and from British Possessions - - - - - the 120	0	0	6
Exceeding 7 Feet in Length - - - - - the 120	0	12	0
Of and from British Possessions - - - - - the 120	0	1	0
Hoops - - - - - - - - - - - Free.			
Knees, under 5 Inches Square - - - - - the 120	0	3	0
Of and from British Possessions - - - - - the 120	0	0	3
5 and under 8 Inches Square - - - - - the 120	0	12	0
Of and from British Possessions - - - - - the 120	0	1	0
Lathwood - - - - - the Fathom of 216 Cubic Feet	0	12	0
Of and from British Possessions - - the Fathom of 216 Cubic Feet	0	1	0
Oars - - - - - - - - - - the 120	2	5	0
Of and from British Possessions - - - - - the 120	0	3	9
Spars or Poles, under 22 Feet in Length and under 4 Inches in Diameter, the 120	0	6	0
Of and from British Possessions - - - - - the 120	0	0	6
22 Feet in Length and upwards, and under 4 Inches in Diameter - the 120	0	12	0
Of and from British Possessions - - - - - the 120	0	1	0
Of all Lengths, 4 and under 6 Inches in Diameter - - - the 120	1	4	0
Of and from British Possessions - - - - the 120	0	2	0
Spokes for Wheels, not exceeding 2 Feet in Length - - the 1,000	1	4	0
Of and from British Possessions - - - - the 1,000	0	1	0
Exceeding 2 Feet in Length - - - - the 1,000	2	8	0
Of and from British Possessions - - - - the 1,000	0	2	0
Teak - - - - - - - - - - - - Free.			
Waste Wood, viz., Billet Wood, or Brush Wood used for the Purpose of Stowage Free.			
For Shipbuilding, viz. :—			
Stringy Bark, Red and Blue Gum, Green Hart, Mora and Locust Woods, and Woods formerly admitted at the same Duty as Teak - - - Free.			
Treenails of Stringy Bark, Red and Blue Gum, and Locust Woods, and all Treenails of and from British Possessions - - - - - Free.			
Shovel Hilts - - - - - - - - - Free.			
Planed or otherwise dressed or prepared for Use, and not particularly enumerated or otherwise charged with Duty - - - - per Cubic Foot	0	0	2
And further - - - - - for every 100*l.* Value	10	0	0
Of and from British Possessions - - - for every 100*l.* Value	5	0	0
Wool, viz., Alpaca and the Llama Tribe - - - - - - Free.			
Beaver - - - - - - - - - - Free.			
cut and combed - - - - - - - - Free.			
Coney Wool - - - - - - - - - Free.			
Cotton Wool and Waste of Cotton Wool - - - - - Free.			
Goat's Wool or Hair - - - - - - - Free.			
Hare's Wool - - - - - - - - - Free.			
Sheep or Lamb's Wool - - - - - - - Free.			
Woollens, viz. :—Manufactures of Wool (not being Goat's Wool), or of Wool mixed with Cotton, not particularly enumerated, and not otherwise charged with Duty - Free.			
Articles or Manufactures of Wool (not being Goat's Wool), or of Wool mixed with Cotton, viz. :—			
Carpets and Rugs - - - - - the Square Yard	0	0	6
Shawls, Scarfs, and Handkerchiefs, plain - - - - the lb.	0	0	4
printed - - - - the lb.	0	0	8
Gloves - - - - - - the Dozen Pairs	0	0	3
wholly or in part made up, not otherwise charged with Duty, for every 100*l.* Value	5	0	0
Yarn, Cable Yarn - - - - - - - - - Free.			
Camel or Mohair - - - - - - - - Free.			
Raw Linen - - - - - - - - - Free.			
Silk and Worsted, spun together and not dyed - - - - - Free.			
Woollen or Worsted, viz. :—			
Commonly called Berlin Wool or Zephyr Yarn, and Woollen and Worsted Yarn of Two or more Threads :—			
Scoured, bleached, or coloured - - - - the lb.	0	0	6
Not scoured, bleached, or coloured - - - - the lb.	0	0	3
Raw, for weaving, not dyed, or only partially dyed - - - - Free.			

	£	s.	d.
Yeast, dried	Free.		
Zaffre	Free.		
Zebra Wood	Free.		
Goods, being either in part or wholly manufactured, and not being enumerated or described nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland - for every 100*l.* Value	10	0	0
Goods, not being either in part or wholly manufactured, not enumerated or described nor otherwise charged with Duty, and not prohibited to be imported into or used in Great Britain or Ireland	Free.		

TABLE (B.)

DUTIES APPLICABLE TO THE ISLE OF MAN.

Coffee, the Import Duties in Great Britain or Ireland not having been there paid thereon, the lb.	0	0	2
Corn, viz., Wheat, Barley, Bear or Bigg, Oats, Rye, Peas, Beans, Buckwheat, Maize, or Indian Corn - the Quarter	0	1	0
Wheat Meal and Flour, Barley Meal, Oat Meal, Rye Meal and Flour, Pea Meal, Bean Meal, Buckwheat Meal, and Maize or Indian Corn Meal - the Cwt.	0	0	4½
Hemp	Free.		
Hops, from Great Britain or Ireland	Free.		
Iron	Free.		
Spirits, viz. :—			
Rum and other Spirits of the British Possessions not being sweetened or mixed Spirits, or Liqueurs, Cordials, or perfumed Spirits - the Gallon	0	3	8
Brandy, Geneva, and all Foreign Spirits, not being Liqueurs, Cordials, or perfumed Spirits - the Gallon	0	6	0
British or Irish Spirits exported from a Duty-free Warehouse under Bond in the United Kingdom - the Gallon	0	3	0
Such Spirits not exceeding the Strength of Proof by Sykes's Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon.			
Rum Shrub, of the British Possessions - the Gallon	0	3	8
Liqueurs, Cordials, mixed, sweetened, and perfumed Spirits - the Gallon	0	10	0
of the British Possessions - the Gallon	0	5	0
Eau de Cologne - per Flask (30 not containing more than 1 Gallon)	0	0	4
or the Gallon	0	10	0
Sugar, viz. :—			
Muscovado - the Cwt.	0	1	0
Sugar Candy, White or Brown, Refined Sugar, or Sugar rendered by any Process equal to Refined, Foreign or British - the Cwt.	0	3	0
Tea - the lb.	0	0	6
Tobacco, viz. :—			
Unmanufactured - the lb.	0	1	6
Manufactured - the lb.	0	4	9
Cigars - the lb.	0	4	9
Wine - the Tun of 252 Gallons	12	0	0
Wood, all Sorts	Free.		
Goods, Wares, and Merchandise brought from Great Britain or Ireland, and entitled to any Bounty or Drawback of Excise on Exportation from thence, and not herein-before enumerated or charged with Duty	Free.		
Goods, Wares, and Merchandise, the Growth, Produce, or Manufacture of and brought from Great Britain or Ireland, and not herein-before charged with Duty	Free.		
Goods, Wares, and Merchandise, not the Growth, Produce, or Manufacture of Great Britain or Ireland, but brought from thence, and having there been entered for Consumption, and the Import Duties having been there paid thereon	Free.		
Goods, Wares, and Merchandise imported or brought from any Place from whence such Goods may be lawfully imported into the Isle of Man, and not herein-before charged with Duty, or declared to be free of Duty, for every 100*l.* of the Value thereof	15	0	0

CAP. XCVIII.

An Act to continue certain Turnpike Acts in *Great Britain.* [14th *August* 1855.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Turnpike Acts continued to 1st Oct. 1856, &c. with certain Exceptions.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament shall be continued until the First Day of *October* One thousand eight hundred and fifty-six, and to the End of the then next Session of Parliament, except an Act of the Ninth Year of King *George* the Fourth, Chapter Sixty-eight, "for more effectually repairing the Road from *Great Grimsby Haven* to *Wold Newton* Church, and "from *Nuns Farm* to the *Mill Field* in the Parish of *Irby* in the County of *Lincoln*," and except as herein-after mentioned.

Acts in Schedule continued.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-six, and no longer, unless Parliament shall in the meantime continue the same respectively.

Short Title.

III. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1855."

Extent of Act.

IV. This Act shall not apply to *Ireland.*

SCHEDULE.

52 G. 3. c. lxxxi. An Act for repairing the Road from Chatham to Canterbury in the County of Kent.

53 G. 3. c. cxxxiii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Neat Enstone and Chipping Norton Turnpike Road, through Bicester, to Weston-on-the-Green in the County of Oxford, and for making a new Branch of Road to communicate therewith.

54 G. 3. c. xv. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Warwick Road near Solihull to the Guide Post in Kenilworth, and from Stonebridge to meet the aforesaid Road at Balsall Common in the County of Warwick, so far as respects the said Road from Stonebridge to Balsall Common, and from thence to the said Town of Kenilworth.

54 G. 3. c. lv. An Act for continuing the Term and altering and enlarging the Powers of an Act of His present Majesty, for widening and maintaining the Road leading from the East Side of the Market Place in New Sleaford to and through the Town of Anwick in the County of Lincoln, and other Roads therein mentioned, in the said County; and for building a Bridge over the Witham at or near to Tattershall Ferry.

55 G. 3. c. xxxv. An Act for more effectually repairing the Road leading from Royston in the County of Hertford to Wandesford Bridge, and from the Town of Huntingdon to Somersham in the County of Huntingdon, so far as respects the Middle Division and separate District of the said Roads.

55 G. 3. c. xxxviii. An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford.

56 G. 3. c. xxxii. An Act for repairing and improving the Road from the Lyme Turnpike Road in the Parish of Gittisham to Sidmouth in the County of Devon.

56 G. 3. c. lxxii. An Act for continuing and amending Four Acts passed in the Reigns of Their late Majesties King George the First and King George the Second, and of His present Majesty, for repairing the Roads from Luton to Westwood Gate in the County of Bedford, and from Luton to Saint Albans in the County of Hertford.

57 G. 3. c. xviii. An Act for enlarging the Term and Powers of several Acts passed for repairing and widening the Roads from the East End of Brough-under-Stainmoor in the County of Westmorland, by the End of Appleby Bridge, to Eamont Bridge in the said County.

57 G. 3. c. liv. An Act for making and maintaining a Turnpike Road from the Town of Crowland in the County of Lincoln to the Town of Eye in the County of Northampton.

59 G. 3. c. x. An Act for more effectually making, straightening, repairing, and improving the Road from near the Town of Lewes to Polegate in the Parish of Hailsham, and from thence to Eastbourne, and from Polegate to Hailsham Common, in the County of Sussex.

59 G. 3. c. xciii. An Act to continue the Term and enlarge the Powers of Two Acts of His present Majesty's Reign, for repairing the Road from Rochdale Lane End in the Village of Heywood to a Place called the Lands End in Prestwich in the County Palatine of Lancaster.

1 G. 4. c. ii. An Act to continue the Term and alter and enlarge the Powers of several Acts passed for repairing the Road from Knaresborough to Green Hammerton in the County of York.

1 G. 4. c. xiv. An Act for continuing the Term and altering and enlarging the Powers of an Act of His late Majesty's Reign, for amending the Road leading out of the Highway from Wigan to Golborn and Warrington into the Road from Wigan to Ashton in Ashton in Mackerfield in the County Palatine of Lancaster.

Turnpike Acts Continuance.

An Act for enlarging the Term and Powers of an Act passed in the Thirty-seventh Year of His late Majesty, for repairing the Road from Hulmes Chapel in the County Palatine of Chester to the South Bridge in Chelford in the said County. 1 G. 4. c. xvii.

An Act for making and maintaining a Turnpike Road from or nearly from the Town of Stockport in the County Palatine of Chester to or near unto the Town of Warrington in the County Palatine of Lancaster, and a Branch of Road to communicate therewith. 1 G. 4. c. xxviii.

An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned. 3 G. 4. c. lxiii.

An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the Directing Post near the Town of Farnham in the County of Surrey. 3 G. 4. c. lxvii.

An Act to continue the Term and alter and enlarge the Powers of an Act of His late Majesty King George the Third, for more effectually amending, widening, improving, and keeping in repair several Roads leading from the Hundred House in the County of Worcester, and also several other Roads therein mentioned. 3 G. 4. c. lxxxix.

An Act for amending the Road from the Devizes Turnpike Road, at or near Somerham Brook, through Melksham, to the Horse and Jockey in the Parish of Box in the County of Wilts, and certain other Roads leading out of the said Road, all in the said County. 4 G. 4. c. xxix.

An Act for repairing and improving the Road from Otley to Skipton in the County of York. 4 G. 4. c. xxxi.

An Act for more effectually amending and keeping in repair the Roads from the Town of Uttoxeter to the Town of Newcastle-under-Lyme in the County of Stafford, so far as relates to the Uttoxeter District of the said Roads, and for making certain new Pieces of Road to communicate therewith, all in the said County of Stafford. 4 G. 4. c. lix.

An Act for repairing and widening the Road from Rugby in the County of Warwick to the Turnpike Road from Lutterworth to Market Harborough in the Counties of Leicester and Northampton. 4 G. 4. c. lxiii.

An Act for more effectually amending, repairing, and keeping in repair the Road from the Toll Gate in the Parish of Kettering, through Wellingborough, in the County of Northampton, and through Olney over Sherrington Bridge to Newport Pagnel in the County of Buckingham. 4 G. 4. c. lxvii.

An Act for more effectually repairing the Road from the South End of Brown's Lane in the Parish of Great Staughton in the County of Huntingdon to the Bedford Turnpike Road in the Parish of Lavendon in the County of Buckingham. 4 G. 4. c. lxxxv.

An Act for more effectually amending, improving, and keeping in repair the Road leading from Penrith to Cockermouth, and several other Roads therein mentioned, all in the County of Cumberland. 5 G. 4. c. iv.

An Act for repairing, improving, and maintaining several Roads leading to and from Cerne Abbas in the County of Dorset. 5 G. 4. c. xxx.

An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from Halifax to Sheffield in the West Riding of the County of York, so far as relates to the First District of the Roads mentioned in the said Acts. 5 G. 4. c. ciii.

An Act for more effectually repairing the Road from Bramcote Odd House in the County of Nottingham to the Cross Post upon Smalley Common in the County of Derby, and from Ilkeston to Heanor in the said County of Derby, and from Trowell in the said County of Nottingham to the Town of Nottingham. 6 G. 4. c. xv.

An Act for more effectually repairing the Road from Grantham in the County of Lincoln to Nottingham Trent Bridge in the County of Nottingham. 6 G. iv. c. xxiv.

An Act for amending, maintaining, and improving the Roads from Bridgnorth to Cleobury North, and also through Ditton Priors to the Brown Clee Hill, and from Cleobury Mortimer to several Places therein mentioned, and other Roads branching therefrom, in the Counties of Salop and Worcester. 6 G. 4. c. xlix.

An Act for more effectually repairing, widening, altering, and improving the Road from Welford Bridge in the County of Northampton to Milstone Lane in the Town of Leicester. 6 G. 4. c. lxxxii.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley, in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for amending and maintaining the Turnpike Road from Bawtry through the Town of Tinsley to the Road from Rotherham to Sheffield in the West Riding of the County of York. 6 G. 4. c. xc.

An Act for more effectually repairing the Road from Greenhill Moor to Hernstone Lane Head Road, near Stony Middleton, and other Roads therein mentioned, in the County of Derby, and in the West Riding of the County of York; and for making an Extension and Branch of Road therefrom. 6 G. 4. c. ci.

An Act for amending, repairing, and maintaining the Road from Worksop in the County of Nottingham to the North-east End of Attercliffe in the County of York. 6 G. 4. c. cxlvi.

An Act for more effectually improving the Roads from Barnsley Common to Grange Moor and White Cross, and for making a Diversion of the said Roads from or near to Redbrook in the Township of Barugh to Barnsley, all in the West Riding of the County of York. 6 G. 4. c. cli.

7 G. 4. c. xiv. An Act for improving the Turnpike Road from Knaresbrough to the Junction of the Road from Ripon to Pateley Bridge in the West Riding of the County of York.

7 G. 4. c. xl. An Act for making and maintaining a Turnpike Road from the Great North Road at Barnby Moor in the County of Nottingham to the Turnpike Road leading from Bawtry to Tinsley in the County of York, and from the said Bawtry and Tinsley Turnpike Road, at the North-east End of Blackhill Lane to the Town of Rotherham in the said County of York.

7 G. 4. c. lxxx. An Act for making and maintaining a Turnpike Road from a Place called Coxbridge, near Farnham, in the County of Surrey, to Ramshill, near Petersfield, in the County of Southampton.

7 G. 4. c. lxxxiii. An Act for making into a Turnpike Road a Road leading from the Cross Gate in the Parish of Swineshead to the Southern Extremity of the Parish of Fosdyke in the County of Lincoln, and repairing and maintaining the same.

7 & 8 G. 4. c. vi. An Act for making and maintaining a Turnpike Road from Godley Lane Head, near Halifax, to Northowram Green, in the West Riding of the County of York.

7 & 8 G. 4. c. xxvii. An Act for more effectually repairing and otherwise improving the Road from the East End of Chapel Bar in Nottingham to the New China Works near Derby, and from the Guide Post in the Parish of Lenton to Sawley Ferry, all in the Counties of Nottingham and Derby.

7 & 8 G. 4. c. lviii. An Act for amending, repairing, and maintaining the Turnpike Road from Rotherham to Swinton in the West Riding of the County of York.

7 & 8 G. 4. c. lix. An Act for repairing the Road from Blackburn in the County Palatine of Lancaster to Addingham and Cocking End in the West Riding of the County of York; and for making and maintaining a new Road from Old Accrington to the Burnley and Rochdale Turnpike Road in Habergham Eaves in the said County of Lancaster, and a Branch therefrom.

7 & 8 G. 4. c. lxxii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from Barnsdale through Pontefract to Thwaite Gate near Leeds, and also of an Act relating to the Road from Leeds to Wakefield in the West Riding of the County of York.

9 G. 4. c. lxxiv. An Act to alter, amend, and enlarge the Powers and Provisions of several Acts relating to the Road from Chester to Northop in the County of Flint.

9 G. 4. c. ci. An Act to alter, amend, and enlarge the Powers and Provisions of an Act for making a Turnpike Road from Wells next the Sea to Fakenham in the County of Norfolk, and other Roads connected therewith.

CAP. XCIX.

An Act to enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the *French*, and His Imperial Majesty the Sultan.

[14th *August* 1855.]

'WHEREAS His Imperial Majesty the Sultan has addressed Himself to Her Majesty and to His Majesty the Emperor of the *French* to obtain Facilities for raising a Loan in order to enable Him to prosecute with Vigour the War against *Russia* in which He is at present engaged in conjunction with their said Majesties His Allies: And whereas a Convention has been signed between Her Majesty, His Majesty the Emperor of the *French*, and His Imperial Majesty the Sultan, in which it was agreed as follows:

"ARTICLE I.

"Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* undertakes to recommend to Her Parliament to enable Her to guarantee, jointly with His Majesty the Emperor of the *French*, and severally, and His Majesty the Emperor of the *French* engages, subject to the Ratification of the Legislative Body of *France*, to guarantee, conjointly with Her *Britannic* Majesty, the Interest of a Loan of Five Millions of Pounds Sterling to be raised by His Imperial Majesty the Sultan.

"ARTICLE II.

"The Interest payable on the said Loan of Five Millions Sterling shall be at the Rate of Four *per Cent. per Annum*.

"There shall moreover be paid by the *Sublime Porte* the further Rate of One *per Cent. per Annum* on the whole Capital of Five Millions Sterling, by way of Sinking Fund.

"ARTICLE III.

"The Interest and Sinking Fund of the said Loan shall form a Charge on the whole Revenues of the *Ottoman* Empire, and specially on the annual Amount of the Tribute of *Egypt* which remains over and above the Part thereof appropriated to the First Loan, and moreover on the Customs of *Smyrna* and *Syria*.

"His Imperial Majesty the Sultan engages that He will cause to be remitted to the Bank of *England*, on or before the Twenty-fifth of *June* and Twenty-fifth of *December* in each Year, the

"full

‘ “ full Amount of One Half Year’s Interest and Sinking Fund on the whole Amount of the said
‘ “ Loan to be raised under the conjoint Guarantee of Her *Britannic* Majesty and of His Majesty
‘ “ the Emperor of the *French*, or on so much thereof as may be raised, until the whole Capital
‘ “ borrowed shall be repaid.

‘ “ ARTICLE IV.

‘ “ Their Majesties the Queen of the United Kingdom of *Great Britain* and *Ireland* and the
‘ “ Emperor of the *French*, being desirous to save the *Sublime Porte* the Expenses of Remittance,
‘ “ consent to undertake to transmit to the *Ottoman* Government the Proceeds of the above-
‘ “ mentioned Loan of Five Millions Sterling to be raised under the conjoint Guarantee of Their
‘ “ Majesties. With this view it is agreed that the Contractors for the said Loan shall pay the
‘ “ Proceeds thereof into the Bank of *England* for the Account of the *Turkish* Government, to
‘ “ be transmitted to the *Sublime Porte* by the Agency of the Governments of *England* and of
‘ “ *France*.”

‘ And whereas, in pursuance of Her Majesty’s gracious Recommendation in this Behalf, it is expedient ‘ that Her Majesty should be enabled to carry into effect the said Convention :’ Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Her Majesty empowered to guarantee Interest to be charged on Consolidated Fund.

I. It shall be lawful for Her Majesty and She is hereby authorized to guarantee, jointly with His Majesty the Emperor of the *French*, and severally, the Interest on the Loan to be raised by His Imperial Majesty the Sultan, not exceeding Interest at the Rate of Four Pounds *per Centum per Annum* on a Sum of Five Millions of Pounds Sterling, upon the Terms and Conditions set forth in the said Convention, and for that Purpose the Commissioners of Her Majesty’s Treasury are hereby authorized to cause to be issued from Time to Time out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, such Sums of Money as may at any Time be required to be paid to fulfil the Guarantee of Her Majesty in respect of such Interest as and when the same Interest may from Time to Time become payable, conformably to the Tenor of Her Majesty’s Engagement as specified in the said Convention, together with the attending Charges of Management thereon; provided always, that such Charge for Management shall in no Case exceed the Rate of Three hundred Pounds *per* Million of Capital on which such Interest shall be so payable.

Sums repaid as Interest to be carried to Consolidated Fund.

II. The Commissioners of Her Majesty’s Treasury shall cause such Sums as shall be from Time to Time paid in or towards the Repayment of any Money issued under this Act in respect of the said Guarantee of Interest to be carried to and form Part of the said Consolidated Fund.

Accounts to be laid before Parliament.

III. The Commissioners of Her Majesty’s Treasury shall cause to be prepared, and shall lay before both Houses of Parliament in the Month of *February* in every Year if Parliament be then sitting, and if Parliament be not sitting, then within Fourteen Days of the next Meeting of Parliament, an Account up to the Thirty-first *December* then next preceding of the total Sums (if any) which shall from Time to Time be issued and applied by virtue of this Act for paying and satisfying any Interest so agreed to be guaranteed by Her Majesty, and any Charge for Management of the said Loan, and also of the total Sums, if any, which may have been repaid in respect of any Advances for Payment of such Interest under the Act.

CAP. C.

An Act to amend the Law concerning the Qualification of Officers of the Militia.

[14th *August* 1855.]

‘ WHEREAS the Qualifications now required in the Case of Persons to be appointed Officers in the ‘ Militia are different in the different Parts of the United Kingdom, and it is expedient that the ‘ Law as to such Qualifications should be made uniform :’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Property Qualifications for Officers of certain Ranks in the Militia.

I. Every Person who has been or who shall hereafter be appointed an Officer of the Militia of any of the Ranks following shall be in possession of an Estate for his own Life, or for the Life of another, or for some greater Estate, in Land or Heritages in the United Kingdom of the yearly Value herein-after mentioned in connexion with such respective Rank, or shall be Heir Apparent of some Person who shall be in possession of a like Estate in like Property of the like yearly Value :

Rank.	Yearly Value required for the Qualification.
Colonel - - - - - - - -	£600 yearly Value.
Lieutenant-Colonel - - - - -	£400 yearly Value.
Major - - - - - - - -	£300 yearly Value.
Captain - - - - - - - -	£200 yearly Value.

Provided always, that as to Appointments to the Rank of Major and Captain respectively any Son of any Person who shall be in the Possession or who was at the Time of his Death in the Possession of such an Estate in Lands or Heritages of such yearly Value as would be a Qualification for such respective Rank shall be deemed qualified.

The Income of Personal Estate in possession of the Officer to be deemed equivalent to the yearly Value of Land.

II. Provided also, That for the Purposes of the Qualification aforesaid a clear yearly Income arising from any Personal Estate within the United Kingdom of *Great Britain* and *Ireland*, of or to which Personal Estate or the clear yearly Income thereof any Person appointed an Officer of the Militia is possessed or entitled, at Law or in Equity, for his own Use and Benefit, in possession, for his own Life, or for the Life of another, or for some greater Estate or Interest, shall be deemed an Equivalent to an Estate in Land or Heritages of a yearly Value of the same Amount with such yearly Income, and such yearly Income from Personal Estate shall be admitted in whole or in part of any such Qualification accordingly; and no other Property Qualification than herein expressed shall be required in the Case of any Person appointed an Officer of the Militia.

Persons holding certain Military Ranks may be appointed to certain Ranks in the Militia without Property Qualifications.

III. Provided also, That any Person being a Commissioned Officer in any of Her Majesty's other Forces or in the Forces of the *East India* Company, who has served Five Years in such Forces, may, without any Property Qualification, be appointed a Captain of the Militia; and any Person holding or having held the Rank of Captain or any higher Rank in Her Majesty's other Forces, or in the Forces of the *East India* Company may, without any Property Qualification, be appointed a Captain or Major of the Militia; and any Person holding or having held the Rank of Major or any higher Rank in any of the said Forces may, without any such Qualification, be appointed a Lieutenant Colonel or Colonel of the Militia; and any Person who shall have been qualified to receive and shall have received a Commission of Major or Lieutenant Colonel in the Militia shall be qualified to receive and hold a Commission of higher Rank in the Militia.

Extent of existing Enactments under this Act.

IV. The Enactments concerning the Delivery of Descriptions of Property Qualifications, and other Provisions and Penalties having reference to the Qualifications now required by Law, shall be applicable with reference to the Qualifications required by this Act.

Militia of London and Edinburgh excepted.

V. Such of the Provisions of this Act as regulate the Amount and Nature of the Property Qualifications of Officers of the Militia shall not extend to the Militia of the City of *London* or the Militia of the City of *Edinburgh* and its Liberties.

Extent of the Act.

VI. Except as herein-before excepted, the Provisions of this Act shall extend and apply to the Militia raised in the several Parts of the United Kingdom, and to the Corps of Miners of *Cornwall* and *Devon*.

CAP. CI.

An Act for the more effectual Execution of the Convention between Her Majesty and the *French* Government concerning the Fisheries in the Seas between the *British* Islands and *France*. [14th *August* 1855.]

Convention between Her Majesty and the King of the French, dated 2d August 1839.

'WHEREAS a Convention was concluded between Her Majesty and the King of the *French* on the Second Day of *August* One thousand eight hundred and thirty-nine, defining the Limits of the Oyster Fishery between the Island of *Jersey* and the neighbouring Coast of *France*, and also defining the Limits of the exclusive Rights of Fishery on all other Parts of the Coasts of the *British* Islands and *France*: And whereas, pursuant to the said Convention, certain Articles, being Regulations for the Guidance of the Fishermen of the Two Countries in the Seas lying between the Coasts of the United Kingdom and those of *France*, were agreed upon by Commissioners authorized in that Behalf, and were approved and confirmed on the Part of Her Majesty and of the *French* Government: And whereas by the said Articles it was provided that Oyster-fishing should open on the First of *September* and should close on the Thirtieth of *April*, and that from the First of *May* to the Thirty-first of *August* no Boat should have on board any Dredge or other Implement whatsoever for catching Oysters: And whereas an Act was passed in the Session holden in the Sixth and Seventh Years of Her Majesty (Chapter Seventy-nine), to carry into effect the said Convention, and it was thereby enacted that the said Articles (which were set forth in the Schedule to the same Act) should be binding upon all Persons, and should have the Force of Law: And whereas it is expedient that more effectual Provision should be made for enforcing the Regulations established pursuant to the said Convention as aforesaid:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

6 & 7 Vict. c. 79.

Oysters and Dredges found on board Fishing Vessels from 1st May to 31st August may be seized.

I. It shall be lawful for any Officer or Petty Officer belonging to Her Majesty's Navy or Revenue Service, or such Officers and Men of the Coast-guard Stations as may be thereunto authorized by the Commissioners of Her Majesty's Customs, or such Persons as may be appointed, under the Provisions of the said Act, by the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, when they go on board any *British* Vessel employed in fishing, to examine whether the Regulations of the said Act have been complied with, to seize, and throw overboard or destroy any Oysters found on board such Vessel, at any Time from the First Day of *May* to the Thirty-first Day of *August* in any Year, as well as to seize and dispose of in manner provided by the "Customs Consoli-

dation

dation Act, 1853," all Dredges and other Implements for catching Oysters found on board such Vessel; and it shall also be lawful for such Officers, Petty Officers, and Men, and such Persons as aforesaid respectively, to seize and dispose of in like Manner all Dredges and other Implements for catching Oysters found sunk in or floating upon the Seas at any such Time as aforesaid.

Oysters landed between 1st May and 31st August may be seized.

II. No Oysters taken in the Seas between the United Kingdom and *France* shall be imported into or landed in any Part of the United Kingdom at any Time between the First Day of *May* and the Thirty-first Day of *August* in any Year, and any Oysters imported in or landed between such Days from any Vessel employed in Fishing in the said Seas shall be deemed to be Oysters taken and imported contrary to the Provisions of the said Articles and of this Act, unless the contrary be proved; and it shall be lawful for any Officer of the Customs, or any Person who may be appointed under the Provisions of the said Act by the Lords of the said Committee of Council, to seize and destroy, or otherwise dispose of, as the said Commissioners of the Customs or the said Lords of the said Committee may direct, any Oysters imported into or landed in any Part of the United Kingdom contrary to the Provisions of this Act.

Penalties on Persons in charge of British Vessels for offending.

III. The Master or Person in charge of any *British* Vessel on board which any such Oysters or any such Dredge or other Implement for catching Oysters are found, at any such Time as aforesaid, or in or from which any such Oysters are landed at any such Time as aforesaid, contrary to the Provisions of this Act, shall be deemed guilty of an Offence against the said Articles, and shall on Conviction be liable to a Penalty of not less than Eight Shillings or more than Three Pounds, or to be imprisoned, with or without Hard Labour, for any Time not less than Two Days and not longer than Ten Days, and if convicted more than once then upon any Second or subsequent Conviction to a Penalty of not more than Six Pounds, or to be imprisoned, with or without Hard Labour, for any Time not longer than Twenty Days.

British Consuls may take Depositions on Oath concerning Offences against the Fishery Regulations.

IV. It shall be lawful for any *British* Consul exercising his Functions in any Port or Place in *France* where any Person, being a Subject of Her Majesty, is brought under the Provisions of the said Articles charged with any Offence against the said Articles, or against any Rule or Byelaw made under the said Act, to take any Statement on Oath (which Oath such Consul is hereby authorized to administer) of any Person who may be produced before the Consul for that Purpose, concerning the Facts or Circumstances of the Case, and to put the same into Writing; and every such Statement as aforesaid shall be taken and put into Writing in the Presence of the Person charged, and shall be read over to him, and, where not made in *English*, shall be interpreted to him; and the Person charged (by himself or by any legal Adviser acting on his Behalf) shall be entitled to put such Questions as he may think fit to the Witness making the Statement, and shall be told that he is so entitled by the Consul; and such Questions, with the Answers thereto, shall be put into Writing, and such Answers shall be read, and where necessary interpreted, to the Person charged as aforesaid; and all such Depositions shall be read over to and signed respectively by the Witnesses who shall have been so examined, and shall be signed also by the Consul, who shall certify that the same were taken on Oath in the Presence of and read over to the Person charged, and, where not taken in *English*, interpreted to him.

Depositions admissible in Evidence.

V. Every such Deposition shall be admissible in Evidence in any Proceeding against the Person charged as aforesaid with any Offence against the said Articles, or against any Rule or Byelaw made in pursuance of the said Act, unless it be shown that the Witness making such Deposition is within the United Kingdom; and it shall not be necessary in any Case to prove the Signature or official Character of the Consul appearing to have signed any such Deposition, or the Signature of the Witnesses signing the same; and in any such Proceeding such Certificate as aforesaid shall, unless the contrary be proved, be sufficient Evidence of the Matters thereby certified.

Penalties and Proceeds of Sales, &c. to be paid into Exchequer.

VI. All Penalties, Fines, and Forfeitures, and the Proceeds of any Sale of Dredges or other Implements under this Act, or under the said Act of the Sixth and Seventh Years of Her Majesty, shall be paid into the Receipt of Her Majesty's Exchequer, in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

As to Term "British Consul."

VII. The Term "*British* Consul" in this Act shall include any Consul General, Consul, Vice Consul, or other Consular Agent.

Recited Act and this Act to be read together.

VIII. The said Act of the Sixth and Seventh of Her Majesty and this Act shall be read and construed together as One Act.

CAP. CII.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

[14th *August* 1855.]

14 & 15 Vict. c. 38.

'WHEREAS, in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate Arrange-
' "ments for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions
' "from Tolls," certain Provisional Orders have been made by the Right Honourable Viscount *Palmer-*
' *ston*, then One of Her Majesty's Principal Secretaries of State, and by the Right Honourable Sir *George*
' *Grey*,

'*Grey*, now One of such Secretaries, for reducing the Rate of Interest, and for extinguishing in certain 'Cases the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of 'certain Turnpike Roads, and such Orders have been published in the *London Gazette*, and in News-'papers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the 'Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or 'raised, together with the Amount to which the Rate of Interest on such Debts is to be reduced, and the 'Day up to which the Interest and Arrears of Interest on such Debts are to be extinguished by such 'Orders, are mentioned in the Schedule to this Act: And whereas it is expedient that the said Pro-'visional Orders should be confirmed and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows;

Provisional Orders confirmed.

I. That the said Provisional Orders are hereby confirmed and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1854.		£ s. d.		
26 Aug.	5 W. 4. c. 26., "An Act for more effectually "repairing the Road from the Exeter Turn-"pike Road to Biddaford, and certain Roads "leading from Bridgetown Pomeroy, and Tot-"nes, and other Roads communicating there-"with; and for repairing Totnes Bridge, and "erecting Bridges over the Stover Canal, the "Rivers Teign and Lemon, and the Mill Leat, "all in the County of Devon" - -	2,700 0 0 680 0 0 25,300 0 0	No Reduction. 4*l.* per Cent.	No Arrears extinguished.
26 Oct.	7 G. 4. c. 18., "An Act for amending and main-"taining the Road leading from the Turn-"pike Road on Farrard's Common, in the "Parish of Bradford, through Holt and Melks-"ham to Homan's Stile in the Parish of La-"cock in the County of Wilts, and the Road "leading therefrom to the Bath Turnpike "Road upon Kingsdown Hill in the same "County" - - - - - -	2,754 18 0	2*l.* per Cent.	31st Dec. 1853.
6 Nov.	57 G. 3. c. 12., "An Act for making and main-"taining a Turnpike Road from and out of "the Turnpike Road at the Bottom of Coal-"brook Dale, in the Parish of Madeley, into "the Turnpike Road leading from Shiffnal "to Shrewsbury, at or near a Place called "Watling Street, in the Parish of Wellington, "all in the County of Salop" - -	4,300 0 0	4*l.* per Cent.	31st Dec. 1853.
6 Nov.	54 G. 3. c. 14., "An Act for enlarging the "Term and Powers of an Act of His present "Majesty, for repairing the Road from Can-"terbury Lane, within the Liberty of the Town "of Folkestone, to a Place in the Parish of "Folkestone, called Mudshole, and other "Roads therein mentioned, in the County of "Kent" - - - - - -	4,475 0 0	2*l.* per Cent.	31st Dec. 1854.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
		£ s. d.		
1854. 16 Dec.	3 G. 4. c. 61., "An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley, to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to The Cross Post on Minchinhampton Common, and other Roads thereto adjoining; and for making a new Piece of Road from the said Bridge to The Cross in the Parish of Avening, all in the County of Gloucester." (So far as the same relates to the Nailsworth and Avening Branch Road.) - - -	4,648 8 10	1*l.* per Cent.	31st Dec. 1853.
16 Dec.	5 G. 4. c. 44., "An Act for making and maintaining a Turnpike Road from Colne in the County of Lancaster, to communicate with the Road leading from Clitheroe in the same County, to Skipton in the County of York"	3,350 0 0	2*l.* per Cent.	31st Dec. 1853.
16 Dec.	6 G. 4. c. 144., "An Act for repealing Two Acts for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit Gate in the County of Derby; and also an Act for making a Road from Banner Cross in the West Riding of the County of York, to Fox House in the County of Derby; and for consolidating the Trusts of certain Roads mentioned in the said Acts; and for amending and making certain other Roads to communicate therewith; and for other Purposes relating thereto" - - -	23,183 0 0	4*l.* per Cent.	31st Dec. 1854.
21 Dec.	7 G. 4. c. 82., "An Act for more effectually repairing and improving the Road from West Houghton to near Halliwell Field, in the Township of Heath Charnock, in the County of Lancaster" - - -	4,900 0 0	2*l.* per Cent.	31st Dec. 1854.
21 Dec.	5 G. 4. c. 82., "An Act for making and maintaining a Turnpike Road from Roundhay Bridge to Collingham in the County of York" - - - -	2,500 0 0 8,020 0 0	3*l.* per Cent. One Penny per Cent.	No Arrears extinguished. 1st July 1854.
1855. 17 Jan.	7 G. 4. c. 9., "An Act for making and maintaining a Turnpike Road from Cannock in the County of Stafford to Penkridge in the same County" - - -	1,400 0 0	1*l.* per Cent.	31st Dec. 1853.
28 Feb.	11 G. 4. c. 6., "An Act for more effectually repairing and improving the Road from Horsham to the Road leading to Guildford and Aldford Cross Ways, with Two Branches therefrom, and for making and maintaining a new Branch of Road to communicate therewith, all in the Counties of Sussex and Surrey." (So far as the same relates to the Old Roads.) - - - -	13,887 12 0	1*l.* per Cent.	31st Dec. 1854.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1855.		£ s. d.		
3 March	11 G. 4. c. 32., "An Act for repairing, amending, and maintaining the Road from Congleton in the County of Chester to a Branch of the Leek Turnpike Road at Thatchmarsh Bottom in the Parish of Hartington in the County of Derby, and from the Lowe to the Havannah Mills in the said County of Chester" - - - -	5,550 0 0	2*l.* 10*s.* per Cent.	30th June 1854 (except as to Interest previously ordered to be paid).
7 March	3 W. 4. c. 53., "An Act for repairing and maintaining the Road from Stone Street Hatch, at Ockley in the County of Surrey to Warnham in the County of Sussex" - -	3,380 0 0	2*l.* 10*s.* per Cent.	31st Dec. 1853.
16 Mar.	3 W. 4. c. 81., "An Act for more effectually repairing the Road from Storrington to Ball's Hut in Walberton in the County of Sussex"	950 0 0 4,550 0 0	2*l.* 10*s.* per Cent. One Penny per Cent. until the Preference Debt of 950*l.* is paid, and afterwards 10*s.* per Cent.	1st Jan. 1854.
24 Mar.	3 G. 4. c. 63., "An Act to enlarge the Term and Powers of several Acts for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned" - - - - -	3,754 17 0	2*l.* per Cent.	31st Dec. 1854.
28 April	3 W. 4. c. 97., "An Act for more effectually repairing and improving the Road from Butterton Moor End to the Turnpike Road leading from Buxton to Ashborne, and other Roads therein mentioned, in the Counties of Stafford and Derby, and for making several Diversions or new Lines of Road to communicate therewith" - - -	3,687 14 9	3*l.* 10*s.* per Cent.	31st Dec. 1854.
24 May	3 G. 4. c. 67., "An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the directing Post near the Town of Farnham in the County of Surrey" -	2,215 0 0	3*l.* per Cent.	1st Jan. 1855.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1855.		£ s. d.		
25 May	7 & 8 Vict. c. 72., "An Act for repairing, maintaining, and improving the Road from Flint Lane to Holmfirth, and thence to the Huddersfield and Woodhead Turnpike Road, and for making and maintaining a new Line of Road from the said Road at a Place called Bents to or near Dunford Bridge, all in the West Riding of the County of York." (So far as the same relates to the Holmfirth District of Road.) - - - - -	1,500 0 0 3,944 18 0	2*l.* per Cent. One Penny per Cent.	31st Dec. 1854.
8 June	6 W. 4. c. 48., "An Act for more effectually repairing the Road from the Totnes Road at Lady Down in the Parish of Ugborough to within Four hundred Yards of the Bridge over the Lary, and for repairing the Road communicating therewith from Hollowcombe Cross to the Town of Modbury and Dark Lane, all in the County of Devon" -	1,650 0 0 22,493 0 0 2,125 0 0	No Reduction 3*l.* per Cent.	No Arrears extinguished. 31st Dec. 1854.
13 June	6 G. 4. c. 84., "An Act for making and maintaining a Turnpike Road from Trebarwith Sands on the Sea Shore, to Condolden Bridge, on the Road leading from Bossiney to Camelford, all in the County of Cornwall" - - - - - -	2,478 19 0	2*l.* per Cent.	31st Dec. 1854.

CAP. CIII.

An Act to amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in *Ireland;* and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in *Ireland* to enter into a Bond with Sureties.

[14th *August* 1855.]

'WHEREAS an Act was passed in the last Session of Parliament, Chapter Eighty-nine, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in *Ireland,* and it is expedient to amend the said Act as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 89.

Ss. 2. and 4. of recited Act as to Seizures repealed.

I. So much of the Second and Fourth Sections of the said Act as directs that any Goods seized under the Provisions of the said Sections respectively shall be delivered to some Revenue Officer shall be and the same is hereby repealed.

Disposal of Seizures made under the said Sections.

II. On the Conviction of any Person in relation to whose Offence any Goods shall have been seized under the Provisions of the said Sections respectively, such Goods shall be absolutely forfeited; or if any such Goods as aforesaid shall not within Fourteen Days after the making thereof be claimed, by Application in Writing to the Inspector or Superintendent of Police, or to the County Inspector or Sub-Inspector, by whom or within whose District such Goods shall have been seized, then, although no Conviction shall have taken place, such Goods shall be absolutely forfeited: Provided always, that if any such Claim shall be made in the Manner and within the Time herein directed and limited in that Behalf, and no such Conviction as aforesaid shall have been or shall be made, then such Goods so seized shall be proceeded upon to Condemnation by Information before any Justice or Justices of the Peace, in like Manner as in the Case of Goods seized under the Provisions of any Act relating to Duties of Excise; and all such Goods seized which shall be absolutely forfeited or condemned on Information, as herein provided,

vided, may either be destroyed, or be disposed of and the Proceeds thereof applied in such Manner as the Commissioners of Inland Revenue shall think fit to direct in that Behalf.

Penalties recovered by Constabulary in certain Cases to be paid to Collector of Inland Revenue.

III. All Penalties recovered by Officers of the Constabulary by virtue of the Powers conferred by the Thirteenth Section of the said Act of the last Session of Parliament, as well as all Penalties recovered in Cases of immediate Arrest for any Offence committed against the said Act of the First and Second Years of His late Majesty, shall be paid into the Hands of the Sub-Inspector of Constabulary, or other Person appointed for the Purpose by the Inspector General of the Constabulary Force in *Ireland*, and by him handed over to the nearest Collector of Inland Revenue, for the Use of Her Majesty, after deducting and paying thereout all reasonable Expenses.

Section 7. of 3 & 4 W. 4. c. 68. requiring Bonds to be given by Applicants for Licences in Ireland, repealed.

IV. 'And whereas by Section Seven of an Act passed in the Session of Parliament holden in the 'Third and Fourth Years of His said late Majesty's Reign, Chapter Sixty-eight, Persons applying for 'any Licence for the Sale of Beer, Cider, or Spirits by Retail in *Ireland* are required to enter into a 'Bond, with Sureties, conditioned as in such Section is mentioned, and it is expedient to relieve such 'Applicants from the Burden of entering into such Bond and providing such Sureties:' Be it enacted, That the said Section Seven of the said last-mentioned Act shall be and the same is hereby repealed.

CAP. CIV.

An Act for the Regulation of *Chinese* Passenger Ships. [14th *August* 1855.]

'WHEREAS Abuses have occurred in conveying Emigrants from Ports in the *Chinese* Seas: And 'whereas it is expedient to prevent such Abuses:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definition of certain Terms herein mentioned.

I. In the Construction of this Act the Term "*Chinese* Passenger Ship" shall include every Ship carrying from any Port in *Hong Kong*, and every *British* Ship carrying from any Port in *China* or within One hundred Miles of the Coast thereof, more than Twenty Passengers, being Natives of *Asia;* the Word "Colony" shall include all Her Majesty's Possessions abroad not being under the Government of the *East India* Company; the Word "Governor" shall signify the Person for the Time being lawfully administering the Government of such Colony; the Term "Legislature of *Hong Kong*" shall signify the Governor and Legislative Council or other Legislative Authority of the same for the Time being; the Word "Ship" shall include all Sea-going Vessels; the Terms "Commander" and "Master" of any Ship shall include any Person for the Time being in command or charge of the same; the Term "Emigration Officer" shall include every Person lawfully acting as Emigration Officer, Immigration Agent, or Protector of Emigrants, and every Person authorized by the Governor of any *British* Colony to carry out the Provisions of this Act; and the Term "*British* Consul" shall include every Person lawfully exercising Consular Authority on behalf of Her Majesty in any Foreign Port.

Legislature of Hong Kong to make Regulations respecting Passenger Ships, &c.

II. It shall be lawful for the Legislature of *Hong Kong*, by any Ordinance to be by them enacted for that Purpose, to make Regulations respecting *Chinese* Passenger Ships, and, in the Case of *British* Ships, respecting the Treatment of the Passengers therein while at Sea, and until such Enactment the Regulations contained in Schedule (A.) to this Act annexed shall be in force: Provided always, that no such Ordinance shall come into operation until Her Majesty's Confirmation of the same shall have been proclaimed in *Hong Kong* by the Governor thereof.

Governor of Hong Kong to declare Length of Voyages.

III. It shall be lawful for the Governor of *Hong Kong* to declare, by Proclamation, for the Purposes of this Act and of the said Regulations, what shall be deemed to be the Duration of the Voyage of any *Chinese* Passenger Ship, and by such Proclamation to alter the Scales of Dietary, Medicines, and Medical Comforts contained in the aforesaid Schedule (A.)

No Chinese Passenger Ship to clear out on Voyage of more than Seven Days without Emigration Officer's Certificate and Copy of Regulations, &c.

IV. No *Chinese* Passenger Ship shall clear out or proceed to Sea on any Voyage of more than Seven Days Duration until the Master thereof shall have received from an Emigration Officer a Copy of the aforesaid Regulations, and a Certificate in the Form contained in Schedule B. to this Act annexed, or in such other Form as may be prescribed by the said Legislature, which Copy and Certificate, with any Documents to be attached thereto (herein-after designated as Emigration Papers,) shall be signed by the said Emigration Officer, nor until the Master shall, with Two sufficient Sureties, to be approved by the said Emigration Officer, have entered into a joint and several Bond in the Sum of One thousand Pounds to Her Majesty, Her Heirs and Successors, in the Form contained in Schedule C. to this Act annexed, or in such other Form as shall be prescribed by the said Legislature.

Penalty of Bond, when recoverable.

V. The said penal Sum of One thousand Pounds shall be due and recoverable notwithstanding any Penalty or Forfeiture imposed by this Act or by the aforesaid Regulations, and whether such Penalties or Forfeitures shall have been sued for and recovered or not.

Commander of Ships of War, &c. may search Ships, or require Production of Papers.

VI. It shall be lawful for the Commander of any of Her Majesty's Ships of War, or for any Emigration Officer, Custom House Officer, or *British* Consul, to enter and search any *Chinese* Passenger Ship (being a *British* Vessel or within *British* Jurisdiction) so long as such Ship shall have any Passengers on board, and for Forty-eight Hours afterwards, and in case such Ship shall be engaged on a Voyage of more than Seven Days Duration, to require the Production of the Emigration Papers of such Ship, and to examine all Persons on board of the same, in order to ascertain whether the Provisions of this Act

and

and of the Regulations aforesaid have been complied with; and any Person who refuses to allow, attempts to avoid, or obstructs any such Entry, Search, or Examination, or who knowingly misleads or deceives any Person lawfully making any such Search or Examination, or who, being the Master of the Ship or having the Emigration Papers in his Custody, fails to produce the same when required as aforesaid, shall be deemed guilty of a Misdemeanor.

Penalty for Neglect to comply with Regulations, &c.

VII. In case of any Neglect or Refusal to comply with any of the Provisions of this Act or any of the Regulations aforesaid, or to perform any Stipulation in any of the Contracts made with the Passengers, the Master of the Ship, and any other Person who may have been guilty of or have aided or abetted such Neglect or Refusal, shall each be deemed for each Offence guilty of a Misdemeanor.

Ship to be forfeited for clearing without Emigration Papers, &c.

VIII. If any *Chinese* Passenger Ship clears out or proceeds to Sea on any Voyage exceeding Seven Days in Duration without such Emigration Papers as aforesaid, or if the Emigration Papers of any *Chinese* Passenger Ship are forged or fraudulently altered, such Ship shall, if she is a *British* Ship, or if, not being a *British* Ship, the Offence is committed and the Ship is seized in Her Majesty's Dominions or in the Territories of the *East India* Company, be forfeited to Her Majesty.

Penalties in addition to Forfeiture.

IX. Every Person who commits or aids or abets in committing any Act or Default by which any *Chinese* Passenger Ship may become liable to Forfeiture shall be liable to a Penalty not exceeding One hundred Pounds for each Offence.

Mode of enforcing Forfeiture.

X. It shall be lawful for any Commissioned Officer on Full Pay in the Military or Naval Service of Her Majesty, or any *British* Officer of Customs, or any *British* Consul, to seize and detain any Ship which has become subject to Forfeiture as aforesaid, and bring her for Adjudication before the High Court of Admiralty in *England* or *Ireland*, or any Court having Admiralty Jurisdiction in Her Majesty's Dominions or in the Territories of the *East India* Company, and such Court may thereupon make such Order in the Case as it thinks fit, and may award such Portion of the Proceeds of the Sale of any forfeited Ship as it thinks right to the Officer bringing in the same for Adjudication, or to any Persons damaged by the Act or Default which has rendered the Ship liable to Forfeiture.

Officer not liable for any Seizure made on reasonable Grounds.

XI. No such Officer as aforesaid shall be responsible, either civilly or criminally, to any Person whomsoever, in respect of the Seizure or Detention of any Ship that has been seized or detained by him in pursuance of the Provisions herein contained, notwithstanding that such Ship is not brought in for Adjudication, or, if so brought in, is declared not to be liable to Forfeiture, if it is shown to the Satisfaction of the Judge or Court before whom any Trial relating to such Ship or such Seizure or Detention is held that there are reasonable Grounds for such Seizure or Detention; but if no such Grounds are shown, such Judge or Court may award Payment of Costs and Damages to any Party aggrieved, and make such other Order in the Premises as he or it thinks just.

Fine may be substituted for Forfeiture.

XII. It shall be lawful for the Court before which any Ship liable to Forfeiture under this Act is proceeded against to impose such a pecuniary Penalty as to the same Court shall seem fit, in lieu of condemning the Ship, and in such Case to cause the Ship to be detained until the Penalty is paid, and to cause any Penalty so imposed to be applied in the same Manner in which the Proceeds of the said Ship, if condemned and sold by Order of the Court, would have been applicable.

Mode of Procedure in Criminal Cases.

XIII. All Misdemeanors and other Criminal Offences punishable under this Act shall be dealt with, tried, and judged of in the same Manner as Misdemeanors and other Offences punishable under the Merchant Shipping Act, 1854, and all the Rules of Law, Practice, or Evidence applicable to the last-mentioned Misdemeanors and Offences shall be applicable to Misdemeanors and other Offences under this Act.

Application of Penalties.

XIV. Any Court, Justice, or Magistrate imposing any Penalty under this Act for which no specific Application is herein provided may, if it or he thinks fit, direct the whole or any Part thereof to be applied in compensating any Person for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty is imposed, or in or towards Payment of the Expenses of the Proceedings; and, subject to such Directions or specific Application as aforesaid, all Penalties recovered in the United Kingdom shall be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom; and all Penalties recovered in any *British* Possession shall be paid over into the Public Treasury of such Possession, and form Part of the Public Revenue thereof.

Written Declarations of Commanders, &c. primâ facie Evidence.

XV. In any legal Proceeding taken under this Act or in respect of the Bond herein-before required any Document purporting to be the written Declaration of any *British* Consul, or of the Commander of any of Her Majesty's Ships of War, or to be a Copy of the Proceedings of any Court of Justice, shall, without any Proof of Signature, be received in Evidence, in case it shall appear that such Copy or Declaration, if produced in the United Kingdom, was officially transmitted to One of Her Majesty's Principal Secretaries of State, or, if produced in any Colony, was officially transmitted to the Governor thereof: Provided always, that no Person making such written Declaration as aforesaid shall be capable of receiving a Share of any Penalty or Forfeiture which shall be procured by such written Declaration.

Short Title.

XVI. This Act may be cited for any Purpose whatever under the Name of the "*Chinese* Passengers Act, 1855."

Commencement of Act.

XVII. This Act shall come into operation as soon as it shall have been proclaimed in *Hong Kong* by the Governor thereof, or if not so proclaimed, on the First Day of *January* next ensuing.

SCHEDULE (A.)

REGULATIONS RESPECTING CHINESE PASSENGER SHIPS.

Note.—The wilful and fraudulent Breach of any of these Regulations by the Person in charge of any Chinese Passenger Ship is punishable by Forfeiture of the Ship, and every Person concerned in such Breach is liable to a Fine of One hundred Pounds for each Offence.

I. No Chinese Passenger Ship shall clear out or proceed to Sea on any Voyage of more than Seven Days Duration without a Certificate from an Emigration Officer; and such Certificate shall be in the Form provided by the Chinese Passenger Act, 1855.

II. No Emigration Officer shall be bound to give such Certificate in respect of any Chinese Passenger Ship till Seven Days after receiving Notice that the Ship is to carry Passengers, and of her Destination, and of her proposed Day of Sailing, nor unless there are on board a Surgeon and Interpreter approved by such Emigration Officer.

III. After receiving such Notice the Emigration Officer shall be at liberty at all Times to enter and inspect the Ship, and the Fittings, Provisions, and Stores therein, and any Person impeding him in such Entry or Inspection, or refusing to allow of the same, shall be liable to a Fine of not more than One hundred Pounds for each Offence.

IV. The Emigration Officer shall not give his Certificate unless he shall be satisfied,—

(1.) That the Ship is sea-worthy, and properly manned, equipped, fitted, and ventilated; and has not on board any Cargo likely, from its Quality, Quantity, or Mode of Stowage, to prejudice the Health or Safety of the Passengers:

(2.) That the Space appropriated to the Passengers in the 'Tween Decks contains at the least Twelve Superficial and Seventy-two Cubical Feet of Space for every Adult on board; that is to say, for every Passenger above Twelve Years of Age, and for every Two Passengers between the Ages of One Year and Twelve Years:

(3.) That a Space of Five Superficial Feet per Adult is left clear on the Upper Deck for the Use of the Passengers:

(4.) That Provisions, Fuel, and Water have been placed on board, of good Quality, properly packed, and sufficient to supply the Passengers on board during the declared Duration of the intended Voyage, according to the following Scale:

DIETARY SCALE.

Rice	lbs.	1½	per diem.
Salted Provisions,—			
Wholly Pork; or	„	½	do.
⅔ Pork and ⅓ Fish; or	„	½	do.
⅓ Pork, ⅓ Beef, and ⅓ Fish	„	½	do.
Salted Vegetable or Pickles	„	½	do.
Water, Imperial Quarts		3	do.
Firewood	lbs.	2	do.
Tea	oz.	⅓	do.

(5.) That Medicines and Medical Comforts have been placed on board according to the following Scale:

SCALE OF MEDICINES AND MEDICAL COMFORTS:

For every 100 Passengers, and in like Proportion for any greater or less Number.

Calomel	3	oz.	
Blue Pill	2	„	
Rhubarb Powder	2	„	
Compound Jalap Powder	12	„	
Ipecacuanha Powder	12	„	
Opium	2	„	
Dover's Powder	2	„	
Magnesia	2	„	
Epsom Salts	6	lbs.	
Chloride of Lime	20	„	
Tartar Emetic	4	Drams.	
Quinine	2	oz.	
Antimonial Powder	0½	„	
Extract of Colocynth, Compound	1	„	
Carbonate of Ammonia	1½	„	
Assafœtida	1	„	
Camphor	1½	„	
Camphorated Liniment	16	oz.	
Catechu	2	„	
Prepared Chalk	2	„	
Tincture of Opium	8	„	
Turpentine	16	„	
Senna Leaves	8	„	
Blistering Plaister	8	„	
Sulphur Sublimed	16	„	
Sulphur, Ointment	12	„	
Linseed Flour	4	lbs.	
Country Soap	24	oz.	
Castor Oil	6	Bottles.	
Oil of Peppermint	2	oz.	
Adhesive Plaister, spread	2	Yards.	
Simple Ointment	16	oz.	
Ringworm Ointment	16	„	
Jeremie's Opiate	2	oz.	Phial.

Aromatic Spirits of Hartshorn	4 oz. Phial.	Sulphate of Copper	2 oz.
Cholera Pills in Phial	12 Drams.	Sulphate of Zinc	1 „
Cubebs Powder	4 lbs.	Lunar Caustic	4 Drams.
Sweet Spirits of Nitre	16 oz.	Lime Juice	36 Quarts.
Copaiba	16 „	Rum or Brandy	36 „

INSTRUMENTS, &c.

1 Set of Amputating and other Surgical Instruments (if there be any Person on board competent to use them).	1 Spatula.
1 One Ounce Glass Measure.	1 Dressing Scissors.
1 Minim Glass Measure.	1 Infusion Box.
1 Pestle and Mortar (Wedgewood).	1 Quire of Country Paper.
1 Set of Weights and Scales (Grains in Box).	1 Penknife.
1 Set of common Splints.	2 Metal Bed Pans.
1 Set of Bleeding Lancets.	2 Trusses for Hernia, Right and Left.
1 Silver Catheter.	2 Small Syringes.
	4 Ounces prepared Lint.
	2 Pieces Cloth for Bandages.

V. The Master of any Chinese Passenger Ship being a British Ship and proceeding on a Voyage of more than Seven Days Duration shall, during the whole of the intended Voyage, make Issues of Provisions, Fuel, and Water, according to the aforesaid Dietary Scale, and shall not make any Alteration, except for the manifest Advantage of the Passengers, in respect of the Space allotted to them as aforesaid, or in respect of the Means of Ventilation, and shall not ill-use the Passengers, or require them (except in case of Necessity) to help in working the Vessel; and shall issue Medicines and Medical Comforts, as shall be requisite, to the best of his Judgment, and shall call at such Ports as may be mentioned in the Emigration Officer's Clearing Certificate for fresh Water and other Necessaries; and shall carry them without unnecessary Delay to the Destination to which they have contracted to proceed.

VI. The Emigration Officer shall not give his Certificate until he shall have mustered the Passengers, and have ascertained to the best of his Power that they understand whither they are going, and comprehend the Nature of any Contracts of Service which they have made; he shall also take care that a Copy of the Form of such Contracts, or an Abstract of their Substance, signed by himself, is appended to the said Certificate: If any of the Passengers are in bad Health, or insufficiently provided with Clothing, or if the Contracts are unfair, or if there is Reason to suspect that Fraud or Violence have been practised in their Collection or Embarkation, he may detain the Ship, and, if he shall think fit, may order all or any of the Passengers to be re-landed.

SCHEDULE (B.)

EMIGRATION OFFICER'S CERTIFICATE, &c.

I hereby authorize the Chinese Passenger Ship to proceed to Sea for the Port of in ; and I certify that the said Ship can legally carry Adults, and that there are on board Passengers, making in all Adults, viz., Men, Women, Male Children, and Female Children, such Children being between the Ages of One and Twelve Years; that the Space set apart and to be kept clear for the Use of such Emigrants is as follows:—On the Upper Deck, Superficial Feet, being [*here describe the Space*], and in the Between Decks Superficial Feet, being [*here describe the Space*]; that the Ship is properly manned and fitted, and that the Means of ventilating the Part of the Between Decks appropriated to Passengers are as follows, [*here describe the Means of Ventilation*]; that the Ship is furnished with a proper Quantity of good Provisions, Fuel, and Water for Days Issues to the Passengers according to the *annexed Dietary Scale, and with a proper Quantity of Medicines, Instruments, and Medical Comforts according to the *annexed Scale of Medical Necessaries; that I have inspected the Contracts between the Emigrants and their intended Employers (the Terms of which are annexed to this Certificate), and consider them reasonable; that no Fraud appears to have been practised in collecting the Emigrants; and that there are on board a Surgeon † [and Interpreter] approved by me, and designated [respectively and] ‡[The Master of the Ship is to put into and for Water and fresh Vegetables.]

(Signed)

, Emigration Officer.

Dated this Day of 18 .

* These Scales must be those prescribed by the Regulations in Schedule A.

† In case the Ship has been authorized to proceed without an Interpreter omit the Part between Brackets, and add "and that the Ship has been authorized to proceed without an Interpreter."

‡ The Part between Brackets is to be inserted or not, as may be required.

SCHE-

SCHEDULE (C.)

FORM OF BOND TO BE GIVEN BY THE MASTERS OF CHINESE PASSENGER SHIPS.

Know all Men by these Presents, That we are held and firmly bound unto our Sovereign Lady Queen Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said Sovereign Lady the Queen, Her Heirs and Successors; to which Payment, well and truly to be made, we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, Administrators, and every of them, firmly by these Presents.

Sealed with our Seals.

Dated this Day of 18 .

Whereas by the Chinese Passenger Act, 1855, it is enacted, that before any Chinese Passenger Ship shall clear out or proceed to Sea on a Voyage of more than Seven Days computed Duration, the Master thereof shall, with Two sufficient Sureties to be approved by an Emigration Officer, enter into a Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds.

Now the Condition of this Obligation is this, that if (in respect of the Ship , whereof is Master) all and every of the Requirements of the said Chinese Passenger Act, and of the Regulations contained in Schedule (A.) to the said Act annexed, or enacted by the Legislature of Hong Kong, shall be well and truly observed and performed [*in like Manner as the same ought to be observed and performed in case the said Ship were a British Ship, and the said a British Subject], then this Obligation to be void, otherwise to remain in full Force and Effect.

Signed, sealed, and delivered by the above bounden and , in the Presence of

* This Clause to be inserted only in the Case of a Foreign Chinese Passenger Ship.

CAP. CV.

An Act to amend the Lunatic Asylums Act, 1853, and the Acts passed in the Ninth and Seventeenth Years of Her Majesty, for the Regulation of the Care and Treatment of Lunatics. [14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

County or Borough may unite with Subscribers to a Hospital, and Visitors of existing Asylums may so unite.

I. Section Three of the Lunatic Asylums Act, 1853, shall extend to empower the Justices of any One County or Borough to authorize any Committee of Justices elected for such County or Borough thereunder to treat and enter into an Agreement for uniting with the Subscribers to any such Hospital as therein mentioned, and it shall not be necessary that any other County or Borough be a Party to such Agreement; and Section Five of the said Act shall extend to empower any such Committee of Visitors as therein mentioned to enter into an Agreement for uniting with the Subscribers to any such Hospital alone.

The Proportion of Expenses between any County and Borough may be fixed with reference to Accommodation likely to be required. 16 & 17 Vict. c. 97.

II. When Two or more Committees agree to unite under the Lunatic Asylums Act, 1853, or under that Act as amended by this Act, the Proportion in which the Expenses of carrying into execution the Purposes of the said Act shall be charged upon and raised by each County and Borough so uniting may be calculated and fixed according to the Extent of the Accommodation which in the Judgment of the Committees entering into such Agreement will be required for the Pauper Lunatics of such County and Borough respectively; and the Power in Section Sixteen of the Lunatic Asylums Act, 1853, of repealing or altering the Stipulations of any Agreement for uniting, shall extend to authorize the Alteration thereof by readjusting the Proportions in which the Expenses aforesaid shall be charged on each County and Borough and the Subscribers (if any) uniting, or any of the said Parties, and, where the Committee of Visitors think fit, by fixing as aforesaid, according to the probable Extent of Accommodation required, the Proportion in which each County and Borough is to contribute to such Expenses; and where the Proportions of any Contributions are fixed according to the probable Extent of Accommodation required as aforesaid the Agreement shall specify that such Proportions are fixed according to that Basis.

Agreements for uniting to stipulate for Contribution by Counties and Boroughs according to their relative Populations, where not fixed according to foregoing Provision.

III. Where an Agreement for uniting is hereafter entered into under the Lunatic Asylums Act, 1853, or under that Act as amended by this Act, and the Proportion in which the Expenses of carrying the Purposes of the said Act into execution are to be charged upon each County and Borough is not fixed, under the foregoing Provision, with reference to the probable Extent of Accommodation required, the Agreement shall stipulate that such Expenses, or, where any Committee of Subscribers of a Lunatic Hospital are a Party to the Agreement, then that the aggregate Amount to be contributed by the Counties and Boroughs towards such Expenses, shall be from Time to Time charged upon and raised by the Counties and Boroughs in proportion to their respective Populations as stated in the last Return for the Time being made of the same under the Authority of Parliament, and such Agreement shall be varied from the Form in Schedule (A.) to the Lunatic Asylums Act, 1853, accordingly.

IV. Where

Where Expenses are contributed in proportion to Population, same to be ascertained by the then last Census.

IV. Where an Agreement for uniting has been already entered into under the Lunatic Asylums Act, 1853, or any former Act, the Expenses of carrying into execution any such Act, or, where any Committee of Subscribers is a Party to the Agreement, the aggregate Amount to be contributed by such Counties and Boroughs, shall be from Time to Time charged upon and raised by the Counties and Boroughs united in proportion to their respective Populations as stated in the last Return for the Time being made of the same under the Authority of Parliament, save where such Expenses are adjusted and fixed under the foregoing Provision according to the probable Extent of Accommodation required.

Where there is a Dissolution of a Union a new Asylum to be provided.

V. To the Intent that due Provision may be made for the Reception and Care of the Pauper Lunatics of Counties and Boroughs Parties to Unions upon the Dissolution of such Unions, the Justices of every County and Borough united (either alone or with any Subscribers) shall, before any Dissolution of their Union takes effect, at a General or Quarter Sessions for such County, or at a Special Meeting of the Justices of such Borough, (as the Case may require,) elect a Committee to provide an Asylum for their County or Borough, and authorize such Committee to proceed for that Purpose in manner by the Lunatic Asylums Act, 1853, provided in the Case of a County or Borough not having an Asylum; and all the Provisions of the said Act and this Act applicable to a Committee elected to provide an Asylum in the Case of a County or Borough not having an Asylum shall be applicable to the Committee elected under this Provision.

Provisions to apply to Councils of Boroughs where they have taken upon themselves the Duties and Powers of Justices.
16 & 17 Vict. c. 97.
8 & 9 Vict. c. 126.

VI. Where the Council of a Borough has taken upon itself, under the Lunatic Asylums Act, 1853, or the Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred and twenty-six, the Duties, Powers, and Authorities imposed or conferred upon or given to the Justices of the Borough, such Council shall be subject to and have and exercise the Duties, Powers, and Authorities by this Act imposed or conferred upon the Justices of a Borough, or any Committee elected by them; and such Council may confer upon any Committee appointed by them such of the said Duties, Powers, and Authorities as under this Act are or may be conferred upon a Committee elected by the Justices of a Borough; and where the Council of a Borough had before the Commencement of the Lunatic Asylums Act, 1853, taken upon itself under the said Act of the Eighth and Ninth Years of Her Majesty, Chapter One hundred and twenty-six, the Duties, Powers, and Authorities imposed or conferred upon or given to the Justices of the Borough, such Council shall, from the Commencement of the Lunatic Asylums Act, 1853, be deemed to have been subject to and to have had the Duties, Powers, and Authorities by that Act imposed or conferred upon the Justices of a Borough, or any Committee elected by them, and to have been authorized to confer upon any Committee appointed by such Council such of the said Duties, Powers, and Authorities as under such Act may be conferred upon a Committee elected by the Justices of a Borough.

Places becoming Boroughs after Commencement of Lunatic Asylums Act, 1853, to be deemed Boroughs annexed to Counties in which they are situate.

VII. Any Place which has become a Borough within the Definition contained in Section One hundred and thirty-two of the Lunatic Asylums Act, 1853, since the Commencement of that Act, shall, from and after the passing of this Act, be deemed to be a Borough annexed to the County in which the same is situate, and any Place which after the passing of this Act becomes a Borough within such Definition shall, from and after the Time of becoming such Borough, be deemed a Borough so annexed, and the Provisions contained in Section Nine in the Lunatic Asylums Act, 1853, for the Appointment of Two Justices of a Borough annexed thereunder to a County to be Members of the Committee of Visitors of the Asylum of such County, and in relation to the Contribution by such Borough to the Expenses of the Asylum of such County, shall extend to any Borough annexed under this Enactment.

Powers given by Sect. 77. of Lunatic Asylums Act, 1853, to Visitors of an Asylum to order Removal of Pauper Lunatics extended.

VIII. The Power given by Section Seventy-seven of the Lunatic Asylums Act, 1853, to any Two of the Visitors of any Asylum, being Justices, to order any Pauper Lunatic chargeable to any Parish or Union within the County or Borough, or any County or Borough to which such Asylum wholly or in part belongs, or to any such County, and who may be confined in any other Asylum, or in any registered Hospital or licensed House, to be removed to such first-mentioned Asylum, shall be extended so as to authorize such Visitors to order any Pauper Lunatic chargeable to any Parish or Union within any County or Borough, or to any County for the Reception of the Pauper Lunatics whereof into such first-mentioned Asylum there is a subsisting Contract, and who may be confined as aforesaid, to be removed to such first-mentioned Asylum, and also to order any such Pauper Lunatic as herein-before mentioned to be removed from such first-mentioned Asylum to any Asylum, registered Hospital, or licensed House, subject nevertheless to the Restriction contained in Section Seventy-eight of the Lunatic Asylums Act, 1853.

Powers of Commissioners and Visitors to continue applicable to a licensed House after Licence expired while Patients are therein.

IX. The Powers of the Commissioners and Visitors under the Lunatic Asylums Act, 1853, and the Acts of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, and the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, with reference to any licensed House and the Inmates thereof, and all Powers and Provisions of the said Acts having reference to the Discharge, Removal, and Transfer of such Inmates, shall, after the Expiration or Revocation of any Licence granted in respect of such House, continue in force for all Purposes, so long as any Lunatics are detained therein, in the same Manner as if the Licence subsisted.

Contracts under 16 & 17 Vict. c. 97. s. 42. may be renewed.

X. 'Whereas Doubts have been entertained whether under the Forty-second Section of the Lunatic 'Asylums Act, 1853, a Contract for the Reception of Pauper Lunatics thereby authorized can be 'renewed:' Be it declared and enacted, That upon or after the Expiration or other Determination of any

any Contract for any of the Purposes of the said Section it shall be lawful for every Committee of Visitors, under and subject to the several Provisions of the said Act applicable thereto, from Time to Time to enter into a new Contract for any of the Purposes mentioned in the said Section with the Committee of Visitors of any Asylum, or with the Subscribers to any Hospital registered or the Proprietor of any House licensed for the Reception of Lunatics, and for the Committee of Visitors of any Asylum, or the Subscribers to any registered Hospital or the Proprietor of any licensed House, to contract with any Committee of Visitors accordingly.

Provision for Burial of Pauper Lunatics.

XI. Where the Visitors of Lunatic Asylums for Counties and Boroughs in *England*, or any of their Officers duly authorized in that Behalf, shall undertake the Burial of any Pauper Lunatic, and the Burial cannot take place in the Parish where the Death shall have taken place by reason of the public Burial Ground of such Parish having been closed, and no other having been provided, or where, in consequence of the crowded State of such Burial Ground, the Visitors as aforesaid are of opinion that the Burial of such dead Body therein would be improper, it shall be lawful to bury such Body in a public Burial Ground of or in some other Parish as near as conveniently may be to the Parish wherein the Death shall have taken place, with the Consent of the Minister and Churchwardens of such Parish: Provided, that in all Cases of Burial under the Direction of the Visitors or their Officers as aforesaid the Fee or Fees payable by the Custom of the Place where the Burial may be, or under the Provisions of any Act of Parliament, shall be paid by the said Visitors for the Burial of each such Body to the Person or Persons who by such Custom or under such Act of Parliament shall be entitled to receive such Fee or Fees.

Power to enter into Agreements with Cemetery Company or Burial Board.

XII. The Visitors of Lunatic Asylums in *England* may from Time to Time enter into Agreements with the Proprietors of any Cemetery established under the Authority of Parliament, or with any Burial Board duly constituted under the Statutes in that Behalf, for the Burial of the dead Bodies of any Pauper Lunatics which such Visitors may undertake to bury; and thereupon the Burial of any such Body, under the Directions of the said Visitors or their Officer, in such Cemetery, or in the Burial Ground of such Burial Board, shall be lawful: Provided, however, that no such Agreement shall be valid unless made in such Form and with such Stipulations as the Commissioners in Lunacy shall approve.

Committee of Visitors may convey Land for Burial Ground for Lunatics, &c. dying in the Asylum.

XIII. 'And whereas it is expedient that Burial Grounds should be provided for Persons dying in any 'County or Borough Lunatic Asylum built or to be built under the Authority of any Act of Parliament 'for the Reception of Pauper Lunatics:' Be it therefore enacted, That it shall be lawful for every Committee of Visitors of any County or Borough Lunatic Asylum, or for any Trustees or Trustee in whom any Land shall be vested for the Purposes of an Asylum, with the previous Consent of One of Her Majesty's Principal Secretaries of State under his Hand, to give, grant, and convey to Her Majesty's Commissioners for building new Churches, and it shall be lawful for them to accept, any Portion not exceeding Two Statute Acres of any Land which belongs to or has been or may be purchased for any such Asylum, for the Purpose of Consecration as a Burial Ground for Pauper or other Lunatics or Officers or Servants dying in such Asylum, and that in all such Cases the Freehold of every Burial Ground, of which Her Majesty's said Commissioners shall accept a Conveyance under the Provisions of this Act for the Purpose of Consecration, shall, after the same Burial Ground shall have been consecrated, vest in the Visitors or Trustees or Trustee, as the Case may be, for the Time being, of the County or Borough Lunatic Asylum to which such Burial Ground shall belong, and be for ever thereafter exclusively appropriated for the Burial of Pauper and other Lunatics dying in such Asylum, and of the Officers and Servants belonging to such Asylum and dying therein; and that from and after the Consecration of such Land the Incumbent of the Parish in which such Burial Ground is situate shall not be entitled to any Fee for the Interment therein of any Pauper or other Lunatic dying in such Asylum, or of any of the Officers and Servants belonging to such Asylum and dying therein.

Pauper Lunatics, whose Settlements cannot be ascertained, where found in a Borough which does not contribute to the County Expenditure, to be chargeable to such Borough. 12 & 13 Vict. c. 82. s. 3. repealed. 5 & 6 W. 4. c. 76. s. 117. 16 & 17 Vict. c. 97.

XIV. 'And whereas Doubts are entertained as to the Chargeability of Pauper Lunatics found in 'Boroughs whose Settlements cannot be ascertained, and it is expedient to remove such Doubts:'

Section Three of the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Eighty-two, shall be repealed; and where any Pauper Lunatic is not settled in the Parish by which, or at the Instance of some Officer or Officiating Clergyman of which, he is sent to an Asylum, registered Hospital, or licensed House, and it cannot be ascertained in what Parish such Pauper Lunatic is settled, and such Lunatic was found in a Borough having a separate Court of Quarter Sessions of the Peace, and which is not liable, under the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, Section One hundred and seventeen, to the Payment of a Proportion of the Sums expended out of the County Rate, such Lunatic may be adjudged to be chargeable to such Borough by any Two Justices of such Borough; and it shall not be lawful for any Justices to adjudge such Lunatic to be chargeable to any County, nor to make any Order upon the Treasurer of any County for the Payment of any Expenses whatsoever incurred or to be incurred in respect of the said Lunatic; and all the Provisions in the Lunatic Asylums Act, 1853, as to the Mode of determining that a Pauper Lunatic is chargeable to a County, and as to the Order to be made for the Maintenance of such Pauper Lunatic, shall extend and be applied to such Borough, as fully and effectually, to all Intents and Purposes, as if all the said Provisions were repeated and re-enacted in this Act, and made applicable to such Borough, in the same Manner in all respects as though for the Purposes of this Provision such Borough were a separate and distinct County.

XV. In

XV. In all Cases in which, under the Lunatic Asylums Act, 1853, or the Act of the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter One hundred, or the Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, any Order or other Instrument is required to be under the Hand and Seal or Hands and Seals of any Visitor or Visitors, Justice or Justices, it shall be sufficient for such Order or Instrument to be signed only; and all such Orders and Instruments as aforesaid which have been signed before the passing of this Act, and have not had a Seal or Seals affixed to them, as by Law required, shall be and be deemed to have been valid and sufficient to justify any Proceeding thereon or thereunder.

Seals of Visitors and Justices to Orders, &c. dispensed with. 16 & 17 Vict. c. 97. 8 & 9 Vict. c. 96.

XVI. So much of Section Six of the said Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, as requires such Assent as therein mentioned of Two of the Commissioners not to be given until after such Commissioners have by personal Examination of the Patient satisfied themselves of his Desire to remain, shall be repealed.

Repeal of 16 & 17 Vict. c. 96. s. 6. as to personal Examination of Patients.

XVII. The Superintendent of any registered Hospital may, with the Consent in Writing of Two Members of the Committee having the Management or Government of such Hospital, send or take, under proper Control, any Patient to any specified Place for any definite Time for the Benefit of his Health; and any such Consent, and any Consent under Section Eighty-six of the said Act of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, may be from Time to Time renewed and the Place varied.

Consent of Committee sufficient to authorize a Patient being sent to any Place for Health. 8 & 9 Vict. c. 100.

XVIII. If after the Lapse of Two Months from the Expiration of any Licence for the Use of any House for the Reception of Lunatics which has not been renewed, or if after the Revocation of any such Licence there be in any such House Two or more Lunatics, every Person keeping such House, or having the Care and Charge of such Lunatics, shall be guilty of a Misdemeanor.

Detention of Lunatics after Expiration, &c. of Licence a Misdemeanor.

XIX. This Act, so far as the same amends or affects the said Acts of the Eighth and Ninth Years of Her Majesty, Chapter One hundred, and of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-six, or either of them, shall be read and construed together with the said Acts as One Act, and the Provision contained in Section One hundred and six of the said Act of the Eighth and Ninth Years of Her Majesty shall extend to Offences against this Act; and this Act, so far as the same amends or affects the Lunatic Asylums Act, 1853, shall be read and construed therewith as One Act.

Act to be read with the Acts amended as One Act, and 8 & 9 Vict. c. 100. s. 6. extended to this Act.

CAP. CVI.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [14th *August* 1855.]

'WHEREAS it is expedient to suspend for a further Period the Ballots for the Militia of the United 'Kingdom:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. All General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to procuring any Returns, or preparing or making out Lists of such Militia or any Part thereof, for the Purpose of a Ballot, or relating to balloting for any Militiamen or supplying any Vacancies in such Militia by Ballot, as are or may be directed or authorized by or under any Act of Parliament now in force, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and fifty-six.

Meetings relating to Militia of United Kingdom and Ballots for such Militia suspended till 1st Oct. 1856.

II. Provided always, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions of the Acts in force in the United Kingdom relating to the giving Notices for and Returns for Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants of the several Counties, Shires, Cities, and Places in the United Kingdom; and all the Provisions of the several Acts in force in the United Kingdom relating to the Militia shall, upon any such Order, and Direction given in pursuance thereof, become and be in full Force and be carried into execution at the Period specified in such Order or Direction as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods had been fixed in the Acts relating to such Militia.

Proceedings may be had during such Suspension by Order in Council.

III. Provided also, That nothing herein contained shall extend to prevent the holding before the Expiration of such Period as aforesaid of such General or other Meetings relating to the Militia of the United Kingdom as may be called in *Great Britain* under the Authority of One of Her Majesty's Principal Secretaries of State, or in *Ireland* under the Authority of the Lord Lieutenant or other Chief Governor

Not to extend to prevent the holding of certain Meetings relating to the Militia.

Governor or Governors of *Ireland*, or of any Meeting which may be called for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia.

CAP. CVII.

An Act to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of *Tobago*. [14th *August* 1855.]

11 & 12 Vict. c. 22.

'WHEREAS by an Act passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Twenty-two, ("for granting Relief to the Island of *Tobago*, and for aiding "the Colonies of *British Guiana* and *Trinidad* in raising Money for the Promotion of Immigration of "Free Labourers,") the Commissioners of Her Majesty's Treasury were authorized, in manner therein mentioned, to lend Exchequer Bills for any Sum not exceeding Fifty thousand Pounds for the Service of the Island of *Antigua*, and any Sums not exceeding in the whole Fifty thousand Pounds for the Relief of the Island of *Tobago*, on the Credit of the Revenues and public Property thereof, as soon as the said Commissioners should be satisfied that Repayment of the several Sums to be advanced (with Interest thereon at the yearly Rate of Four Pounds by the Hundred) was duly secured to the Satisfaction of the said Commissioners by some Act or Acts passed or to be passed by the Legislature of the said Island: And whereas the Commissioners of Her Majesty's Treasury accordingly advanced the Sum of Twenty thousand Pounds to the Island of *Tobago*, being the Proportion required of the said Sum of Fifty thousand Pounds, the Repayment thereof, with Interest, having been secured by the Legislature of the said Island, as required by the said Act, and out of the Sums so advanced Advances were made, under the Authority of the said Legislature, to Persons who had suffered Losses by a Hurricane in the said Island: And whereas it is expedient that the Commissioners of the Treasury should be empowered to extend the Time for the Repayment of the Principal Monies remaining owing on the said Securities, and to reduce the Interest payable thereunder, as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury to extend Time of Repayment of Loan to Tobago, and to reduce Interest to 3*l.* 5*s.* per Cent. Corresponding Advantages being secured to private Borrowers.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant such Extension of the Period for Payment of the Principal Monies owing by the said Island of *Tobago* in respect of the said Loan, and to accept Payment thereof by such Instalments and at such Times as the said Commissioners in their Discretion may think proper and fix, and to accept Interest upon the Principal Monies remaining unpaid after the yearly Rate of Three Pounds Five Shillings *per Centum*, instead of the said yearly Rate of Four Pounds *per Centum*, upon being satisfied that an Act has been passed by the Legislature of such Island for securing on the Credit of the Revenue or public Property thereof the punctual Payment of the Instalments of Principal Monies, with Interest as aforesaid, at the Times and in manner fixed by the said Commissioners, and also for securing to the Persons indebted in respect of the Advances made out of the said Loan to the Sufferers in the said Island Advantages corresponding with those granted to such Legislatures under this Act.

In default of Payment at Times fixed, Rate of Interest, &c. originally agreed upon may be required.

II. Provided always, That in case of Default in Payment of any of the Instalments of Principal Monies which may become payable from the said Island under such Extension of Time, or of the said reduced Interest, at the Times fixed by the said Commissioners of the Treasury, it shall be lawful for such Commissioners to require from the Island, in case of such Default, Payment of Interest at the yearly Rate of Four Pounds *per Centum* on the Principal Monies remaining due, and also Payment of such Principal Monies by such Instalments as were made payable by the Securities originally given by the Legislature of such Island; and such Interest and Instalments of Principal Monies which may be so required to be paid shall thereupon become payable accordingly.

CAP. CVIII.

An Act to amend the Law for the Inspection of Coal Mines in *Great Britain*. [14th *August* 1855.]

13 & 14 Vict. c. 100.

'WHEREAS an Act of the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred, was passed "for Inspection of Coal Mines in *Great* "*Britain*:" And whereas, with a view to the Safety of the Persons employed in such Mines, it is expedient that further Provision be made for the Inspection and Regulation thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

13 & 14 Vict. c. 100. repealed.

I. The said Act of the Thirteenth and Fourteenth Years of Her Majesty shall be repealed: Provided always, that the Inspectors of Coal Mines appointed under such Act shall continue to be such Inspectors under this Act, subject, nevertheless, to Removal by One of Her Majesty's Principal Secretaries of State;

State; provided also, that all Penalties incurred under the said Act before the Repeal thereof may be proceeded for and applied as if this Act had not been passed.

Secretary of State may appoint Inspectors of Mines.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint any fit Person or Persons to be an Inspector or Inspectors of Coal Mines, and from Time to Time to remove any such Inspector or Inspectors; and Notice of the Appointment of every such Inspector shall be published in the *London Gazette*.

No Land Agent or Manager, &c. of Coal Mine to act as Inspector.

III. No Person who shall act or practise as a Land Agent, or as a Manager, Viewer, or Agent, or Mining Engineer, or Valuer of Mines, or Arbitrator in any Matters of Dispute arising between Owners of Mines, or be otherwise employed in any Coal Mine or Colliery, shall act as an Inspector of Coal Mines under this Act.

General Rules to be observed in all Coal Mines.

IV. The following Rules (herein-after referred to as the General Rules) shall be observed in every Coal Mine and Colliery by the Owner and Agent thereof:

1. An adequate Amount of Ventilation shall be constantly produced at all Collieries to dilute and render harmless noxious Gases to such an Extent as that the working Places of the Pits and Levels of such Collieries shall under ordinary Circumstances be in a fit State for working:
2. Every Shaft or Pit which is out of Use, or used only as an Air Pit, shall be securely fenced:
3. Every Working and Pumping Pit or Shaft shall be properly fenced when not at work:
4. Every Working and Pumping Pit or Shaft where the natural Strata under ordinary Circumstances are not safe shall be securely cased or lined:
5. Every Working Pit or Shaft shall be provided with some proper Means of signalling from the Bottom of the Shaft to the Surface, and from the Surface to the Bottom of the Shaft:
6. A proper Indicator to show the Position of the Load in the Pit or Shaft, and also an adequate Break, shall be attached to every Machine worked by Steam or Water Power used for lowering or raising Persons:
7. Every Steam Boiler shall be provided with a proper Steam Gauge, Water Gauge, and Safety Valve.

Special Rules to be made for each Colliery, with the Approval of Secretary of State.

V. In addition to the General Rules, there shall be established and observed in every Coal Mine or Colliery such other Rules (herein-after referred to as Special Rules) for the Conduct and Guidance of the Persons acting in the Management of such Coal Mine or Colliery, and of all Persons employed in or about the same, as under the particular State and Circumstances of such Coal Mine or Colliery may appear best calculated to prevent dangerous Accidents; and such Special Rules for each Coal Mine or Colliery shall be framed by the Owner thereof, and forthwith transmitted to One of Her Majesty's Principal Secretaries of State; and such Rules, if not objected to by such Secretary of State within Forty Days from the Day upon which they are received by him, shall be established; and in case such Secretary of State shall be of opinion that such Rules or any of them do not sufficiently provide for the Safety of the Person or Persons employed in or about such Coal Mine or Colliery, it shall be lawful for such Secretary of State, within the Forty Days aforesaid, to propose any Alterations in or Additions to such Special Rules; and in case such Owner shall not, within Twenty Days from the Day on which such Alterations or Additions are proposed to him, object to the same, the Special Rules shall be established with such Alterations and Additions; and in case such Owner shall, within the said Twenty Days, object to such Alterations or Additions or any of them, it shall be lawful for such Owner, within Seven Days after he shall have so objected, to nominate Three or more practical Mining Engineers or other competent Persons of Experience in the District within which such Coal Mine or Colliery is situate, and who shall not be interested in or employed in the Management of such Coal Mine or Colliery, of whom such Secretary of State may appoint One or more to determine the Matter in difference, and to decide what Special Rules shall be established in such Coal Mine or Colliery; and if such Owner shall not within such Seven Days nominate such Mining Engineers as aforesaid, or if such Secretary of State shall not within One Month from the Time of such Nomination appoint One or more of the Persons so nominated by the Owner as aforesaid, then and in such Case Two such Mining Engineers or other competent Persons as aforesaid shall be appointed, One of whom shall be named by the Owner of such Coal Mine or Colliery, and One by the Secretary of State; and the said Persons so appointed shall, before they proceed to determine the Matters in difference, and to decide what Special Rules shall be established in such Coal Mine or Colliery, appoint a Third Person, being such Mining Engineer or such other competent Person as aforesaid, to be their Umpire in case of Difference of Opinion between them; and the Determination of such Persons and the said Umpire, or of any Two of them, shall be final, and the Special Rules shall be established accordingly: Provided, that after such Rules are established it shall be lawful for the Owner of any Coal Mine or Colliery (or for the Secretary of State) to propose from Time to Time any Amendments of such Rules, which Amendments, if not objected to by the Secretary of State within the Time aforesaid, or Owners, as the Case may be, shall be established; and in case of Objection being made to any of them, and of a Difference arising out of such Objection, the same Proceedings shall be had respecting them as herein-before provided in reference to the Special Rules when originally submitted to such Secretary of State, and objected to: Provided also, that the Amount of Payment to be made to all such Persons, and to such Umpire so nominated or appointed as aforesaid, for their

Services, shall be fixed by such Secretary of State, and paid in equal Moieties by such Owner and the Commissioners of Her Majesty's Treasury, who are hereby authorized to make such Payment accordingly.

Publication of Rules.

VI. For the Purpose of making known the General Rules and Special Rules to all Persons employed in or about each Coal Mine or Colliery, the Owner thereof shall cause the General Rules and the Special Rules for such Coal Mine or Colliery to be painted on a Board or printed upon Paper to be pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Office or Place of Business of the Coal Mine or Colliery; and the General Rules and Special Rules so painted or printed and hung up shall be renewed and restored with all reasonable Despatch as often as the same or any Part thereof may be defaced, obliterated, or destroyed; and a printed Copy of such General and Special Rules shall be supplied to all Persons employed in and about the same.

Powers and Duties of Inspectors.

VII. It shall be lawful for any Inspector to enter, inspect, and examine any Coal Mine or Colliery, and the Works and Machinery belonging thereto, at all reasonable Times and Seasons, by Day or Night, but so as not to impede or obstruct the working of the said Coal Mine or Colliery, and to make Inquiry into and touching the State and Condition of such Coal Mine or Colliery, Works and Machinery, and the Ventilation of such Mine or Colliery, and the Mode of lighting or using Lights in the same, and into all Matters and Things connected with or relating to the Safety of the Persons employed in or about the same, and especially to make Inquiry whether the Provisions of this Act are complied with in relation to such Coal Mine or Colliery; and the Owner or Agent of such Coal Mine or Colliery is hereby required to furnish the Means necessary for such Entry, Inspection, Examination, and Inquiry; and if such Inspector find any of the General Rules or any of the Special Rules established for such Coal Mine or Colliery to be neglected or wilfully violated, such Inspector shall forthwith give Notice in Writing thereof to the Owner or Agent of such Coal Mine or Colliery; and if such Inspector find any Part of such Coal Mine or Colliery, Works or Machinery, or any Aircourses, Airdoors, Waterways, Drains, Pits, Levels, Shafts, or other Matter or Thing in or connected with such Coal Mine or Colliery, or the Mode of lighting or using Lights in the same, to be otherwise dangerous or defective, so as in his Opinion to threaten or tend to the bodily Injury of any Person employed in or about such Coal Mine or Colliery, such Inspector shall thereupon, by Notice in Writing, summon before him at the Colliery Office the Manager or principal Colliery Viewer or Agent having charge of the said Coal Mine or Colliery, in order to his being heard upon the Matter giving rise to such finding as aforesaid; and if such Manager or principal Colliery Viewer or Agent do not attend after reasonable Notice, or having attended fail to satisfy such Inspector, then such Inspector shall serve Notice in Writing of the particular Grounds on which he is of opinion that the said Coal Mine or Colliery, or any Part thereof, or any other of the Particulars above mentioned, is dangerous or defective, on the Owner or Agent thereof, and shall also report the same to One of Her Majesty's Principal Secretaries of State; and in case of any Difference arising thereupon the same shall be determined in the Manner herein-before provided with respect to proposed Alterations or Additions to the Special Rules, and a Copy of such Notice in case of no such Difference as aforesaid, or of the Determination in case of such Difference, arising, shall, if the said Danger or Defect be not forthwith removed or remedied, and if the Secretary of State shall so direct, be hung up or affixed on some conspicuous Part of the principal Office or Place of Business of the Coal Mine or Colliery, and a Copy supplied to every Workman to whom such Notice or Determination shall apply, such Copy so to be hung up or affixed as aforesaid to be removed on the Certificate of the Inspector of the District, or of the Persons by whom such Determination shall have been made, that such Danger or Defect has been removed or remedied: Provided always, that so long as any Copy of such Notice or Determination purporting that the Coal Mine or Colliery, or any Part thereof, or any other of the Particulars above mentioned, is dangerous or defective, shall remain so hung up or affixed, and the Danger or Defect notified therein shall not be removed or remedied, it shall be lawful for any Person employed in or about such Coal Mine or Colliery to discontinue his Service in any Part of such Coal Mine or Colliery to which Part the said Notice or Determination shall apply, without being therefore liable to be proceeded against under the Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Thirty-four, as for Absence from his Service, or Misconduct in the Execution thereof: Provided also, that unless the Owner or Agent on whom the Notice is served as aforesaid shall within Seven Days of such Service signify to the said Inspector his Objections to the same, and at the same Time nominate Three competent Persons as herein-before provided in the Fifth Section, with a view to the Determination of such Objection, such Notice shall be considered good and valid, and shall be hung up or affixed as herein-before provided.

4 G. 4. c. 34.

Owners of Coal Mines to produce Maps or Plans of Mines to Inspector.

If Owners do not produce Maps, &c. Inspector may require them to be made.

VIII. The Owner or Agent of every Coal Mine or Colliery shall, on the Occasion and for the Purpose of the Inspection and Examination thereof, produce and submit for Examination, to any such Inspector as aforesaid, a Map or Plan of the Workings of such Coal Mine or Colliery, upon which Map or Plan shall be delineated the several Parts, Aircourses, Airdoors, Waterways, Drains, Pits, Levels, and Shafts in and connected with such Coal Mine or Colliery; and if such Owner or Agent do not produce and submit for Examination as aforesaid such a Map or Plan as aforesaid, or if any such Inspector as aforesaid find that any Portion of any Map or Plan is withheld, or any Part of the Workings of any such Mine or Colliery is concealed from his Inspection, or if he find, on examining and verifying any Map or Plan,

Plan, that the same is imperfect or inaccurate, he is hereby empowered to require that an accurate Map or Plan of the actual Workings of such Coal Mine or Colliery, and the Works thereto belonging, clearly delineating such Matters and Things as aforesaid, be made within a reasonable Time, by and at the Expense of the Owner of such Mine, on a Scale of not less than Two Chains to One Inch, or on such other Scale as the Plan then used in the Colliery is constructed on; and every such Map or Plan as aforesaid shall show the Workings of the Mine up to within Six Months of the Time of Inspection; and the Owner or Agent of the Coal Mine or Colliery shall, if required so to do by any such Inspector as aforesaid, mark or cause to be marked on such Map or Plan the Progress of the Workings of the Coal Mine or Colliery up to the Time of his Inspection thereof: Provided, that nothing herein contained shall be constructed to authorize any Inspector to make a Copy of the whole or any Part of a Map or Plan which shall be produced or made.

Notice of Accidents in Mines to be given to Secretary of State, and to the Inspector.

IX. If and when Loss of Life to any Person employed in or about any Coal Mine or Colliery occurs by reason of any Accident within such Coal Mine or Colliery, or any Pits or Shafts thereof, or any Works or Machinery connected with such Pits or Shafts, or if any serious personal Injury arises from Explosion therein, the Owner or Agent of such Mine or Colliery shall, within Twenty-four Hours next after such Loss of Life, send Notice of such Accident, under the Hand of such Owner or Agent, to One of Her Majesty's Principal Secretaries of State, and in *Scotland* to the Lord Advocate, and in all Cases to the Inspector of the District within which such Loss of Life shall occur, and shall specify in such Notice the probable Cause of such Accident; and such Notice may be sent through the Post Office, by Letter addressed to such Secretary of State or Lord Advocate, and to the Inspector of the District at his usual Place of Residence; and every Owner or Agent who neglects to send or cause to be sent such Notice as aforesaid within the Time aforesaid, shall for such Offence be liable to a Penalty of not less than Ten Pounds, and not exceeding Twenty Pounds.

Provision for giving Notice to Secretary of State of holding Inquests on Deaths from Accidents in Coal Mines.

X. Every Coroner holding an Inquest upon the Body of any Person whose Death may have been caused by any such Accident as aforesaid, shall (unless some Person be present on behalf of One of Her Majesty's Principal Secretaries of State to watch the Proceedings at such Inquest, or Notice of such Accident shall have been sent, Four clear Days at the least previously thereto, through the Post Office, by Letter addressed to One of such Secretaries of State, and the sending of the same be proved to the Satisfaction of the Coroner,) adjourn such Inquest, and by Letter sent Two Days at the least before holding such adjourned Inquest, through the Post Office, addressed to One of such Secretaries of State, give Notice to such Secretary of State of the Time and Place of holding the same: Provided always, that it shall be lawful for such Coroner, before the Adjournment of any such Inquest, to take Evidence to identify the Body, and to order the Interment thereof.

Penalties for Offences against this Act.

XI. If after the Thirty-first Day of *December* One thousand eight hundred and fifty-five any Coal Mine or Colliery be worked, and, through the Default of the Owner thereof, Special Rules have not been established for the same, according to the Provisions of this Act, or the General Rules, or the Special Rules for such Coal Mine or Colliery, by this Act required to be established, have not been hung up or affixed, or have not, after Obliteration or Destruction, been renewed or restored, as required by this Act, or any of such General Rules or Special Rules which ought to be observed by the Owner and principal Agent or Viewer of such Coal Mine or Colliery, be neglected or wilfully violated by any such Owner, Agent, or Viewer, such Person shall be liable to a Penalty of not exceeding Five Pounds; and also, in case the Default or Neglect be not remedied with all reasonable Despatch, after Notice in Writing thereof given by an Inspector to the Owner or Agent of such Coal Mine or Colliery, to a further Penalty of not exceeding One Pound for every Day during which the Offence continues after such Notice; and every Person, other than aforesaid, employed in or about a Coal Mine or Colliery, who neglects or wilfully violates any of the Special Rules established for such Coal Mine or Colliery, shall for every such Offence be liable to a Penalty not exceeding Two Pounds; or to be imprisoned, with or without Hard Labour, in the Common Gaol or House of Correction for any Period not exceeding Three Calendar Months; or to be proceeded against and punished according to the Provisions of the Act Fourth *George* the Fourth, Chapter Thirty-four, intituled *An Act to enlarge the Power of Justices in determining Complaints between Masters and Servants.*

4 G. 4. c. 34.

Penalty for obstructing Inspectors.

XII. Every Owner or Principal Agent of any Coal Mine or Colliery who refuses or neglects to produce, as herein-before required, a Map or Plan of the Workings of a Colliery to any Inspector, or to furnish to said Inspector the Means necessary for making any Entry, Inspection, Examination, or Inquiry under this Act, and every Person who wilfully obstructs any Inspector in the Execution of this Act, shall for every such Offence be liable to a Penalty of not less than Five Pounds and not exceeding Ten Pounds.

Penalty for defacing Notice.

XIII. Every Person who pulls down, injures, or defaces any Notice hung up or affixed as required by this Act shall for every such Offence be liable to a Penalty of not exceeding Forty Shillings.

Penalties how recoverable.

XIV. All Penalties imposed by this Act may be recovered in a summary Manner before Two Justices of the Peace, or in *Scotland* before the Sheriff having Jurisdiction in the County or Place where the Offence is committed, within Three Months of the Commission of the same, in the Manner prescribed by the Law in that Behalf; and it shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Recommendation of One of Her Majesty's Principal Secretaries of State, to direct that any Penalty imposed for neglecting to send or cause to be sent Notice of any Accident, as required by this Act, shall

shall be paid to or among any of the Family or Relatives of any Person or Persons killed by such Accident, as he may think fit; and, save as aforesaid, all Penalties imposed by this Act shall, when recovered, be paid, for the Use of Her Majesty, to the Sheriff or other proper Officer of the County, Riding, Division, or Place for which the Justices or other competent Authority before whom the Penalty is recovered shall have acted.

Certified Copy of Special Rules to be Evidence.

XV. A Copy of the Special Rules for the Time being established in any Coal Mine or Colliery, certified under the Hands of One of the Inspectors to be a Copy of the Special Rules established in such Coal Mine or Colliery, shall be Evidence of such Special Rules, and of their being duly established under this Act, without further Proof.

Reports of Inspectors to be laid before Parliament.

XVI. Every Inspector shall on or before the First Day of *March* in every Year make a separate and distinct Report in Writing of his Proceedings during the preceding Year, and shall transmit the same to One of Her Majesty's Principal Secretaries of State, and a Copy of such Report shall be laid before both Houses of Parliament.

Interpretation of Terms.

XVII. In the Construction of this Act the Term "Owner" of a Coal Mine or Colliery shall mean the immediate Proprietor, Lessee, or Occupier of a Coal Mine or Colliery or of any Part thereof; and the Term "Agent" of a Mine shall mean any Person having on behalf of the Owner of any Mine the Care or Direction thereof; and the Term "Inspector" or "Inspectors" shall respectively mean an Inspector or Inspectors of Coal Mines appointed under the said Act of the Thirteenth and Fourteenth Years of Her Majesty or this Act; and the Term "District" shall mean that Portion of *Great Britain* which shall be assigned to any One of such Inspectors.

Extent of Act.

XVIII. This Act shall not extend to *Ireland*.

Term of this Act.

XIX. This Act shall continue until the Expiration of Five Years after the passing of this Act, and thenceforth until the End of the then next Session of Parliament.

CAP. CIX.

An Act to make further Provisions for the Repayment of Advances out of the Consolidated Fund for the Erection and Enlargement of Asylums for the Lunatic Poor in *Ireland*, and to amend the Laws with reference to the Repayments in case of Change of Districts, and the Appointment of Commissioners of General Control and Correspondence. [14th *August* 1855.]

'WHEREAS, under the Provisions of the several Statutes in that Case made and provided, certain 'Asylums for the Lunatic Poor in *Ireland* were from Time to Time ordered by the Lord Lieu- 'tenant and Privy Council of *Ireland* to be erected, enlarged, or extended: And whereas certain Sums 'of Money have been advanced from Time to Time by the Commissioners of Her Majesty's Treasury, 'out of the growing Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, for 'the Purpose of defraying the Expenses of such Erection, Enlargement, and Extension of the said 'Asylums, such Advances having been made in certain Cases under and by virtue of an Order or Orders 'of the Lord Lieutenant and Privy Council of *Ireland*, and in certain other Cases without such Order 'or Orders: And whereas Provision is made by the Statutes aforesaid that it shall and may be lawful 'for the Lord Lieutenant and Privy Council to make Orders for the Repayment by the Counties forming 'the District of any such Asylums of the Monies so ordered by the Lord Lieutenant and Privy Council 'to be advanced: And whereas it is doubtful whether it is competent for the Lord Lieutenant and Privy 'Council to make Orders for the Repayment of those Sums for the Advance of which no Orders in 'Council were made: And whereas it is expedient to make better Provision for the Repayment of the 'whole of such Sum or Sums so advanced as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

On Completion of Asylum, Commissioners for General Control and Correspondence, &c. of Asylums to certify to the Lord Lieutenant in Council the whole of the Sums expended. 1 & 2 G. 4. c. 33.

I. From and after the passing of this Act, in every Case where any of the Asylums so ordered to be erected, enlarged, or extended as aforesaid shall have been already handed over or shall be hereafter handed over to the Governors of such Asylum fit for the Reception of the Lunatic Poor, as provided by the Act First and Second *George* the Fourth, Chapter Thirty-three, it shall be lawful for the Commissioners for General Control and Correspondence, and for superintending and directing the Erection and Establishment of Asylums for the Lunatic Poor in *Ireland*, and they are hereby required, to transmit to the Clerk of Her Majesty's Privy Council in *Ireland* a certified Return of all the Moneys which shall have been expended from Time to Time in such Erection, Enlargement, or Extension of such Asylum as aforesaid, and a certified Copy of the said Returns to the Governors of such Asylum, and also One to the Secretary of the Grand Jury of each of the Counties associated in each of such Asylums, and the said Clerk of the Council shall lay the said Return before the Lord Lieutenant in Council as soon as conveniently may be; provided that in case any Difference of Opinion shall arise as to the Fitness of any Asylum for the Reception of the Lunatic Poor between the Governors and the Board of Works, it shall be lawful for the Governors to refer the Question to the Lord Lieutenant in Council, who is hereby empowered to decide between them.

II. It shall and may be lawful for the Lord Lieutenant and Council, on such certified Return being laid before them, to make an Order or Orders for the Repayment by the Counties within the District in and for which such Asylum shall be erected and established of the Sums so certified to have been expended, in such Manner, and at such Times, and in such Proportions as shall be fixed by said Order. **Lord Lieutenant to order Repayment of Sums expended.**

III. It shall be lawful for the Grand Jury of any and every County in *Ireland* in or for which, either wholly or in part, any such Asylum hath been or shall be erected and established, and such Grand Jury is hereby required, without any previous Proceedings, at any Presentment Sessions, to present the Sum or Sums to be fixed and ascertained by any such Order or Orders accordingly, or in default thereof the same shall be inserted in and raised by an Order of the Judge of Assize, or of the Court at any Presenting Term, which Order shall have the Force of a Presentment, and the Sum or Sums therein mentioned shall be applotted and raised and levied accordingly, as if the same had been inserted in a Presentment duly made at the Assizes or Presenting Term at which such Order shall be made, any Act or Acts to the contrary notwithstanding. **Grand Jury of the County to make Presentment for the Repayment of the Money so ordered to be repaid.**

IV. 'And whereas it is expedient to amend so much of an Act passed in the Ninth and Tenth Years 'of the Reign of Her present Majesty, intituled *An Act to amend the Laws as to District Lunatic 'Asylums in* Ireland, *to provide for the Expense of the Maintenance of certain Lunatic Poor removed 'from the* Richmond *Lunatic Asylum*, Dublin, *for Want of Room therein, and to provide for the Salaries 'and Expenses incident to the Office of Inspector of Lunatics in* Ireland, as relates to the Repayments 'which, in case of Change of old Districts and Establishment of new Districts, any County or Counties 'remaining within the old Districts are liable to make to any County or Counties transferred to such 'new Districts of the whole of the Sums raised off such County or Counties so transferred as aforesaid 'for erecting and establishing any Lunatic Asylum in whose District such County shall have been 'theretofore situate:' Be it enacted, That from and after the passing of this Act so much of the said recited Act as provides that the whole of such Sums so raised off any County or Counties shall be repaid to such County or Counties so transferred to a new District as aforesaid shall be and the same is hereby repealed; and it shall and may be lawful for the Lord Lieutenant and Privy Council, if they shall so think fit, to ascertain and fix the equitable Amount so to be repaid, and the Proportions and Instalments of such Repayments: Provided always, that before finally fixing and ascertaining the equitable Amount so to be repaid, the Chief or Under Secretary of the Lord Lieutenant shall transmit a Copy of the proposed Order for fixing and ascertaining such Amount, and the Proportions and Instalments of such Repayments, to the Secretary of the Grand Jury of every County affected by or interested in such Order, and such Secretary shall lay the same before the Grand Jury of such County on the First Day of their Meeting for fiscal Business; and in case any such Grand Jury shall think proper to object to such proposed Order, or any Part thereof, such Grand Jury shall, at such Assizes, be authorized to do so, and transmit the Particulars of their Objections to the said Chief or Under Secretary of the Lord Lieutenant, and the Lord Lieutenant and Privy Council shall at any Time after such Assizes (upon Notice to the Secretary of the Grand Jury of every or any County so objecting) proceed to consider the Objections which shall have been so made by or on the Part of any such Grand Jury, or, in the Absence of any such Objections, make an Order finally fixing and ascertaining the equitable Amount so to be repaid, and the Proportions and Instalments of such Repayments, which shall, when fixed as aforesaid, be presented, levied, and repaid in the like Manner as in the said recited Act is enacted and provided. **9 & 10 Vict. c. 115.** **Manner of proceeding in case of Change of District.**

V. 'And whereas by an Act passed in the First and Second Years of the Reign of His late Majesty 'King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of 'Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, 'it is, amongst other things, provided and enacted, that it shall and may be lawful for the Lord Lieu- 'tenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of His Majesty's 'Privy Council in *Ireland*, to nominate and appoint any Persons, not exceeding Eight in Number, to be 'Commissioners for General Control and Correspondence and for the superintending and directing the 'Erection, Establishment, and Regulation of all Asylums for the Lunatic Poor in *Ireland*:' Be it enacted, That from and after the passing of this Act it shall and may be lawful for the Lord Lieutenant in Council to revoke any Appointment heretofore made or purporting to have been made under the said recited Act as the Lord Lieutenant in Council may think fit, and to appoint from Time to Time as Vacancies may occur any other Persons (of whom the Chairman of the Commissioners of Public Works for the Time being shall be One) to be Commissioners for General Control and Correspondence, and for the superintending and directing the Erection, Establishment, and Regulation of Asylums for the Lunatic Poor in *Ireland;* and all Lands and Hereditaments and Property, of what Nature or Kind whatsoever, which may have been acquired by or vested in the said Commissioners for General Control and Correspondence, and for the superintending and directing the Erection, Establishment, and Regulation of Asylums for the Lunatic Poor, or any of them, appointed or purporting to have been appointed under the said recited Act of the First and Second Years of His late Majesty King *George* the Fourth, shall be and are hereby to all Intents and Purposes vested in the Commissioners for the Time being appointed and to be appointed under this Act. **1 & 2 G. 4. c. 33.** **Appointment of Commissioners.**

VI. It shall be lawful for the Commissioners of the Treasury, if upon any Inquiries made under their Directions it shall appear to them just that the County or Counties liable to be charged in respect of any such **Treasury may relieve Counties of a Portion of**

the Expenses if it should appear just.

such Asylum should be relieved from a Portion of the Amount of the Expenses incurred in the building of such Asylum, to authorize and direct that Remission shall be made accordingly to such Amount as to the said Commissioners of the Treasury may appear just and reasonable.

Interpretation of Terms.

VII. In the Construction of this Act the Expression "Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland;* the Expression "Lord Lieutenant in Council" shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland,* by and with the Advice of Her Majesty's Privy Council in *Ireland;* and the Word "County" shall include a County of a City or County of a Town.

Short Title.

VIII. This Act may be cited for all Purposes as the "Lunatic Asylums Repayment of Advances (*Ireland*) Act, 1855."

CAP. CX.

An Act to authorize the Application of certain Sums granted by Parliament for Drainage and other Works of public Utility in *Ireland,* towards the Completion of certain Navigations undertaken in connexion with Drainages, and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland.* [14th *August* 1855.]

5 & 6 Vict. c. 89.

'WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-nine, "to promote the Drainage of Lands and Improvement of Navi-
'"gation and Water Power in connexion with such Drainage in *Ireland:*" And whereas the said Act was

8 & 9 Vict. c. 69.

'amended by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her

9 & 10 Vict. cc. 4. and 86.

'Majesty, Chapter Sixty-nine, and by an Act passed in the Session of Parliament holden in the Ninth and
'Tenth Years of Her Majesty, Chapter Four, and by an Act passed in the same Session of Parliament,

10 & 11 Vict. c. 79.

'Chapter Eighty-six, and by an Act passed in the Session of Parliament holden in the Tenth and Eleventh
'Years of Her Majesty, Chapter Seventy-nine, and by an Act passed in a Session of Parliament holden

16 & 17 Vict. c. 130.

'in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty: And
'whereas by the said Act of the Ninth and Tenth Years of Her Majesty, Chapter Four, it is enacted, that

9 & 10 Vict. c. 4.

'in all Cases where, for the Purposes of Navigation connected with Drainage, a free Grant of a Moiety
'or more of the Expense of making or improving any such Navigation should or might be made under
'the Authority of Parliament, and the other Moiety or Residue of the Expense of making or improving
'such Navigation should or might be raised or advanced by way of Loan under the Provisions of the
'therein recited Acts or the said Act now in recital, then such Moiety or Residue so raised or advanced
'should, with Interest from the Date of such Loan, be charged upon the District which, by the Declara-
'tion to be made in such Case by the said Commissioners under the Provisions of the therein first-
'recited Act, it should be declared would be benefited by the making or improving of such Navigation,
'and the several Baronies, Half Baronies, and Townlands in such District, and should be repaid by and
'levied from such Baronies, Half Baronies, and Townlands in the Proportions in which it should be so
'declared that such Baronies, Half Baronies, and Townlands would be respectively benefited, in One Sum
'or by Instalments, under and subject to the several Provisions and Regulations in the therein recited Acts
'or the Act now in recital contained in relation to the Levy and Recovery of any Sums which under
'the Final Award of the said Commissioners should be payable by the Grand Jury of any County in

10 & 11 Vict. c. 79.

'respect of the Improvement of the Navigation of any River: And whereas by the said Act of the
'Tenth and Eleventh Years of Her Majesty, it is enacted, that in all Cases where, for the Purposes of
'Navigation connected with Drainage, a free Grant of a Moiety or more of the Expenses of making or
'improving any such Navigation should be or should have been made by the Authority of Parliament,
'and the other Moiety or Residue of the Expense of making or improving such Navigation should be
'or should have been raised or advanced by way of Loan, then such Moiety or Residue so raised or
'advanced should be charged upon the District therein mentioned, and the several Baronies, Half Baro-
'nies, and Townlands in such District, and should be repaid by and levied from such Baronies, Half
'Baronies, and Townlands, without any Declaration of the Justices and associated Cess-payers, and
'without any Presentment previously made by the Grand Jury of the County or any of the Counties
'wherein such District as aforesaid should be situate; and in all such Cases all Proceedings hitherto
'taken by or before the Commissioners for the Execution of the said Acts under the therein-recited
'Provision, and all Loans, if any, made to them, and all Securities given by them for the same under
'such Provision, should be valid and effectual, notwithstanding any Omission or Defect as regards any
'such Declaration or Presentment as aforesaid: And whereas in connexion with the Drainage of Lands
'in certain Districts the Four several Navigations herein-after mentioned have been undertaken and in
'part executed under the Provisions of the said recited Acts of the Ninth and Tenth and Tenth and
'Eleventh Years of Her Majesty; (that is to say,)

'1st. In the District of Lough *Neagh,* situate in the Counties of *Antrim, Derry, Tyrone, Armagh,* and
'*Down,* the Navigation of the *Lower Bann River* from the Bridge of *Coleraine* in the tidal Part
'of the said River to Lough *Neagh,* and extending thence to the First Lock or Entrance of the
'*Lagan, Newry, Ulster,* and *Coal Island* Canals:

'2d. In

'2d. In the District of Loughs *Oughter* and *Gowna* and River *Erne*, situate in the Counties of '*Fermanagh* and *Cavan*, the Navigation from *Beleek* by the Course of Upper and Lower Lough '*Erne*, Lough *Oughter* and the River *Erne*, and the Towns of *Enniskillen* and *Belturbet* to '*Killeshandra* and near to the Town of *Cavan*:

'3d. In the District of *Ballynamore* and *Ballyconnell*, situate in the Counties of *Leitrim*, *Cavan*, and '*Fermanagh*, the Junction Navigation by the Course of the *Woodford* River and Lakes, from 'Lough *Erne*, at the Mouth of the said River, to the River *Shannon* near the Village of *Leitrim*:

'4th. In the District of Loughs *Corrib*, *Mask*, and *Carra*, in the County of the Town of *Galway* and 'Counties of *Galway* and *Mayo*, the Navigation by the River and Lake *Corrib*, and Loughs *Corrib*, '*Mask*, and *Carra* from the Sea at *Galway* to the Northern Extremity of the said Lough *Mask* 'and *Carra*, and to *Cloon Lough* in the River *Aill*:

'And whereas free Grants to the Amount of One hundred and thirty-five thousand five hundred and 'seventy-three Pounds Three Shillings and Sevenpence have been heretofore made by the Authority 'of Parliament for the Purposes of the said Navigations: And whereas it is expedient to make further 'Provision by way of free Grant for the Completion of the said Navigations respectively, or such of 'them or such Portions of them or any of them as, upon Inquiries already made or to be hereafter made 'under the Directions of the Commissioners of the Treasury, it may be deemed expedient to complete:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Treasury may issue Money for the Purposes of Completion of Navigations. 13 & 14 Vict. c. 31.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury, out of the Sum of Eight hundred thousand Pounds which, by an Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-one, is authorized to be issued to the Commissioners of Public Works in *Ireland*, to issue such Sum as may be necessary towards defraying the Expenses incurred in respect of the Four several Navigations herein-before mentioned, and towards the Completion of such several Navigations, or such of them or such Parts of them or any of them as it may be considered by the Commissioners of the Treasury expedient and proper to complete.

Power to the Treasury to authorize Completion of the Works.

II. The said Commissioners of the Treasury may authorize and direct the Commissioners of Public Works in *Ireland* to cause to be completed the Navigation Works so undertaken as aforesaid, or such of the same Works or such Portions of them or any of them as, upon any Inquiries already made or to be hereafter made under the Directions of the said Commissioners of the Treasury, such Commissioners of the Treasury may think fit, and with any Modifications or Alterations which to the said Commissioners of the Treasury may appear expedient; and the said Commissioners of Public Works shall have full Power and Authority to cause to be executed or completed the Works so authorized and directed by the said Commissioners of the Treasury to be completed or executed as aforesaid, and for that Purpose to do and execute all Acts and exercise all Powers and Authorities by the said Acts or this Act given for the Execution of any Work.

Power to the Treasury to reduce the Portion of Expenses chargeable on Counties, &c.

III. It shall be lawful for the said Commissioners of the Treasury, when, upon any Inquiries made or to be made as aforesaid, it appears to them just that the Counties, Baronies, or Townlands to be charged under the Award in relation to the said Navigation Works heretofore or hereafter to be executed should be relieved from any Portion of the Moiety or Residue of the Expenses incurred in relation to such Works, to authorize and direct the said Commissioners of Public Works in and by their Award to be made under this Act to charge upon the Counties, Baronies, or Townlands made liable under such Award in respect of such Works such lesser Sum than the full Amount of such Moiety or Residue of the Expenses of and incidental to such Works as to the said Commissioners of the Treasury may, under the Circumstances of each of the said Navigations, appear just; and such lesser Sum shall be charged upon the County or Counties, Barony or Baronies, District, or Townland or Townlands, which, in Awards to be made by the Commissioners of Public Works as herein-after provided, it shall be stated and awarded will, in the Opinion of the said Commissioners, be benefited by the making of such Navigations, by such Instalments and at such Times as shall be mentioned in any such Awards.

Advances which are not to be chargeable on Counties, &c. to be free Grants.

IV. It shall be lawful for the said Commissioners of the Treasury to order and direct, as to any Sums of Money which out of the Funds applicable to Loans in aid of the said Navigation Works have been already advanced or issued, or may hereafter be advanced or issued, for the Execution of such Works, that so much of such Advances as in the Judgment of the said Commissioners of the Treasury should not be charged on any County, Barony, District, or Townland by the Awards of the Commissioners of Public Works should be and be deemed to be free Grants.

The Commissioners of Public Works to make an Award on Completion of the Works.

V. As soon as conveniently may be after any of the said Navigations shall have been completed in such Manner and to such Extent as shall be directed or approved of by the Commissioners of Her Majesty's Treasury, the said Commissioners of Public Works shall make an Award in such Manner and Form as may be convenient, specifying the total Amount of the Costs, Charges, and Expenses incurred in the making of any such Navigation, and showing the Portion which, under the Authority of the Commissioners of the Treasury, is to be charged of such Costs and Charges, together with the County or Counties, Barony or Baronies, Townland or Townlands, or any Part thereof, to be charged with such Portion of such Costs and Expenses as aforesaid, and the Instalments by and the Manner in

which the Amount of such Portion is to be paid, as also the Proportions in which such County or Counties, Barony or Baronies, or Townlands, are to be chargeable towards such Portion of the Costs and Expenses aforesaid.

The Commissioners to certify Amount to the Grand Jury of the County, who are to make Presentment accordingly.

VI. The Secretary of said Commissioners of Public Works shall, after the making of such Award, certify to the Secretary of the Grand Jury of every County, County of a City, or County of a Town in which the Lands chargeable shall be situate, the Amount of such Sum of Money and the Instalments and Manner by and in which the same is payable under the Award of the said Commissioners, and every such Grand Jury is hereby required, at the Assizes next ensuing the Date of such Certificate, without Application to Presentment Sessions, to make Presentment of the Amount mentioned in such Certificate to be raised off the County at large, Barony or Baronies, Townland or Townlands, as may be mentioned in any such Award or Certificate, by the Instalments and in the Manner mentioned in such Certificate; and in default of such Presentment the Treasurer of such County, County of a City, or County of a Town is hereby required, without Presentment or Authority, when issuing his Warrant for levying Grand Jury Cess, immediately after the Assizes next ensuing the Date of such Certificate, and from Time to Time after each succeeding Assizes (until the whole of the Instalments by any such Certificate payable shall be fully paid off and discharged), to insert in a separate Warrant to be by him issued for the Levy of the same the Amount mentioned in such Certificate to be raised off such County, Barony or Baronies, Townland or Townlands, therein mentioned; and such Amounts as shall be so presented, or so included in any such Warrant as aforesaid, shall be applotted, raised, and levied, sued for and recovered, by such and the same Ways and Means as any Grand Jury Cess; and when and so soon as such Amount as aforesaid shall be from Time to Time raised and received by the Treasurer of the County such Treasurer shall immediately pay the same to the Paymaster of Civil Services in *Ireland* for the Time being, and the same shall be by him paid into Her Majesty's Exchequer, in discharge of the Sum mentioned in any such Award.

Awards in respect of Drainage not to be affected, &c.

VII. Nothing herein contained shall extend to prevent the said Commissioners of Public Works from making their Awards in relation to the Drainage of the Lands in connexion with the Drainage of which the said Works of Navigation may have been undertaken, or in relation to the Improvement of Mill Power, or to affect or interfere with the Provisions in relation to such Awards; and such Awards may be made and all Provisions in relation thereto shall take effect in like Manner as if no Works of Navigation had been undertaken in connexion with such Drainage or Mill Improvement Works.

Navigations may be transferred to Counties.

VIII. It shall be lawful for the said Commissioners of Public Works, by and with the Consent of the Commissioners of Her Majesty's Treasury, by Warrant under the Hands of the said Commissioners of Public Works or any Two of them, from Time to Time to direct that the said Navigations or any of them, with the Tolls thereof, shall be deemed and become the public Property of the County, or Counties if more than One, in which respectively the Lands chargeable under the Award in relation to the said Navigations respectively are situate; and from and after the Date of any such Warrant such Navigation, together with all Locks, Weirs, and other Works, Rights, Members, and Appurtenances thereto belonging, shall be deemed and taken to be the public Property of such County or Counties as aforesaid, and be held, maintained, and preserved by the Grand Jury or Juries of such County or Counties, with such Powers and Authorities and subject to such Provisions and Regulations as may hereafter be established by Parliament in relation thereto.

Power to Commissioners of Public Works to charge Amounts which may be found due for Compensation, &c. 16 & 17 Vict. c. 130.

IX. 'Whereas by the said Act of the Sixteenth and Seventeenth *Victoria*, Chapter One hundred and 'thirty, it is amongst other things enacted, that it should be lawful for the said Commissioners of the 'Treasury to authorize and direct the said Commissioners of Public Works in *Ireland*, by their Award 'to be made under the said Acts, to charge upon the Lands made liable under such Award such lesser 'Sum than the full Amount of the Expenses of and incidental to Works as to the said Commissioners of 'the Treasury might under the Circumstances of each Case appear just; provided always, that in all 'Cases the whole Amount of the Purchase Money or Compensation payable in respect of Land taken 'for or injuriously affected by any Works commenced and completed or executed, should be included in 'or charged under the Award to be made in relation to such Works: And whereas it frequently happens 'that Claims are made after Completion of the Works in the District, and in respect of which an Award 'has been made or is about to be made, and at Times when there are no Funds in the Hands of 'the said Commissioners or otherwise available for or properly applicable to the Payment of such 'Claims; and it is expedient to authorize the Commissioners in such Cases, within such limited Times 'as herein-after mentioned, in case it shall in their Discretion seem expedient so to do, to make a further 'or additional Award for the Purpose of charging the Amount of Purchase Money or Compensation 'which may be found to be due to any Person upon the Proprietors of Lands in the District in respect 'of the said Drainage whereof such Claims shall arise, and to limit the Time within which all Claims 'for Compensation or otherwise may be made:' Be it therefore enacted, That in all Cases where after the Completion of the Works in any District, whether before or after the making the Final Award in relation to such Works, any Person shall be awarded or otherwise be entitled to be paid Purchase Money or Compensation in respect of Injury sustained or arising from such Drainage, or the Works incidental thereto, it shall be lawful for the Commissioners of Public Works, without Meeting or other preliminary Proceeding, in case they deem it proper or expedient so to do, by the first or by an additional Award or Awards,

Awards, in such Form as the said Commissioners may think proper, from Time to Time to charge upon the Lands of the Proprietors within such District the Amount which may be found to be due for such Purchase Money or Compensation to be paid to the Person entitled to the same, as and when the same shall be received by the said Commissioners, such Sum or Sums by any such additional Award to be charged upon and paid out of the several Lands of the Proprietors in the District in such and the same Manner, and with the same Priority, and the same Rights, Privileges, and Powers for the Recovery thereof, as in and by the said Acts, or any of them, are given for the Recovery of the Sum specified in the Final Award: Provided nevertheless, that the Commissioners may declare that the Sums mentioned in such further or additional Awards shall be paid and payable at such Times and by such Instalments as the said Commissioners shall therein for that Purpose limit and direct, so nevertheless that the entire Amount thereof shall be payable as between the said Proprietors of Lands in the said District in the same Proportions as the Sum charged by the Final Award in such District.

Claims to be made within Six Months.

X. No Claim for Compensation or Damages in respect or by reason of any Act or Omission of the said Commissioners, or for or by reason of any Works whatsoever done or professed to be done by the said Commissioners, shall be made by Action, Suit, or otherwise, save within Six Months after the Act complained of.

Act not to abridge Powers of 16 & 17 Vict. c. 130.

XI. Nothing in this Act contained shall be deemed, taken, or construed to repeal, alter, or abridge any of the Provisions contained in the said Act of the Sixteenth and Seventeenth *Victoria*, Chapter One hundred and thirty.

Power to set off Benefit resulting during Execution of the Works.

XII. In all Cases of Claims for Compensation or Purchase Money made or to be made upon the said Commissioners it shall be lawful for the said Commissioners to set off against such Claims the Value of any Benefit which may have resulted or accrued to the Lands of the Party or Person making such Claim during the Execution of the Works of the said Commissioners, and before the making of the Final Award for the District in which such Lands may be situate; and the Arbitrator before whom any such Claim shall be made, when setting forth the Price or Compensation to be paid in respect of any such Claim, and the Jury before whom the Trial of any Traverse against the Award of such Arbitrator shall be had, shall take into consideration any Advantages or Benefit which may have resulted or accrued as aforesaid to the Lands of the Party or Person making such Claim.

Power to the Commissioners to release a Portion of the Lands.

XIII. It shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, from Time to Time and at any Time, (when and so often as by reason of the Redemption of any Part of the Monies charged under any Award of the said Commissioners upon the Lands of any Proprietor, the annual Instalments payable in respect of the Lands mentioned in such Award shall be reduced,) by any Deed or Instrument under the Hands and Seals of the said Commissioners, or any Two of them, to release any of the Lands originally charged with the Payment of any Instalment under any such Award as aforesaid; and no Release of any Portion of the Lands charged under any such Award shall in anywise avoid, diminish, or affect any Remedies by the Acts herein-before recited or otherwise given to be had and exercised for the Recovery of the Monies by any such Award charged in respect of the Residue of the Lands charged therewith.

As to the Appointment of Trustees for Drainage Districts connected with Navigation.

XIV. Anything in the said recited Act of the Fifth and Sixth Years of the Reign of Her present Majesty to the contrary notwithstanding, the Provisions of the said Act or any of the Acts amending the same, as far as regards the Appointment of Trustees for the Maintenance of Works of Drainage, and the several Powers and Authorities of such Trustees when so appointed, shall be held and deemed equally to apply to all Works of Drainage, though a Navigation may have been improved or formed, or a Reservoir may have been formed in connexion with such Drainage.

Providing for Trustees where not more than Six Proprietors in a District.

XV. Provided always, That, anything in the said recited Acts to the contrary, in all Cases where there is only One Proprietor in any Drainage District, or where the Proprietors in any District do not exceed Six in Number, such One Proprietor or such Proprietors not exceeding Six, or other Persons nominated by them or any Two of them at any Meeting for the Purpose, shall be the Trustee or Trustees for the Maintenance of the Works in such District.

Power to further deepen the River Lung.

XVI. 'And whereas the said Commissioners of Public Works have put the Powers of the said recited 'Acts into operation in the District to which they have affixed the Name of the Lough *Gara* and *Mantua* 'District in *Ireland*, and in the Execution of the Works in the said District have partially deepened and 'widened the River *Lung*, situate in the Counties of *Roscommon* and *Mayo:* And whereas it is expedient 'that the said River should be further deepened and widened for the Purpose of draining additional Lands 'in the said District or its Vicinity:' Be it therefore enacted, That it shall be lawful for One or more of the Proprietors of additional Lands to be drained in the said District, having first obtained the Consent in Writing of One Half of the Proprietors or more in extent of the Lands so proposed to be drained, to undertake the Execution of the Works necessary for further deepening and widening the said River, and to make and complete the same out of his or their own proper Funds, according to and in conformity with Plans, Sections, and Specifications approved of by the said Commissioners; and when such Works shall have been executed and completed to the Satisfaction of the said Commissioners, it shall be lawful for the said Commissioners to make an Award charging upon the Lands of the Proprietors within such District appearing to the said Commissioners to be benefited by such additional Works the Amount of the Expenses incurred in respect of such additional Works, such Sum by any such Award to be charged

upon and paid out of the several Lands of the Proprietors so benefited by such additional Works, in such Proportion as may appear to the said Commissioners just, and in the same Manner, and with the same Priority, Rights, and Powers for the Recovery thereof, as in the said Acts, or any of them, are given for the Recovery of any Sum charged under the Final Award of the said Commissioners in any District: Provided always, that the total Amount of the Expenses to be charged in respect of such additional Works shall not exceed the Sum of Five hundred Pounds.

Acts to be construed as One Act.

XVII. The several Acts mentioned in this Act shall be construed together as One Act; and the several Words and Expressions to which an extended Signification is given in the said Acts, or any of them, shall have the like Signification as this Act; and (save where such Construction would be inconsistent with the Context) the Expression "the Commissioners," where used in this Act, shall mean the Commissioners of Public Works in *Ireland*.

CAP. CXI.

An Act to amend the Law relating to Bills of Lading. [14th *August* 1855.]

'WHEREAS by the Custom of Merchants a Bill of Lading of Goods being transferable by Endorsement the Property in the Goods may thereby pass to the Endorsee, but nevertheless all Rights in respect of the Contract contained in the Bill of Lading continue in the original Shipper or Owner, and it is expedient that such Rights should pass with the Property: And whereas it frequently happens that the Goods in respect of which Bills of Lading purport to be signed have not been laden on board, and it is proper that such Bills of Lading in the Hands of a *bonâ fide* Holder for Value should not be questioned by the Master or other Person signing the same on the Ground of the Goods not having been laden as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Rights under Bills of Lading to vest in Consignee or Endorsee.

I. Every Consignee of Goods named in a Bill of Lading, and every Endorsee of a Bill of Lading to whom the Property in the Goods therein mentioned shall pass, upon or by reason of such Consignment or Endorsement, shall have transferred to and vested in him all Rights of Suit, and be subject to the same Liabilities in respect of such Goods as if the Contract contained in the Bill of Lading had been made with himself.

Not to affect Right of Stoppage in transitu or Claims for Freight.

II. Nothing herein contained shall prejudice or affect any Right of Stoppage *in transitu*, or any Right to claim Freight against the original Shipper or Owner, or any Liability of the Consignee or Endorsee by reason or in consequence of his being such Consignee or Endorsee, or of his Receipt of the Goods by reason or in consequence of such Consignment or Endorsement.

Bill of Lading in Hands of Consignee, &c. conclusive Evidence of Shipment as against Master, &c.

III. Every Bill of Lading in the Hands of a Consignee or Endorsee for valuable Consideration representing Goods to have been shipped on board a Vessel shall be conclusive Evidence of such Shipment as against the Master or other Person signing the same, notwithstanding that such Goods or some Part thereof may not have been so shipped, unless such Holder of the Bill of Lading shall have had actual Notice at the Time of receiving the same that the Goods had not been in fact laden on board: Provided, that the Master or other Person so signing may exonerate himself in respect of such Misrepresentation by showing that it was caused without any Default on his Part, and wholly by the Fraud of the Shipper, or of the Holder, or some Person under whom the Holder claims.

Proviso.

CAP. CXII.

An Act to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland*. [14th *August* 1855.]

[11 & 12 *Vict. c.* 2. *continued until* 1st *July* 1856.]

CAP. CXIII.

An Act to extend the Provisions of an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for rebuilding the Bridge over the River *Ness* at *Inverness*. [14th *August* 1855.]

14 & 15 Vict. c. 66.

'WHEREAS by an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-six, "for rebuilding the Bridge over the River *Ness* at "the Town of *Inverness*, and improving the Approaches thereto, and for amending the Acts relating "to Highland Roads and Bridges," after Provision for the Application of a Sum of Seven thousand seven hundred Pounds towards the Expense of erecting the said Bridge, it was enacted, that it should be lawful for the Commissioners of Her Majesty's Treasury to advance by way of Loan to the Commissioners of Highland Roads and Bridges, for the Purposes of the said Act, any further Sum not exceeding Ten thousand seven hundred Pounds out of the growing Produce of the Consolidated Fund, to be repaid, with Interest, in manner therein-after provided, and that there should, upon the Advance

'by

'by the said Commissioners of the Treasury of all or any Part of the said Loan of Ten thousand seven 'hundred Pounds, be appropriated to the Repayment of the Sum advanced and Interest thereof such 'Parts of the Sums allotted to the Counties of *Inverness, Ross, Sutherland,* and *Caithness,* out of an 'annual Grant of Five thousand Pounds, in the said Act mentioned, as would produce an annual Pay-'ment at the Rate of Six Pounds Ten Shillings for every One hundred Pounds of the Sum so advanced, 'and so in proportion for any lesser Amount, and such annual Payment should be made for the Term of 'Twenty-two Years, to be computed from the Sixth Day of *April* or Tenth Day of *October* which should 'first happen after such Advance, and further Provisions are therein contained concerning such annual 'Payment, and for the Deduction thereof from the Sums allotted to the said Counties, and to provide 'for the Deficiency to arise by such Deductions: And whereas the Expense of erecting the said Bridge 'having exceeded the estimated Amount thereof it is expedient that further Public Assistance should 'be afforded towards defraying such Expense upon the Conditions herein-after expressed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Application of Monies provided by Parliament.

I. Any Monies to be provided by Parliament for that Purpose shall be applied by the said Commissioners of Highland Roads and Bridges, under the Direction of the Commissioners of Her Majesty's Treasury, towards defraying the Expense of erecting the said new Bridge by the said Act authorized to be made and maintained.

Treasury authorized to advance 3,000*l.* by way of Loan.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury to advance by way of Loan to the said Commissioners of Highland Roads and Bridges, towards defraying the Expense of erecting the said Bridge, any further Sum not exceeding Three thousand Pounds, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland,* and such Sum shall be repaid, with Interest, in the Manner herein-after provided.

Sums advanced under this Act to be repaid, with Interest, from the County Allotments.

III. Upon the Advance of the said Commissioners of the Treasury of all or any Part of the said Loan of Three thousand Pounds, there shall be appropriated to Repayment of the Sum advanced, and Interest thereof, such Parts of the Sums allotted as in the said Act mentioned to the said Counties of *Inverness, Ross, Sutherland,* and *Caithness,* out of the said annual Grant of Five thousand Pounds, as will produce an annual Payment at the Rate of Six Pounds Ten Shillings for every One hundred Pounds of the Sum so advanced, and so in proportion for any lesser Amount, such annual Payment to be made for the Term of Twenty-two Years; and all the Provisions of the said Act of the Fourteenth and Fifteenth Years of Her Majesty with reference to the said Sum of Ten thousand seven hundred Pounds, and the Charges of the annual Payments in respect thereof, and the Deduction of such annual Payments from the Sums allotted to the said Counties, and for supplying the Deficiency to arise by such Deductions, shall be extended and shall be applicable to the said Sum of Three thousand Pounds to be advanced by way of Loan under this Act, and the Charges of the annual Payments in respect thereof, and the Deduction of such annual Payments from the Sums allotted to the said Counties, and for supplying the Deficiency to arise from such last-mentioned Deductions.

14 & 15 Vict. c. 66. as to former Loan extended to Loan to be advanced under this Act.

CAP. CXIV.

An Act for the Transfer of Licences of Public Houses in *Ireland.* [14th *August* 1855.]

'WHEREAS it is expedient to provide for the Transfer in certain Cases of Licences of Inns, Ale-'houses, and Victualling Houses in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices at Petty Sessions empowered to transfer Licences on the Death or Removal of the Parties licensed.

I. Upon the Death of any Person duly licensed to carry on the Business of a Licensed Victualler, and to sell Exciseable Liquors by Retail, to be consumed on the Premises, in *Ireland,* or upon the Removal of any such Person from the House or Premises at which he is authorized by any such Licence to carry on such Business as aforesaid in *Ireland,* or the Sale of or Assignment of his Interest therein by Operation of Law or otherwise, it shall be lawful for the Justices of the Peace of the District within which any such licensed House or Premises shall be situated, assembled at Petty Sessions, or the Justices in any Liberty, City, Town, or Place within which any such licensed House or Premises shall be situated, assembled at Petty Sessions, at any Time when no Quarter Sessions shall be holden for any such County, Riding, Division, Liberty, City, Town, or Place, (if they shall think proper so to do, after examining upon Oath all necessary Parties,) to transfer, by Endorsement thereon, any and every such Licence as aforesaid then in force, to any Person, not disqualified by Law, to whom it shall be proposed at the Time of such Application to transfer any such Licence, to use, exercise, and carry on the Business of a Licensed Victualler at the same House and on the same Premises, and there to sell such Exciseable Liquors as might theretofore have been lawfully sold and retailed therein; and thereupon it shall be lawful for such Person so to use, exercise, and carry on the said Business at such House and Premises, until the Quarter Sessions of the Peace which shall be holden for the same County, Riding, Division, Liberty, City, Town, or Place next after the Expiration of One Calendar Month from the Time of such Transfer, and no longer.

II. Provided

Nothing to empower any Justice at Petty Sessions to make any Transfer within the District of the Dublin Metropolis.

II. Provided always, That nothing herein contained shall be construed to empower any Justices at Petty Sessions to make any such Transfer as aforesaid, within any of the Divisions assigned or to be assigned to any of the Police Courts already established or to be established within the District of *Dublin* Metropolis, but that any such Application as is herein-before authorized to be made at Petty Sessions shall, when the licensed House and Premises shall be situated within any of the said Divisions of the Police District of *Dublin* Metropolis, be made to One of the Police Magistrates sitting at any of the said Courts, and such Magistrate shall, in his Discretion, make any such Transfer as aforesaid, in the Manner and for the Time herein-before mentioned: Provided also, that any Person who shall be authorized under the Provisions of this Act to continue to carry on the Business of a Licensed Victualler shall, after the obtaining such Authority, and so long as the same shall continue in force, be subject to all the Powers, Regulations, Proceedings, Penalties, and Provisions declared by or contained in any Act or Acts in force touching the Regulation, Government, or Control of Licensed Keepers of Inns, Alehouses, and Victualling Houses, in like Manner as if the same had been repeated and re-enacted in this Act, and that all Penalties and Forfeitures imposed by any such Act or Acts shall be applied as directed by the same respectively.

CAP. CXV.

An Act to continue and amend the Public Health Act (1854). [14th *August* 1855.]

17 & 18 Vict. c. 95.

'WHEREAS by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Ninety-five, "to make better Provision for the Administration of the Laws 'relating to the Public Health," a Board was constituted, to be called "The General Board of Health," 'and it was thereby provided that the said Board should be continued for One Year next after the Day 'of the passing of that Act, and thenceforth until the End of the then next Session of Parliament, and 'by the said Act the said Board were authorized to appoint a Secretary and Assistant Secretary, and 'such Clerks and Officers of the Board, and also so many Superintending Inspectors under such Board, 'as the Commissioners of Her Majesty's Treasury might think fit, every Person so appointed to be 'removable at the Pleasure of the said Board: And whereas it is expedient that the said Board should 'be continued, and should have Power to appoint a Medical Council and a Medical Officer:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

General Board continued for One Year, &c.

I. On the passing of this Act so much of the said Act as limits the Duration of the Board of Health shall be repealed, and the said Board shall be continued for One Year next after the Day of the passing of this Act, and thenceforth until the End of the then next Session of Parliament, and no longer.

Board may appoint, with Consent of Treasury, Medical Council and Medical Officer.

II. The said Board may appoint a Medical Council, consisting of such Number of Persons as the said Board, with the Consent of the Commissioners of Her Majesty's Treasury, may deem expedient, and may appoint a Medical Officer, and may assign to such Council and Medical Officer such Duties as the Board may think fit; they may remove any Member of such Council, or such Officer, and appoint another Person in his Stead; and they may diminish, or, with the Consent of the Commissioners of Her Majesty's Treasury, increase the Number of such Council.

Treasury to fix Salaries.

III. There shall be paid to the Members of the said Medical Council and to the said Medical Officer such Fees or Salaries as may from Time to Time be appointed by the Commissioners of Her Majesty's Treasury; and in the Case of such Medical Officer there may be allowed, in addition to his Salary, such reasonable travelling and other Expenses as may be incurred by him in the Performance of the Duties of his Office.

Salaries, &c. how to be paid.

IV. All Fees and Salaries payable under this Act, and all incidental Expenses of the said General Board, shall be paid out of such Monies as shall be provided by Parliament.

Short Title.

V. This Act may be cited for all Purposes as "The General Board of Health Continuance Act, 1855."

CAP. CXVI.

An Act for the better Prevention of Diseases. [14th *August* 1855.]

11 & 12 Vict. c. 123. 12 & 13 Vict. c. 111.

'WHEREAS the Provisions of "The Nuisances Removal and Diseases Prevention Act, 1848," amended by "The Nuisances Removal and Diseases Prevention Amendment Act, 1849," in so 'far as the same relate to the Prevention or Mitigation of epidemic, endemic, or contagious Diseases, are 'defective, and it is expedient to substitute other Provisions more effectual in that Behalf:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as the "Diseases Prevention Act, 1855."

As to Execution of Act.

II. The Local Authority for executing this Act shall be the Local Authority acting in execution of any General Act in force for the Time being for the Removal of Nuisances.

III. The

Expenses of Act.

III. The Expenses incurred in execution of this Act shall be borne out of the Rates or Funds administered by such Local Authority, under the Provisions and for the Purposes of any such General Act as is referred to in the preceding Section.

Power of Entry.

IV. The Local Authority and their Officers shall have Power of Entry for the Purposes of this Act, and for executing or superintending the Execution of the Regulations and Directions of the General Board issued under this Act.

Power to Privy Council to issue Orders that Provisions herein contained for Prevention of Diseases may be put in force.

V. Whenever any Part of *England* appears to be threatened with or is affected by any formidable epidemic, endemic, or contagious Disease, the Lords and others of Her Majesty's most Honourable Privy Council, or any Three or more of them, (the Lord President of the Council or One of Her Majesty's Principal Secretaries of State being One,) may, by Order or Orders to be by them from Time to Time made, direct that the Provisions herein contained for the Prevention of Diseases be put in force in *England*, or in such Parts thereof as in such Order or Orders respectively may be expressed, and may from Time to Time, as to all or any of the Parts to which any such Order or Orders extend, and in like Manner, revoke or renew any such Order; and, subject to Revocation and Renewal as aforesaid, every such Order shall be in force for Six Calendar Months, or for such shorter Period as in such Order shall be expressed; and every such Order of Her Majesty's Privy Council, or of any Members thereof, as aforesaid, shall be certified under the Hand of the Clerk in Ordinary of Her Majesty's Privy Council, and shall be published in the *London Gazette;* and such Publication shall be conclusive Evidence of such Order, to all Intents and Purposes.

Power to General Board of Health to issue Regulations to carry out such Provisions.

VI. From Time to Time after the issuing of any such Order as aforesaid, and whilst the same continues in force, the General Board of Health may issue Directions and Regulations, as the said Board think fit—

For the speedy Interment of the Dead:

For House to House Visitation:

For the dispensing of Medicines, guarding against the Spread of Disease, and affording to Persons afflicted by or threatened with such epidemic, endemic, or contagious Diseases such medical Aid and such Accommodation as may be required:

Local Extent and Duration of Regulations of General Board.

And from Time to Time, in like Manner, may revoke, renew, and alter any such Directions and Regulations as to the said Board appears expedient, to extend to all Parts in which the Provisions of this Act for the Prevention of Disease shall for the Time being be put in force under such Orders as aforesaid, unless such Directions and Regulations be expressly confined to some of such Parts, and then to such Parts as therein are specified; and (subject to the Power of Revocation and Alteration herein contained) such Directions and Regulations shall continue in force so long as the said Provisions of this Act shall, under such Order, be applicable to the same Parts.

Publication of such Regulations.

VII. Every such Direction and Regulation as aforesaid, when issued, shall be published in the *London Gazette*, and the Gazette in which such Direction or Regulation was published shall be conclusive Evidence of the Direction or Regulation so published, to all Intents and Purposes.

Local Authority to see to Execution of Regulations, &c.;

VIII. The Local Authority shall superintend and see to the Execution of such Directions and Regulations, and shall appoint and pay such Medical or other Officers or Persons, and do and provide all such Acts, Matters, and Things, as may be necessary for mitigating such Disease, or for superintending or aiding in the Execution of such Directions and Regulations, or for executing the same, as the Case may require.

and may direct Prosecutions.

IX. The Local Authority may from Time to Time direct any Prosecutions or legal Proceedings for or in respect of the wilful Violation or Neglect of any such Direction and Regulation.

Orders of Council, &c. to be laid before Parliament.

X. Every Order of Her Majesty's Privy Council, and every Direction and Regulation of the General Board of Health, under this Act, shall be laid before both Houses of Parliament, forthwith upon the issuing thereof, if Parliament be then sitting, and if not then within Fourteen Days next after the Commencement of the then next Session of Parliament.

Order in Council may extend to Parts and Arms of the Sea.

XI. Orders in Council issued in pursuance of this Act for putting in force the Provisions for the Prevention of Disease in the said Nuisances Removal and Diseases Prevention Acts contained, in *Great Britain*, may extend to Parts and Arms of the Sea lying within the Jurisdiction of the Admiralty; and the Board of Health for *England* may issue under this Act Directions and Regulations for cleansing, purifying, ventilating, and disinfecting, and providing medical Aid and Accommodation, and preventing Disease in Ships and Vessels, as well upon Arms and Parts of the Sea aforesaid as upon Inland Waters.

Medical Officer of Unions and others entitled to Costs of attending Sick on board Vessels, when required by Orders of General Board of Health.

XII. Whenever, in compliance with any Regulation of the General Board of Health, which they may be empowered to make under this Act, any Medical Officer appointed under and by virtue of the Laws for the Time being for the Relief of the Poor shall perform any Medical Service on board of any Vessel, such Medical Officer shall be entitled to charge extra for any such Service, at the general Rate of his Allowance for his Services for the Union or Place for which he is appointed, and such Charges shall be payable by the Captain of the Vessel, on behalf of the Owners, together with any reasonable Expenses for the Treatment of the Sick; and if such Services shall be rendered by any Medical Practitioner who is not a Union or Parish Officer, he shall be entitled to Charges for any Service rendered on board, with extra Remuneration on account of Distance, at the same Rate as those which he is in the habit of receiving from private Patients of the Class of those attended and treated on Shipboard, to be paid as aforesaid;

aforesaid; and in case of Dispute in respect of such Charges, such Dispute may, where the Charges do not exceed Twenty Pounds, be determined summarily, at the Place where the Dispute arises, as in case of Seamen's Wages not exceeding Fifty Pounds, according to the Provisions of the Law in that Behalf for the Time being in force; and any Justice before whom Complaint is made shall determine summarily as to the Amount which is reasonable, according to the accustomed Rate of Charge within the Place for Attendance on Patients of the like Class or Condition as those in respect of whom the Charge is made.

Authentication of Directions and Regulations of General Board of Health.

XIII. The Directions and Regulations of the General Board of Health under this Enactment shall be under the Seal of the said Board, and the Hand of the President or Two or more Members thereof; and any Copy of such Regulations purporting to bear such Seal and Signature, whether the said Signature and Seal be respectively impressed and written, or printed only, shall be Evidence in all Proceedings in which such Regulations may come in question.

Penalty for obstructing Execution of Act.

XIV. Whoever wilfully obstructs any Person acting under the Authority or employed in the Execution of this Act, and whosoever wilfully violates any Direction or Regulation issued by the General Board of Health as aforesaid, shall be liable for every such Offence to a Penalty not exceeding Five Pounds, to be appropriated in or towards the defraying the Expenses of executing this Act.

Certain existing Provisions to apply to this Act.

XV. The Provisions of any General Act in force for the Removal of Nuisances, with regard to the Service of Notices, the Proof of Orders or Resolutions of the Local Authority, and the Recovery of Penalties, shall extend and apply to this Act.

CAP. CXVII.

An Act for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance. [14th *August* 1855.]

5 & 6 Vict. c. 94. 17 & 18 Vict. c. 67.

'WHEREAS by various Acts of Parliament, and particularly by an Act of the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Ninety-four, and by another Act of the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Sixty-seven, various Powers and Authorities were given to or vested in and exerciseable by the Principal Officers of Her Majesty's Ordnance, and by the said Acts, and by or under divers Conveyances, Surrenders, Assignments, and Leases, or by some other Means, divers Lands, Hereditaments, Estates, and Property purchased, taken, used, and occupied for the Ordnance and Barrack Services throughout the United Kingdom before and at the Time of the Revocation by Her Majesty next herein-after mentioned, were vested in the said Principal Officers: And whereas Her Majesty hath thought fit to revoke the Letters Patent of some of the said Principal Officers, and by other Letters Patent to transfer to One of Her Majesty's Principal Secretaries of State the Administration of the Department the Duties of which were previously executed by the said Principal Officers of Her Majesty's Ordnance: And whereas it is expedient that the said several Powers and Authorities, and the said Lands, Hereditaments, Estates, and Property, and all Title, Estate, and Interest therein respectively, should be also transferred from the said Principal Officers, and vested in One of Her Majesty's Principal Secretaries of State:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers, &c. vested in Principal Officers of Ordnance to be transferred to Her Majesty's Secretary of State for War.

I. All the Powers, Authorities, Rights, and Privileges whatsoever, which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any other Law, Custom, or Usage whatsoever have been or were at any Time vested in or exercised or exerciseable by the Principal Officers of Her Majesty's Ordnance, or any of them, shall from henceforth continue in full Force, and shall be and the same are hereby declared to be transferred to and vested in and exerciseable by Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department, and such last-mentioned Principal Secretary of State shall be entitled to the same Exemption from personal Responsibility as the said Principal Officers were entitled to.

All Lands, &c. vested in such Officers vested in the said Secretary of State.

II. All Lands, Hereditaments, Estates, and Property whatsoever which by virtue of the said recited Acts or either of them, or of any other Act or Acts of Parliament, or of any Conveyance, Surrender, Lease, or other Assurance, or of any Law, Custom, or Usage whatsoever, before and at the Time of the Revocation by Her Majesty herein-before mentioned were vested in the Principal Officers of the Ordnance, on behalf of Her Majesty, or which have been at any Time before the passing of this Act held, used, or occupied, or purchased, vested, or taken, by or in the Name of or by any Person or Persons in trust for Her Majesty, for the Use and Service of the said Department or for the Defence and Security of the Realm, and which have not been sold, aliened, or parted with, shall from henceforth be and the same are hereby declared to be transferred to and vested in the last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty; and when and so often as the said last-mentioned Principal Secretary of State, and any succeeding Principal Secretary of State to whom Her Majesty shall have intrusted the Seals of the War Department, shall cease to hold such Office, the said several Lands, Hereditaments, Estates, and Property, and all Lands, Hereditaments, Estates, and Property which hereafter shall be purchased or otherwise acquired by any such last-mentioned Principal Secretary of State

State for the Time being, on behalf of Her said Majesty, shall by virtue of this Act be absolutely divested out of such Secretary of State so ceasing to hold such Office as aforesaid, and shall by virtue of this Act be transferred to and vested in his Successor in the said Office, immediately upon his receiving the Seals of the said Department, absolutely; and the said Lands, Hereditaments, Estates, and Property hereby vested and hereafter to be vested in the said last-mentioned Principal Secretary of State and his Successors shall, as to such of them as were or shall have been purchased, or are or shall be held for an Estate of Inheritance in Fee Simple, be so vested in such last-mentioned Principal Secretary of State and his Successors in the same Manner as if the Fee Simple thereof had been originally conveyed to such Principal Secretary of State as a Corporation Sole and his Successors; and as to all Lands, Hereditaments, and Property purchased or held for any less Estate than an Estate of Inheritance in Fee Simple, as if the same Lands, Hereditaments, and Property had been originally conveyed, surrendered, demised, or otherwise assured to such Principal Secretary of State as a Corporation Sole, and his Successors, for all the existing Estates or Interests therein respectively, and so from Time to Time; nevertheless, with respect to all Lands or Hereditaments of Copyhold or Customary Tenure, the same shall, for the Purpose mentioned in the Eighth Section of the first-mentioned Act, (*videlicet*, the said Act of the Fifth and Sixth Years of the Reign of Her present Majesty, Chapter Ninety-four,) remain vested in or be surrendered to some Person to be approved of or named by the last-mentioned Principal Secretary of State for the Time being as Tenant thereof. 5 & 6 Vict. c. 94. s. 8.

Contracts, &c. made by the Principal Officers relating to the Public Service to be enforced by such Secretary of State.

III. All Contracts, Covenants, and Agreements heretofore made or entered into by any Person or Persons whomsoever with the said Principal Officers of the Ordnance, or any Person or Persons on their Behalf, as to or concerning any Lands, Hereditaments, Estates, and Property vested in or agreed to be purchased by the said Principal Officers, or in anywise relating to the Public Service, shall be deemed and taken to have been made or entered into with such Principal Secretary of State as last aforesaid, and shall be executed and enforced by him in like Manner as if he had originally been Party thereto instead of the said Principal Officers of the Ordnance; and all Proceedings whatsoever which have been or might or may have been commenced, taken, or done in the Names of the said Principal Officers, on behalf of Her Majesty, shall and may hereafter be commenced, continued, taken, and done in the Name of such Principal Secretary of State as aforesaid, in like Manner (in the Case of Proceedings already commenced, taken, or done,) as if he had originally been Party thereto, instead of the said Principal Officers of the Ordnance.

Powers given by 10th and 18th Sections of 5 & 6 Vict. c. 94. to Bodies Corporate, &c. to sell, to be exercised by such Secretary of State.

IV. All Powers by the Tenth and Eighteenth Sections of the said first-mentioned Act given to Bodies Politic or Corporate, Feoffees or Trustees for charitable or other public Purposes, Tenants for Life and Tenants in Tail, Husbands, Guardians, Trustees, Committees, Curators, and Attornies, respectively therein mentioned, to contract and agree for the absolute Sale or Exchange of any Messuages, Buildings, Castles, Forts, Lines, or other Fortifications, Manors, Lands, Tenements, or Hereditaments, and for the Sale of any Reversion, and the Grant of any Lease, and to convey, surrender, demise, or grant the same accordingly, shall continue in full Force, and hereafter may or shall be exercised or exerciseable, and be acted under or take effect, in favour or at the Instance of the last-mentioned Principal Secretary of State for the Time being, on behalf of Her said Majesty, and for the Public Service, in the same Manner and as effectually as the said Powers are in and by such recited Acts given or created or made exerciseable in favour or at the Instance of the said Principal Officers for the Time being on behalf of Her said Majesty, or for the Public Service, and all Enactments, Directions, and Provisions in the said recited Acts contained shall continue in full Force, and may or shall at all Times hereafter be by the last-mentioned Principal Secretary of State for the Time being acted on and take effect, and shall enure or take effect in favour of, and may be enforced by, such last-mentioned Principal Secretary and his Successors, on behalf of Her Majesty, and for the Public Service.

Such Secretary of State to be described in Conveyances, &c. as "Her Majesty's Principal Secretary of State for the War Department."

V. In every Contract, Conveyance, Surrender, Lease, or other Assurance of any Lands, Hereditaments, Estates, or Property, with, unto, or by the last-mentioned Principal Secretary of State for the Time being, and in every other Deed or Instrument relating to any Lands, Hereditaments, Estates, or Property, or in anywise to the Public Service, to which the last-mentioned Principal Secretary of State for the Time being shall be or shall be intended to be a Party, it shall be sufficient to call or describe him by the Style or Title of "Her Majesty's Principal Secretary of State for the War Department," without naming him; and every such Contract, Conveyance, Surrender, Lease, Assurance, Deed, or Instrument may be executed by such last-mentioned Principal Secretary of State, or by any other of Her Majesty's Principal Secretaries of State for the Time being, by signing his Name thereto, and if the Instrument so executed be in the Form of a Deed by setting or affixing a Seal thereto and delivering the same as his Deed; and whenever any Contract, Conveyance, Surrender, Lease, Assurance, Deed, or Instrument shall be executed by any other Principal Secretary of State than the Principal Secretary of State for the War Department the Principal Secretary of State so executing the same shall for that Time and on that Occasion, and for the Purposes thereof, be deemed to be the Principal Secretary of State for the War Department.

CAP. CXVIII.

An Act to repeal the Act of the Seventeenth and Eighteenth Years of the Reign of Her present Majesty for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof. [14th *August* 1855.]

'WHEREAS the Act now in force for further regulating the Sale of fermented and distilled 'Liquors on the Lord's Day has been found to be attended with Inconvenience to the Public:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

17 & 18 Vict. c. 79. repealed.

I. That the Act of Parliament passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act for further regulating the Sale of Beer and other Liquors on the Lord's Day*, be and the same is hereby repealed.

Licensed Victuallers prohibited from opening Houses for Sale of Beer, &c. during certain Hours of Sunday, &c.

II. It shall not be lawful for any Licensed Victualler, or Person licensed to sell Beer by Retail, to be drunk on the Premises, or not to be drunk on the Premises, or any Person licensed or authorized to sell any fermented or distilled Liquors, or any Person who by reason of the Freedom of the Mystery or Craft of Vintners of the City of *London*, or of any Right or Privilege, shall claim to be entitled to sell Wine by Retail, to be drunk or consumed on the Premises, in any Part of *England* or *Wales*, to open or keep open his House for the Sale of or to sell Beer, Wine, Spirits, or any other fermented or distilled Liquor between the Hours of Three and Five o'Clock in the Afternoon, nor after Eleven o'Clock in the Afternoon on *Sunday*, or on *Christmas Day*, or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sunday*, *Christmas Day*, *Good Friday*, or such Days of Public Fast or Thanksgiving, except to a Traveller or to a Lodger therein.

Houses of public Resort prohibited being opened for Sale of Liquors during certain Hours on Sundays, &c.

III. No Person shall open any House or Place of public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in any Part of *England* or *Wales*, between Three and Five o'Clock in the Afternoon or after Eleven o'Clock in the Afternoon on *Sunday*, or on *Christmas Day* or *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving, or before Four o'Clock in the Morning of the Day following such *Sundays*, *Christmas Day*, *Good Friday*, or such other Days appointed as aforesaid, except to Travellers.

Power to Constables to enter Houses.

IV. It shall be lawful for any Constable at any Time to enter into any House or Place of public Resort in *England* or *Wales* for the Sale of Beer, Wine, Spirits, or other fermented or distilled Liquor or Liquors; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be deemed guilty of an Offence against this Act.

Penalty for Offences against this Act.

V. Every Person who shall offend against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, to a Penalty not exceeding Five Pounds for every such Offence, and every separate Sale shall be deemed a separate Offence.

CAP. CXIX.

An Act to amend the Law relating to the Carriage of Passengers by Sea. [14th *August* 1855.]

15 & 16 Vict. c. 44.

'WHEREAS it is expedient to amend "The Passengers Act, 1852:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Prefatory Clauses.

Commencement of this Act, and Repeal of former Act 15 & 16 Vict. c. 44., except as to existing Liabilities, s. 68. of this Act, and except as to an Order in Council dated 16th Oct. 1852.

I. On the First Day of *October* next, when this Act shall commence and come into force, "The Passengers Act, 1852," shall be repealed; except so far as the said Act repeals any former Act or Enactment; and except as to existing Passage Brokers Licences, which shall continue in force as mentioned in Section Sixty-eight of this Act, and except as to any Ship which shall have cleared out from any Colonial Port under the said Act, and before this Act shall have come into operation in such Colony; and except so far as may be necessary for supporting or continuing any Proceeding heretofore taken or hereafter to be taken upon any Bond given under the said Act, or upon any other Civil Process; and except as to the Recovery and Application of any Penalty for any Offence committed against the said Act before the Commencement of this Act; and except also as to an Order in Council made by Her Majesty, with the Advice of Her Privy Council, on the Sixteenth Day of *October* One thousand eight hundred and fifty-two, in pursuance of the Powers given by the Fifty-fifth Section of the said Act, which said Order in Council shall remain in force until altered or revoked by any Order in Council to be made under the Provisions of this Act.

Short Title of Act; and in legal Proceedings Sections

II. In citing this Act in other Acts of Parliament, or in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Passengers Act, 1855;" and in any Process for enforcing the Remedies or Penalties given or imposed by this Act, it shall be sufficient, without specifying more particularly

particularly the Cause of Complaint or Offence, to refer by Number, according to the Copies of the Act printed by the Queen's Printer, to the Section or Sections under which the Proceeding is taken. may be referred to by Number.

III. For the Purposes of this Act, the following Words and Expressions, whenever they occur, shall respectively have the following Significations, if not inconsistent with the Context or Subject Matter; (that is to say,) Words of one Number or Gender shall import both Numbers and all Genders respectively; the Expression "Her Majesty" shall include Her Heirs and Successors; the Expression "Consular Officer" shall signify and include Her Majesty's Consul General, Consul, and Vice Consul; the Expression "United Kingdom" shall signify *Great Britain* and *Ireland*, and the Islands of *Guernsey, Jersey, Alderney, Sark, Scilly*, and *Man*; the Expression "*North America*" shall signify and include the *Bermudas*, and all Ports and Places on the Eastern Coast of the Continent of *North America*, or in the Islands adjacent or near thereto, or in the Gulf of *Mexico* North of the Tropic of Cancer; the Expression "*West Indies*" shall signify the *West India* Islands, the *Bahamas*, *British Guiana*, and *Honduras*; the Expression "Governor" shall signify the Person who for the Time being shall be lawfully administering the Government of any *British* Colony in which he may be acting; the Expression "Statute Adult" shall signify any Person of the Age of Twelve Years or upwards, or Two Persons between the Ages of One and Twelve Years; the Expression "Passage" shall include all Passages except Cabin Passages; the Expression "Passengers" shall include all Passengers except Cabin Passengers, and except Labourers under Indenture to the *Hudson's Bay* Company, and their Families, conveyed in Ships the Property of or chartered by the said Company, and no Persons shall be deemed Cabin Passengers unless the Space allotted to their exclusive Use shall be in the Proportion of at least Thirty-six clear Superficial Feet to each Statute Adult, nor unless they shall be messed throughout the Voyage at the same Table with the Master or First Officer of the Ship, nor unless the Fare contracted to be paid by them respectively shall be in the Proportion of at least Thirty Shillings for every Week of the Length of the Voyage as computed under the Provisions of this Act for Sailing Vessels proceeding from the United Kingdom to any Place South of the Equator, and of Twenty Shillings for such Vessels proceeding to any Place North of the Equator, nor unless they shall have been furnished with a duly signed Contract Ticket according to the Form in Schedule (K.) of this Act; the Expression "Upper Passenger Deck" shall signify and include the Deck immediately beneath the Upper Deck, or the Poop or Round House and Deck House when the Number of Passengers and Cabin Passengers carried in such Poop, Round House, or Deck House shall exceed One Third of the total Number of Passengers which such Ship can lawfully carry on the Deck next below; the Expression "Lower Passenger Deck," the Deck next beneath the Upper Passenger Deck, not being an Orlop Deck; the Expression "Ship" shall signify any Description of Sea-going Vessel, whether *British* or Foreign; the Expression "Passenger Ship" shall signify every Description of such Ship carrying upon any Voyage to which the Provisions of this Act shall extend more than Thirty Passengers, or a greater Number of Passengers than in the Proportion of One Statute Adult to every Fifty Tons of the registered Tonnage of such Ship if propelled by Sails, or of One Statute Adult to every Twenty-five Tons if propelled by Steam; the Expression "Master" shall signify the Person who shall be borne on the Ship's Articles as Master, or who, other than a Pilot, shall for the Time being be in charge or command of any such Ship or "Passenger Ship;" and the Expression "Emigrant Runner" shall signify every Person other than a licensed Passage Broker or his *bonâ fide* salaried Clerk, who within any Port or Place of Shipping, or within Five Miles of the outer Boundaries thereof, for Hire or Reward, or the Expectation thereof, shall directly or indirectly conduct, solicit, influence, or recommend any intending Emigrant to or on behalf of any Passage Broker, Owner, Charterer, or Master of a Ship, Lodging House or Tavern or Shop Keeper, Money Changer or other Dealer or Chapman, for any Purpose connected with the Preparations or Arrangements for a Passage, or shall give or pretend to give to such intending Emigrant any Information or Assistance in any way relating to Emigration. Definition of Terms used in this Act.

IV. This Act shall extend to every "Passenger Ship" proceeding on any Voyage from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, and on every Colonial Voyage as herein-after described, and, in the Particulars mentioned or referred to in Sections One hundred, One hundred and one, and One hundred and two, to every Ship bringing Passengers into the United Kingdom from any Place out of *Europe* and not being within the *Mediterranean Sea*; but shall not extend to any of Her Majesty's Ships of War, nor to any Ships in the Service of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom, nor to any Ship of War or Transport in the Service of the *East India* Company, nor to any Steam Vessel regularly employed in the Conveyance of the Public Mails under an existing Contract with the Government of the State or Colony to which such Steam Vessel may belong, provided the Master thereof shall, on Demand, produce to the Emigration Officer at the Port of Clearance or Port of Departure a Certificate of Exemption, in the Form given in Schedule (A.) hereto annexed, under the Hand of the Postmaster General of the United Kingdom, or of some Person deputed by him for the Purpose, or in the Case of a Colony, under the Hand of the Governor thereof, or in the Case of a Foreign State, under the Hand of the Postmaster General or other competent Government Officer whose Signature shall be authenticated by the Signature of a *British* Consular Officer in such Foreign State. To what Vessels and Voyages this Act extends.

V. Such

Prefatory Clauses.

Penalty on fraudulently using Certificates or using fraudulent Certificates.

V. Such Certificate of Exemption shall be issuable at the Discretion of the Officer authorized to grant the same as herein-before mentioned, and shall remain in force for the Period specified therein, unless sooner revoked, or unless the Vessel for which it shall have been issued shall sooner cease to be employed in carrying the Public Mails; and if any Person shall make or attempt to make any fraudulent Use of any such Certificate, or shall forge, counterfeit, alter, or erase the whole or any Part thereof, or shall use or attempt to use any spurious or fraudulent Certificate, the Person so offending, and every Person aiding and abetting in such Offence, shall be liable to a Penalty not exceeding Five hundred Pounds Sterling, and the Vessel for which the Exemption is claimed shall not be cleared out until all the Requirements of this Act have been complied with.

Commissioners of Emigration to carry this Act into execution.

VI. 'And whereas by a Warrant under Her Majesty's Sign Manual, bearing Date on the Twenty-'seventh Day of *November* One thousand eight hundred and forty-seven, Her Majesty was pleased to 'appoint certain Persons therein named under the Style of "The Colonial Land and Emigration 'Commissioners," to be, during Her Majesty's Pleasure, Commissioners in the United Kingdom for the 'Sale of the Waste Lands of the Crown of Her Majesty's Colonies, and for superintending the 'Emigration of the poorer Classes of Her Majesty's Subjects to such Colonies: And whereas it is 'expedient that such Commissioners should be empowered to carry this Act into execution:' Be it therefore enacted, That the said Commissioners, and their Successors for the Time being, shall and they are hereby empowered to carry this Act into execution; and that for all legal and other Purposes it shall be sufficient to describe such Commissioners by the Style of "The Emigration Commissioners."

Emigration Commissioners may sue and be sued in the Name of their Secretary, &c. Commissioners, &c. exempt from Liability.

VII. The said Emigration Commissioners for the Time being may sue and be sued in the Name of their Secretary, or of any One of such Commissioners for the Time being, and legal or equitable Proceedings taken by or against the said Commissioners in the Name of any One of them or of their Secretary shall not abate nor be discontinued by the Death or Removal of such Secretary or Commissioner, but the Secretary for the Time being, or any One of such Commissioners, shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in any such Proceedings: Provided always, that the said Commissioners and their Secretary, and the Emigration Officers herein-after mentioned respectively, shall in no Case be personally liable, nor shall the private Estate and Effects of any of them be liable, for the Payment of any Monies or Costs or otherwise in respect of any Contract made or hereafter to be made by them or any of them, or in respect of any legal or equitable Proceedings taken against them or any of them, or for any Act, Deed, or Matter done or executed by them or any of them in their or his official Capacity and on the Public Service.

Emigration Officers to act under Commissioners, &c., but existing Appointments to continue until revoked.

VIII. In the United Kingdom the said Commissioners acting under the Sanction of One of Her Majesty's Principal Secretaries of State, and in Her Majesty's Possessions abroad the respective Governors thereof, may from Time to Time appoint, and the said Commissioners and Governors may at pleasure from Time to Time remove, such Emigration Officers and Assistant Emigration Officers as they may respectively think necessary, for the Purpose of carrying this Act into execution, under the Direction of the said Commissioners or Governors, as the Case may be: Provided nevertheless, that all existing Appointments of Emigration Officers or Immigration Agents and of their Assistants, as well in the United Kingdom as in Her Majesty's Possessions abroad, shall continue in force under this Act until duly revoked.

Duties of Emigration Officer may be performed by his Assistant, &c.

IX. All Powers, Functions, and Duties to be exercised or performed by any such Emigration Officer may be exercised and performed respectively by his Assistant, or, at any Port where there shall be no such Emigration Officer or Assistant, or in their Absence, by the Chief Officer of Customs for the Time being at such Port.

Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers. Penalty on Master failing to comply, &c.

X. The Master of every Ship, whether a "Passenger Ship" or otherwise, fitting or intended for the Carriage of Passengers, or which shall carry Passengers upon any Voyage to which this Act extends, shall afford to such Emigration Officer as aforesaid at any Port or Place in Her Majesty's Dominions, and in the Case of *British* Ships, to Her Majesty's Consular Officer at any Foreign Port or Place at which such Ship shall be or arrive, every Facility for inspecting such Ship, and for communicating with the Passengers, and for ascertaining that the Provisions of this Act, so far as the same may be applicable to such Ships, have been duly complied with; the Master of any Ship who shall omit or fail to comply with any of the Requirements of this Section shall be liable to a Penalty not exceeding Fifty Pounds.

Arrangements for the Ship.

No Passenger Ship to clear without Certificate from Emigration Officer, nor until Bond be given to the Crown.

XI. No Ship fitted or intended for the Carriage of Passengers as a "Passenger Ship" shall clear out or proceed to Sea until the Master thereof shall have obtained from the Emigration Officer at the Port of Clearance a Certificate of Clearance under his Hand that all the Requirements of this Act, so far as the same can be complied with, before the Departure of such Ship, have been duly complied with, and that such Ship is, in his Opinion, seaworthy, in safe Trim, and in all respects fit for her intended Voyage, and that her Passengers and Crew are in a fit State to proceed, nor until the Master shall have joined in executing such Bond to the Crown as required by the Sixty-third Section of this Act: Provided, that if such Emigration Officer shall refuse to grant such Certificate, and the Owner or Charterer of such Ship shall appeal in Writing to the Emigration Commissioners, such Commissioners shall appoint any Two other Emigration Officers, or any Two competent Persons, at the Expense of the Appellant, to examine into the Matter, and if the Persons so appointed shall grant a Certificate under their joint Hands to the Purport

Purport herein-before required, such Certificate shall be held to be of the same Effect as if granted by the Emigration Officer of the Port of Clearance. *Arrangements for the Ship.*

XII. If any "Passenger Ship" shall clear out or proceed to Sea without the Master's having first obtained such Certificate of Clearance, or without his having joined in executing such Bond, as by this Act is required, or if such Ship after having sailed shall put into any Port or Place in the United Kingdom in a damaged State, and shall put to Sea again without the Master having first obtained such Certificate of Clearance as required by Section Fifty of this Act, such Ship shall be forfeited to the Use of Her Majesty, and may be seized by any Officer of Customs, if found, within Two Years from the Commission of the Offence, in any Port or Place in Her Majesty's Dominions; and such Ship shall thereupon be dealt with in the same Manner as if she had been seized as forfeited under any of the Laws relating to the Customs for an Offence incurring Forfeiture under those Laws. Forfeiture of Ship if Master proceeds to Sea without Certificate of Clearance, &c. Such Ship to be dealt with as if seized under Laws relating to Customs.

XIII. No Ship shall carry Passengers or Cabin Passengers on more than Two Decks; provided, that Cabin Passengers in a Proportion not exceeding One Cabin Passenger for every One hundred Tons of the Ship's registered Tonnage, or sick Persons placed in a Hospital, as herein-after provided, may be carried in a Poop or Deck House, notwithstanding that Passengers are carried on Two other Decks, and if Passengers are carried under the Poop or in any Round House or Deck House, such Poop, Round House, or Deck House shall be properly built and secured to the Satisfaction of the Emigration Officer at the Port of Clearance: For any Breach of this Enactment the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Five hundred Pounds nor less than Twenty Pounds Sterling. Where Passengers may be carried.

XIV. For determining the Number of Passengers to be carried in any "Passenger Ship" the following Rules shall be observed: Rule for determining Number of Passengers to be carried.

(1.) No Ship propelled by Sails only shall carry a greater Number of Persons (including every Individual on board) than in the Proportion of One Statute Adult to every Two Tons of her registered Tonnage: Tonnage Check.

(2.) No Ship shall carry under the Poop, or in the Round House or Deck House, or on the "Upper Passenger Deck," a greater Number of Passengers than in the Proportion of One Statute Adult to every Fifteen clear Superficial Feet of Deck allotted to their Use: Space Check.

(3.) No Ship shall carry on her Lower Passenger Deck a greater Number of Passengers than in the Proportion of One Statute Adult to every Eighteen clear Superficial Feet of Deck allotted to their Use: Provided nevertheless, that if the Height between such Lower Passenger Deck and the Deck immediately above it shall be less than Seven Feet, or if the Apertures (exclusive of Side Scuttles) through which Light and Air shall be admitted together to the Lower Passenger Deck shall be less in Size than in the Proportion of Three Square Feet to every One hundred Superficial Feet of the Lower Passenger Deck, no greater Number of Passengers shall be carried on such Deck than in the Proportion of One Statute Adult to every Twenty-five clear Superficial Feet thereof:

(4.) No Ship, whatever be her Tonnage or superficial Space of "Passenger Decks," shall carry a greater Number of Passengers on the whole than in the Proportion of One Statute Adult to every Five Superficial Feet, clear for Exercise, on the upper Deck or Poop, or (if secured and fitted on the Top with a Railing or Guard to the Satisfaction of the Emigration Officer at the Port of Clearance) on any Round House or Deck House:

(5.) In the Measurement of the Passenger Decks, Poop, Round House, or Deck House, the Space for the Hospital and that occupied by such Portion of the personal Luggage of the Passengers as the Emigration Officer may permit to be carried there shall be included:

If there shall be on board of any Ship at or after the Time of Clearance a greater Number, either of Persons or Passengers (except by Births at Sea), than in the Proportions respectively herein-before mentioned, the Master of such Ship shall be liable to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling for each Passenger or Person constituting such Excess. Penalty.

XV. Provided nevertheless, That nothing in this Act contained shall extend to repeal or vary an Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Eighty-four, intituled *An Act to amend the Passengers Act*, 1852, *so far as relates to the Passages of Natives of* Asia *or* Africa, *and also Passages between the Island of* Ceylon *and certain Parts of the* East Indies. Nothing to extend to repeal 16 & 17 Vict. c. 84.

XVI. The Master of every Ship, whether a "Passenger Ship" or otherwise, carrying Passengers on any Voyage to which this Act extends, shall, before demanding a Clearance for such Ship, sign Two Lists, made out according to the Form contained in Schedule (B.) hereto annexed, correctly setting forth in the Manner therein directed the Name and other Particulars of the Ship, and of every Passenger on board thereof; and the said Lists, when countersigned by the Emigration Officer, where there is One at the Port, shall be delivered by the Master to the Officer of the Customs from whom a Clearance of the said Ship shall be demanded, and such Officer shall thereupon also countersign and return to the said Master One of such Lists, herein-after called "The Master's List;" and the said Master shall note in Writing on such last-mentioned List, and on any additional Lists to be made out as next herein-after provided, Passengers Lists to be delivered in Duplicate by the Master before Clearance.

Arrangements for the Ship.

provided, the Date and supposed Cause of Death of any Passenger who may die, and the Date of Birth, and Sex of any Child who may be born on the Voyage, and shall exhibit such last-mentioned List, with any Additions which may from Time to Time be made thereto, as herein-after directed, to the Chief Officer of Customs at any Port or Place in Her Majesty's Possessions, or to Her Majesty's Consular Officer at any Foreign Port at which the said Passengers or any of them shall be landed, and shall deposit the same with such Chief Officer of Customs or such Consular Officer, as the Case may be, at the final Port or Place of Discharge, and such Officer of Customs or Consular Officer shall thereupon forthwith transmit the Particulars respecting any Passenger who may die, or of any Child who may be born on the Voyage to the Registrar General of Births, Deaths, and Marriages in *England*, who shall file the same, and enter a Copy thereof under his Hand, in the "Marine Register Book," which Entry shall be dealt with and be of the same Value as Evidence as any other Entry made in such Book under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England: In case of Non-compliance with any of the Requirements of this Section on the Part of the Master, or if such Lists shall be wilfully false, the Master shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Five Pounds Sterling.

6 & 7 W. 4. c. 86.

Lists of Passengers embarked after Clearance to be delivered by Master.

XVII. If at any Time after such Lists shall have been signed and delivered as aforesaid any additional Passenger shall be taken on board, in every such Case the Master shall, according to the Form aforesaid, add to "The Master's List" the Names and other Particulars of every such additional Passenger, and shall also sign a separate List, made out according to the Form aforesaid, containing the Names and other Particulars of every such additional Passenger, and such last-mentioned List, when countersigned by the Emigration Officer, where there is One at the Port, shall, together with "The Master's List" to which such Addition shall have been made, be delivered to the Chief Officer of Customs as aforesaid, and thereupon such Officer shall countersign "The Master's List," and shall return the same to the said Master, and shall retain the separate List, and so on in like Manner whenever any additional Passenger or Passengers may be taken on board; or if no Officer of Customs shall be stationed at the Port or Place where such additional Passenger or Passengers may be taken on board, the said Lists shall be delivered to the Officer of Customs at the next Port or Place at which such Vessel shall touch or arrive and where any such Officer shall be stationed, to be dealt with as herein-before mentioned: Provided, that when any additional Passengers shall be taken on board the Master shall obtain a fresh Certificate from the Emigration Officer of the Port that all the Requirements of this Act have been duly complied with before the Ship shall proceed to Sea: In case of Noncompliance with any of the Requirements of this Section, the Master of such Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

Penalty on Noncompliance.

Penalty on Persons found on board Ships without Consent of Owners, &c.

XVIII. If any Person shall be found on board any Passenger Ship with Intent to obtain a Passage therein without the Consent of the Owner, Charterer, or Master thereof, such Person and every Person aiding and abetting him in such fraudulent Intent, shall respectively be liable to a Penalty not exceeding Five Pounds, and in default of Payment to Imprisonment, with or without Hard Labour, for a Period not exceeding Three Calendar Months; and such Person so found on board may be taken before any Justice of the Peace, without Warrant, and such Justice may summarily hear the Case, and on Proof of the Offence convict such Offender as aforesaid.

All Passenger Ships to be surveyed before clearing out.

XIX. No "Passenger Ship" shall clear out or proceed to Sea unless she shall have been surveyed, under the Direction of the Emigration Officer at the Port of Clearance, but at the Expense of the Owner or Charterer thereof, by Two or more competent Surveyors to be appointed by the said Emigration Commissioners for each Port at which there may be an Emigration Officer, and for other Ports by the Commissioners of Customs, nor unless it shall be reported by such Surveyors that such "Passenger Ship" is in their Opinion seaworthy, and fit for her intended Voyage. The Survey shall be made before any Part of the Cargo is taken on board, except so much as may be necessary for ballasting the Ship; and such Portion of Cargo if laden on board shall be shifted, if required by the Emigration Officer or Surveyors, so as to expose to view successively every Part of the Frame of the Ship. In case of Non-compliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Five Pounds Sterling: Provided always, that in case any "Passenger Ship" shall be reported by any such Surveyors not to be seaworthy, or not fit for her said intended Voyage, the Owner or Charterer, if he shall think fit, may require, by Writing under his Hand, the Emigration Officer, or in his Absence the Chief Officer of Customs, to appoint Three other competent Surveyors, of whom Two at least shall be Shipwrights, to survey the said Ship, at the Expense of the said Owner or Charterer; and the said Officer shall thereupon appoint such Surveyors, who shall survey the said Ship, and if they shall, by an unanimous Report under their Hands (but not otherwise), declare the said Ship to be seaworthy, and fit for her intended Voyage, the said Ship shall then, for the Purposes of this Act, be deemed seaworthy for such Voyage.

Penalty on Noncompliance.

Power to Owners to appeal against Surveyors Report of Ships not being seaworthy.

As to the Construction of Beams and Decks.

XX. In every "Passenger Ship" the Beams supporting the "Passenger Decks" shall form Part of the permanent Structure of the Ship: They shall be of adequate Strength, in the Judgment of the Emigration

Emigration Officer at the Port of Clearance, and shall be firmly secured to the Ship to his Satisfaction. The "Passenger Decks" shall be at least One Inch and a Half in Thickness, and shall be laid and firmly fastened upon the Beams continuously from Side to Side of the Compartment in which the Passengers are berthed. The Height between that Part of any Deck on which Passengers are carried and the Deck immediately above it shall not be less than Six Feet. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. *Arrangements for the Ship.*

XXI. There shall not be more than Two Tiers of Berths on any One Deck in any "Passenger Ship," and the Interval between the Floor of the Berths and the Deck immediately beneath them shall not be less than Six Inches, nor the Interval between each Tier of Berths and between the uppermost Tier and the Deck above it less than Two Feet Six Inches: The Berths shall be securely constructed, and of Dimensions not less than Six Feet in Length and Eighteen Inches in Width for each Statute Adult, and shall be sufficient in Number for the proper Accommodation of all the Passengers contained in the Lists of Passengers herein-before required to be delivered by the Master of the Ship. No Part of any Berth shall be placed within Nine Inches of any Watercloset erected in the Between-Decks. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. Arrangement and Size of Berths.

XXII. In every "Passenger Ship" all the Male Passengers of the Age of Fourteen Years and upwards who shall not occupy Berths with their Wives shall, to the Satisfaction of the Emigration Officer at the Port of Clearance, be berthed in the fore Part of the Ship, in a Compartment divided off from the Space appropriated to the other Passengers by a substantial and well-secured Bulk-head, without Opening into, or Communication with, any adjoining Passenger Berth, or in separate Rooms if the Ship be fitted with enclosed Berths: Not more than One Passenger, unless Husband and Wife, or Females or Children under Twelve Years of Age, shall be placed in or occupy the same Berth. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. Single Men to be berthed in a separate Compartment. As to Numbers and Sexes in One Berth. Penalty.

XXIII. No Berths in a "Passenger Ship" occupied by Passengers during the Voyage shall be taken down until Forty-eight Hours after the Arrival of such Ship at the Port of final Discharge, unless all the Passengers shall have voluntarily quitted the Ship before the Expiration of that Time. In case of Noncompliance with any of the Requirements of this Section, the Master of such Ship shall be liable for each Offence to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. Berths not to be removed till Passengers landed.

XXIV. In every "Passenger Ship" there shall be a sufficient Space properly divided off to the Satisfaction of the Emigration Officer at the Port of Clearance, to be used exclusively as a Hospital or Hospitals for the Passengers: This Space shall be under the Poop, or in the Round House, or in any Deck House which shall be properly built and secured to the Satisfaction of such Emigration Officer, or on the Upper Passenger Deck, and not elsewhere, and shall in no Case be less than Eighteen clear Superficial Feet for every Fifty Passengers which the Ship shall carry. Such Hospitals shall be fitted with Bed-places, and supplied with proper Beds, Bedding, and Utensils, to the Satisfaction of the Emigration Officer at the Port of Clearance, and throughout the Voyage kept so fitted and supplied. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. Space to be allotted as an Hospital. Penalty.

XXV. No "Passenger Ship" shall clear out or proceed to Sea unless fitted, to the Satisfaction of the Emigration Officer at the Port of Clearance, with at least Two Privies, and with Two additional Privies on Deck, for every One hundred Passengers on board, and in Ships carrying as many as Fifty Female Passengers, with at least Two Waterclosets under the Poop, or elsewhere on the Upper Deck, to the Satisfaction of such Emigration Officer, for the exclusive Use of the Women and young Children; all of which Privies and Waterclosets shall be firmly constructed and maintained in a serviceable and cleanly Condition throughout the Voyage, and shall not be taken down until the Expiration of Forty-eight Hours after the Arrival of the Ship at the Port of final Discharge, unless all the Passengers sooner quit the Ship; provided that such Privies shall be placed in equal Numbers on each Side of the Ship, and need not in any Case exceed Twelve in Number. In case of Noncompliance with any of the Requirements of this Section, the Master shall be liable to a Penalty for each Offence not exceeding Fifty Pounds nor less than Five Pounds Sterling. Regulation as to Construction of Privies.

XXVI. No "Passenger Ship" shall clear out or proceed to Sea without such Provision for affording Light and Air to the Passenger Decks as the Circumstances of the Case may, in the Judgment of the Emigration Officer at the Port of Clearance, require; nor if there are as many as One hundred Passengers on board, without having an adequate and proper ventilating Apparatus, to be approved by such Emigration Officer and fitted to his Satisfaction; the Passengers shall, moreover, have the free and unimpeded Use of the whole of each Hatchway situated over the Space appropriated to their Use, and over As to Light and Ventilation.

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over each such Hatchway there shall be erected such a Boobyhatch or other substantial Covering as shall, in the Opinion of such Emigration Officer, afford the greatest Amount of Light and Air, and of Protection from Wet, as the Case will admit. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of the Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds.

Penalty on Noncompliance.

Regulations as to the carrying of Boats;

XXVII. Every "Passenger Ship" shall carry throughout the Voyage a Number of Boats according to the following Scale; (that is to say,)

Two Boats for every Ship of less than Two hundred Tons:
Three Boats for every Ship of Two hundred and less than Four hundred Tons:
Four Boats for every Ship of Four hundred and less than Six hundred Tons:
Five Boats for every Ship of Six hundred and less than Ten hundred Tons:
Six Boats for every Ship of Ten hundred and less than Fifteen hundred Tons:
Seven Boats for every Ship of Fifteen hundred Tons and upwards: Provided that no "Passenger Ship" shall be required to carry a greater Number of Boats than are sufficient in the Judgment of the Emigration Officer at the Port of Clearance to carry all the Persons on board of such Ship.

of Life Boats;

One of such Boats shall in all Cases be a Long Boat, and One shall be a properly fitted Life Boat, which shall be carried in such a Manner as to be, in the Opinion of the Emigration Officer, most available for immediate Service: Each of such Boats shall be of a suitable Size and Description, to be approved by the Emigration Officer at the Port of Clearance, and shall be seaworthy, and properly supplied with all Requisites, and kept clear at all Times for immediate Use at Sea: There shall likewise be on board each "Passenger Ship" if proceeding to any Place to the Southward of the Equator at least Two Chronometers, and if to any Place to the Northward of the Equator at least One Chronometer, and on board of all "Passenger Ships" at least Three Steering and One Azimuth Compass, Four properly fitted Life Buoys, kept ready at all Times for immediate Use, and some adequate Means, to be approved by the Emigration Officer at the Port of Clearance, of making Signals by Night and in Fogs; also a Fire Engine, in proper working Order, and of such Description and Power and either with or without such other Apparatus for extinguishing Fire as such Officer may approve; and not less than Three Bower Anchors of such Weight, and with Cables of such Length, Size, and Material, as in the Judgment of such Emigration Officer shall be sufficient for the Size of the Ship. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling.

and of Life Buoys, Anchors, and Fire Engines, &c.

Regulations as to carrying an efficient Crew.

XXVIII. Every "Passenger Ship" shall be manned with an efficient Crew for her intended Voyage, to the Satisfaction of the Emigration Officer from whom a Clearance of such Ship may be demanded, and the Strength of the Crew shall not be diminished, nor any of the Men changed when once passed by such Emigration Officer, without his Consent in Writing, or that of the Shipping Master of the Port of Clearance, as required by the Laws then in force regulating the shipping of Seamen on board Merchant Vessels. Where the Consent of the Shipping Master is obtained, it shall, within Twenty-four Hours thereafter, be lodged with such Emigration Officer. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds: Provided, that if the Emigration Officer shall consider the Crew inefficient, and the Owner or Charterer of the Ship shall thereupon appeal in Writing to the said Emigration Commissioners, such Commissioners shall, at the Expense of the Appellant, appoint Two other Emigration Officers or Two competent Persons to examine into the Matter, and the unanimous Opinion of the Persons so appointed, expressed under their Hands, shall be conclusive on the Point.

Certain Articles prohibited as Cargo and Ballast.

Stowage of Cargo, Stores, and Luggage to be approved by Emigration Officer.

XXIX. No "Passenger Ship" shall clear out or proceed to Sea if there shall be on board as Cargo, Horses, Cattle, Gunpowder, Vitriol, Lucifer Matches, Guano, or Green Hides, nor if there shall be on board any other Article or Number of Articles, whether as Cargo or Ballast, which by reason of the Nature or Quantity or Mode of Stowage thereof shall, either singly or collectively, be deemed by the Emigration Officer at the Port of Clearance likely to endanger the Health or Lives of the Passengers or the Safety of the Ship: No Part of the Cargo, or of the Passengers Luggage, or of the Provisions, Water, or Stores, whether for the Use of the Passengers or of the Crew, shall be carried on the Upper Deck or on the "Passenger Decks," unless in the Opinion of such Emigration Officer it shall be so placed as not to impede Light or Ventilation, nor interfere with the Comfort of the Passengers; nor unless the same be stowed and secured to the Satisfaction of such Emigration Officer, and the Space occupied thereby, or rendered, in the Opinion of such Officer, unavailable for the Accommodation of the Passengers, shall (unless occupied by Passengers Luggage) be deducted in calculating the Space by which, under the Provisions of this Act, the Number of Passengers is regulated. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master, or any of them, shall for each Offence be liable to a Penalty not exceeding Three hundred Pounds nor less than Five Pounds Sterling.

XXX. For

Arrangements for the Ship.

XXX. For the Purposes of this Act, the Length of the Voyage for a "Passenger Ship" proceeding from the United Kingdom to the under-mentioned Places respectively shall be determined by the following Scale; (that is to say,)

Computation of Voyages.

	If the Ship be propelled by Sails alone, or by Steam Power not sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.	If the Ship be propelled either wholly or in aid of Sails by Steam Engines of not less Power than sufficient, without the Aid of Sails, to propel the Ship after the Rate of Five Statute Miles an Hour.
	Days.	*Days.*
To *North America* (except the West Coast thereof):— For Ships clearing out between the Sixteenth Day of *January* and the Fourteenth Day of *October*, both Days inclusive	70	40
For Ships clearing out between the Fifteenth Day of *October* and the Seventeenth Day of *January*, both Days inclusive	80	45
To the *West Indies*, and any Part of the East Coast of *Central* or *South America* North of the Equator	70	40
To any Part of the East Coast of *South America* lying between the Equator and the Twenty-fifth Degree of South Latitude	84	50
To the West Coast of *Africa* North of the Equator	84	50
To the Coast of *Africa* South of the Equator, or to the *Falkland Islands*, or to any Part of the East Coast of *South America* Southward of the Twenty-fifth Degree of South Latitude	105	65
To the *Mauritius*, and to the Western Coast of *America* South of the Equator	126	75
To *Ceylon*	140	85
To *Western Australia*	120	85
To any other of the *Australian* Colonies	140	90
To *New Zealand* and to the Western Coast of *America* between the Equator and the Fortieth Degree of North Latitude	150	90
To the Western Coast of *America* North of the Fortieth Degree of North Latitude, and the Islands adjacent thereto	182	96

For the like Purposes, the said Emigration Commissioners, acting by and under the Authority of One of Her Majesty's Principal Secretaries of State, from Time to Time, by any Notice in Writing issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, may nevertheless declare what shall be deemed to be the Length of Voyage from the United Kingdom to any of the said herein-before mentioned Places, or to any other Port or Place whatsoever, and may fix such different Lengths of Voyage as they may think reasonable for such different Descriptions of Vessels as aforesaid.

Before Clearance, Provisions and Water to be surveyed.

XXXI. Before any "Passenger Ship" shall be cleared out, the Emigration Officer at the Port of Clearance shall survey or cause to be surveyed by some competent Person the Provisions and Water by this Act required to be placed on board for the Consumption of the Passengers, and shall satisfy himself that the same are of a good and wholesome Quality, and in a sweet and good Condition, and are in Quantities sufficient to secure throughout the Voyage the Issues herein-after prescribed: In addition to the Allowance of pure Water for the Use of each Passenger there shall be shipped for cooking Purposes an additional Supply of pure Water after the Rate of at least Ten Gallons for every Day of the prescribed Length of Voyage for every One hundred Statute Adults on board; and also for the Use of the Crew and all other Persons on board an ample Supply of wholesome Provisions and pure Water, which shall not be inferior in Quality to the Supply of the same Articles provided for the Consumption of the Passengers: All such Water, Provisions, and Stores shall be provided and properly stowed away in accordance with the Requirements of the Twenty-ninth Section of this Act, by and at the Expense of the Owner, Charterer, or Master of the Ship; and if a Clearance be obtained for any "Passenger Ship" which shall not be then stored with the requisite Quantities of such Water, Provisions, and Stores as are required by this Act, the Owner, Charterer, or Master of such Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Three hundred Pounds Sterling.

Provisions for the Crew not to be inferior to those for the Passengers. s. 29.

Penalty.

Power to Emigration Officer to reject and mark bad Provisions, and direct the same to be landed, &c.

XXXII. If such Emigration Officer shall consider that any of the Provisions or Stores or Water are not of a good and wholesome Quality, or are not in a sweet and good Condition, it shall be lawful for him to reject and mark the same, or the Packages or Vessels in which they are contained, and to direct the same to be landed or emptied; and if such rejected Provisions or Stores or Water shall not thereupon be forthwith landed or emptied, or if, after being landed, the same or any Part thereof shall be reshipped in such Ship, the Owner, Charterer, or Master thereof, or any of them, or if reshipped in any other "Passenger Ship," the Person causing the same to be reshipped, shall for each Offence be liable to a Penalty not exceeding One hundred Pounds Sterling.

Arrangements for the Ship.

Water Tanks or Casks to be approved by Emigration Officer.

XXXIII. In every "Passenger Ship" the Water to be laden on board, as herein-before required, shall be carried in Tanks or in Casks to be approved by the Emigration Officer at the Port of Clearance. When Casks are used, they shall be sweet and tight, of sufficient Strength, and if of Wood, properly charred inside, and shall not be capable severally of containing more than Three hundred Gallons each: The Staves of the Water Casks shall not be made of Fir, Pine, or soft Wood. In case of Noncompliance with any of the Requirements of this Section, the Owner, Charterer, or Master of such Ship, or any of them, shall for each Offence be liable to a Penalty not exceeding Fifty Pounds.

Provision for touching at intermediate Ports to fill up Water. s. 63.

XXXIV. If any "Passenger Ship" shall be intended to call at any intermediate Port or Place during the Voyage, for the Purpose of taking in Water, and if an Engagement to that Effect shall be inserted in the Bond mentioned in the Sixty-third Section of this Act, then it shall be sufficient to place on board at the Port of Clearance such Supply of Water as may be requisite, according to the Rate herein-after mentioned, for the Voyage of the said Ship to such intermediate Port or Place, subject to the following Conditions; (that is to say,)

First, That the Emigration Officer signify his Approval in Writing of the Arrangement, to be carried amongst the Papers of the Ship, and exhibited to the Chief Officer of Customs, or to Her Majesty's Consular Officer, as the Case may be, at such intermediate Port or Place, and to be delivered to the Chief Officer of Customs, or to Her Majesty's Consular Officer, as the Case may be, on the Arrival of the said Ship at the final Port or Place of Discharge:

Secondly, That if the Length of either Portion of the Voyage, whether to such intermediate Port or Place, or from such intermediate Port or Place to the final Port or Place of Discharge, be not prescribed in or under the Provisions of this Act, the Emigration Officer at the Port of Clearance shall in every such Case declare the same in Writing, to be carried amongst the Papers of the Ship:

Thirdly, That the Ship shall have on board at the Time a Clearance is demanded Tanks or Water Casks, of the Description herein-before mentioned, sufficient for stowing the Quantity of Water required for the longest of such Portions of the Voyage as aforesaid.

Dietary Scales of Provisions.

XXXV. The Master of every "Passenger Ship" shall, during the Voyage, including the Time of Detention at any Place before the Termination thereof, issue to each Passenger, or where the Passengers are divided into Messes, to the Head Man for the Time being of each Mess on behalf and for the Use of all the Members thereof, an Allowance of pure Water and sweet and wholesome Provisions, of good Quality, according to the following Dietary Scale; (that is to say,) if the Length of the Voyage, computed as herein-before mentioned, shall not exceed Eighty-four Days for Ships propelled by Sails only, or Fifty Days for Ships propelled by Steam, or Steam in aid of Sails, then according to the Dietary Scale marked "A.;" but if the Length of the Voyage, computed as aforesaid, shall exceed Eighty-four Days for Ships propelled by Sails only, or Fifty Days for Ships propelled by Steam, or Steam in aid of Sails, then according to the Dietary Scale marked "B."

WATER.

Three Quarts of Water daily to each Statute Adult, exclusive of the Quantity herein-before specified as necessary for cooking the Articles herein-after required to be issued in a cooked State.

PROVISIONS.—Weekly, *per* Statute Adult.

	Scale A. For Voyages not exceeding 84 Days for sailing Vessels, or 50 Days for Steamers.		Scale B. For Voyages exceeding 84 Days for sailing Vessels, or 50 Days for Steamers.	
	lbs.	oz.	lbs.	oz.
Bread or Biscuit, not inferior in Quality to Navy Biscuit	3	8	3	8
Wheaten Flour	1	0	2	0
Oatmeal	1	8	1	0
Rice	1	8	0	8
Peas	1	8	1	8
Potatoes	2	0	2	0
Beef	1	4	1	4
Pork	1	0	1	0
Tea	0	2	0	2
Sugar	1	0	1	0
Salt	0	2	0	2
Mustard	0	½	0	½
Black or White Pepper, ground	0	¼	0	¼
Vinegar	One Gill.		One Gill.	
Lime Juice	-	-	0	6
Preserved Meat	-	-	1	0
Suet	-	-	0	6
Raisins	-	-	0	8
Butter	-	-	0	4

SUBSTITUTIONS.

Arrangements for the Ship.

Substitutions at the following Rates may, at the Option of the Master of any "Passenger Ship," be made in the above Dietary Scales, that is to say:—

1 lb. of preserved Meat	- for	1 lb. of Salt Pork or Beef.
1 lb. of Flour or of Bread or Biscuit, or ½ lb. of Beef or of Pork	- for	1¼ lb. of Oatmeal or 1 lb. of Rice or 1 lb. of Peas.
1 lb. of Rice	- for	1¼ lb. of Oatmeal, or vice versâ.
¼ lb. of preserved Potatoes	- for	1 lb. of Potatoes.
10 oz. of Currants	- for	8 oz. of Raisins.
3½ oz. of Cocoa or of Coffee, roasted and ground	- for	2 oz. of Tea.
¾ lb. of Treacle	- for	½ lb. of Sugar.
1 gill of mixed Pickles	- for	1 gill of Vinegar.

Provided, that the substituted Articles be set forth in the Contract Tickets of the Passengers. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall be liable for each Offence to a Penalty not exceeding Fifty Pounds Sterling. *Penalty on Noncompliance.*

XXXVI. The Messes into which the Passengers in any Passenger Ship may be divided shall not consist of more than Ten Statute Adults in each Mess, and Members of the same Family, whereof One at least is a Male Adult, shall be allowed to form a separate Mess. The Provisions according to the above Scale shall be issued, such of them as require to be cooked, in a properly cooked State, daily before Two o'Clock in the Afternoon, to the Head Person for the Time being of each Mess on behalf and for the Use of the Members thereof. The first of such Issues shall be made before Two o'Clock in the Afternoon of the Day of Embarkation to or for such Passengers as shall be then on board. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds. *Size of Messes.* *Provisions to be issued daily, and Articles which require cooking to be cooked.*

XXXVII. The said Emigration Commissioners for the Time being, acting under the Authority of One of Her Majesty's Principal Secretaries of State, may from Time to Time, by any Notice for that Purpose, issued under the Hands of any Two of such Commissioners, and published in the *London Gazette*, authorize the Issue of Provisions in any "Passenger Ship" according to such other Dietary Scale (besides that herein-before prescribed) as shall in their Opinion contain in the whole an equivalent Amount of wholesome Nutriment; and after the Publication of such Notice it shall be lawful for the Master of any "Passenger Ship" to issue Provisions to his Passengers either according to the Scale by this Act prescribed, or according to the Scale authorized by the said Commissioners, whichever may have been set forth in the Contract Tickets of the Passengers: Provided always, that the said Commissioners acting under such Authority and by such Notice as aforesaid may revoke or alter any such Dietary Scale authorized by them, as Occasion may require. *Power to Emigration Commissioners to authorize an alternative Dietary Scale.* *Power to Commissioners to alter Dietary Scale.*

XXXVIII. Every "Passenger Ship" carrying as many as One hundred Passengers shall have on board a seafaring Person, who shall be rated in the Ship's Articles as Passengers Steward, and who shall be approved by the Emigration Officer at the Port of Clearance, and who shall be employed in messing and serving out the Provisions to the Passengers, and in assisting to maintain Cleanliness, Order, and good Discipline among the Passengers, and who shall not assist in any way in navigating or working the Ship. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. *As to Passengers Stewards.* *Penalty on Noncompliance.*

XXXIX. Every "Passenger Ship" carrying as many as One hundred Passengers shall also have on board a seafaring Man, or if carrying more than Three hundred "Statute Adults," Two seafaring Men, to be rated and approved as in the Case of Passengers Stewards, who shall be employed in cooking the Food of the Passengers: A convenient Place for cooking shall also be set apart on Deck; and a sufficient cooking Apparatus, properly covered in and arranged, shall be provided, to the Satisfaction of the said Emigration Officer, together with a proper Supply of Fuel adequate, in his Opinion, for the intended Voyage. In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. *As to Passenger Cooks and cooking Apparatus.* *Penalty on Noncompliance.*

XL. In every Foreign "Passenger Ship" in which as many as One Half of the Passengers shall be *British* Subjects, unless the Master and Officers or not less than Three of them shall understand and speak intelligibly the *English* Language, there shall be carried, where the Number of Passengers does not exceed Two hundred and fifty, One Person, and where it exceeds Two hundred and fifty, Two Persons, who understand and speak intelligibly the Language spoken by the Master and Crew and also the *English* Language, and such Persons shall act as Interpreters, and be employed exclusively in Attendance on the Passengers, and not in the working of the Ship; and no such Ship shall clear out or proceed to Sea without having such Interpreter or Interpreters on board; and the Master of any such Foreign Ship clearing out or proceeding to Sea without having such Interpreter or Interpreters on board as aforesaid shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Five Pounds Sterling. *In what Cases Interpreters to be carried.* *Penalty.*

Arrangements for the Ship.

In what Cases a Medical Man must be carried.

XLI. Every "Passenger Ship" shall in the following Cases carry a duly qualified Medical Practitioner, who shall be rated on the Ship's Articles:

First, when the Duration of the intended Voyage, as herein-before computed, exceeds Eighty Days in the Case of Ships propelled by Sails, and Forty-five Days in the Case of Ships propelled by Steam, and the Number of Passengers on board exceeds Fifty:

Second, whenever the Number of Persons on board (including Cabin Passengers, Officers, and Crew,) exceeds Three hundred:

Penalty.

In case of Noncompliance with any of the Requirements of this Section, the Master shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Twenty Pounds Sterling.

Qualification of Medical Man.

XLII. No Medical Practitioner shall be considered to be duly qualified for the Purposes of this Act unless authorized by Law to practise in some Part of Her Majesty's Dominions, or, in the Case of a Foreign Ship, in the Country to which such Ship may belong, as a Physician, Surgeon, or Apothecary, nor unless his Name shall have been notified to the Emigration Officer at the Port of Clearance, and shall not be objected to by him, nor unless he shall be provided with proper Surgical Instruments to the Satisfaction of such Officer: Provided nevertheless, that where the Majority of the Passengers in any "Passenger Ship," or as many as Three hundred, are Foreigners, any Medical Practitioner who may be approved by such Emigration Officer may be carried therein.

Penalty.

In case any Person shall proceed or attempt to proceed as Medical Practitioner in any "Passenger Ship" without being duly qualified as aforesaid, or contrary to any of the Requirements of this Section, such Person and all Persons aiding or abetting therein shall for each Offence be liable to a Penalty not exceeding One hundred Pounds nor less than Ten Pounds Sterling.

Medicines and Medical Comforts.

XLIII. The Owner or Charterer of every "Passenger Ship" shall provide for the Use of the Passengers a Supply of Medicines, Medical Comforts, Instruments, and other Things proper and necessary for Diseases and Accidents incident to Sea Voyages, and for the Medical Treatment of the Passengers during the Voyage, including an adequate Supply of disinfecting Fluid or Agent, together with printed or written Directions for the Use of the same respectively; and such Medicines, Medical Comforts, Instruments, and other Things shall, in the Judgment of the Emigration Officer at the Port of Clearance, be good in Quality, and sufficient in Quantity, for the probable Exigencies of the intended Voyage, and shall be properly packed and placed under the Charge of the Medical Practitioner, when there is one on board, to be used at his Discretion.

Penalty.

In case of Noncompliance with any of the Requirements of this Section, the Master of the Ship shall for each Offence be liable to a Penalty not exceeding Fifty Pounds, nor less than Five Pounds Sterling.

Medical Inspection of Passengers and Medicines, &c.

XLIV. No "Passenger Ship," except as herein-after provided, shall clear out or proceed to Sea until some Medical Practitioner, to be appointed by the Emigration Officer at the Port of Clearance, shall have inspected such Medicines, Medical Comforts, and other Articles as are required to be supplied by the last preceding Section, and also all the Passengers and Crew about to proceed in the Ship, and shall have certified to the said Emigration Officer that the said Ship contains a sufficient Supply of Medicines, Medical Comforts, disinfecting Fluid or Agent, Instruments, and other Things requisite for the Medical Treatment of the Passengers during the intended Voyage, nor until such Medical Practitioner shall have certified and the said Emigration Officer shall be satisfied that none of the Passengers or Crew appear, by reason of any bodily or mental Disease, unfit to proceed, or likely to endanger the Health or Safety of the other Persons about to proceed in such Vessel. Such Medical Inspection of the Passengers shall take place either on board the Vessel, or, at the Discretion of the said Emigration Officer, at such convenient Place on shore before Embarkation as he may appoint; and the Master, Owner, or Charterer of the Ship shall pay to such Emigration Officer a Sum at the Rate of Twenty Shillings for every Hundred Persons so examined: Provided also, that in case the Emigration Officer on any particular Occasion shall be unable to obtain the Attendance of a Medical Practitioner, it shall be lawful for the Master of any such Ship to clear out and proceed to Sea, on receiving from the said Emigration Officer written Permission for the Purpose.

Penalty.

In case any "Passenger Ship" shall clear out or proceed to Sea without having complied with all the Requirements of this Section, the Master of such Ship shall for each Offence be liable to a Penalty not exceeding One hundred Pounds, nor less than Five Pounds Sterling.

Relanding of Passengers on account of Sickness or for purifying Ships.

XLV. If the Emigration Officer at any Port shall be satisfied that any Person on board or about to proceed in any "Passenger Ship" is by reason of Sickness unfit to proceed, or is for that or for any other Reason likely to endanger the Health or Safety of the other Persons on board, the said Emigration Officer shall prohibit the Embarkation of such Person, or if embarked shall require him to be relanded; and if such Emigration Officer shall be satisfied that it is necessary, for the Purification of the Ship or otherwise, that all or any of the Passengers or Persons on board shall be relanded, the said Emigration Officer may require the Master of the Ship to reland all such Passengers or Persons, and the Master shall thereupon reland such Passengers or Persons, with so much of their Effects, and with such Members of their Families as cannot in the Judgment of such Emigration Officer be properly separated from them;

Penalty.

and in case of Noncompliance with any of the Requirements of this Section, the Master, Owner, or Charterer of the Ship shall for each Offence be liable to a Penalty not exceeding Two hundred Pounds nor less than Ten Pounds; and any Passenger or Person embarking after such Prohibition, or refusing or neglecting to leave the Ship when so directed to be relanded, shall be liable to be summarily removed,

and

and to a Penalty not exceeding Forty Shillings for each Day which he shall remain on board after the giving of such Prohibition or Direction.

Passengers Rights.

As to Return of Passage Money to Passengers relanded on account of Sickness, &c.

XLVI. Any Passenger so relanded on account of the Sickness of himself or of any Member of his Family who may not be re-embarked and finally sail in such Ship, or any Emigration Officer on his Behalf, shall be entitled to recover, by summary Process, the whole of the Monies which may have been paid by or on account of such Passenger for his Passage, and that of the Members of his Family so relanded, from the Party to whom the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer.

Subsistence Money to be paid to Passengers relanded. s. 45.

XLVII. The Master of any "Passenger Ship," from which the whole or any Part of the Passengers shall be relanded on account of any of the Reasons mentioned in Section XLV. shall pay to each Passenger so relanded (or if he shall be lodged and maintained in any Hulk or Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at the Port,) Subsistence Money at the Rate of One Shilling and Sixpence a Day for each Statute Adult until he shall be re-embarked or decline or neglect to proceed, or until his Passage Money, if recoverable under the Forty-sixth Section of this Act, be returned to him.

Return of Passage Money and Compensation to Passengers where Passages not provided for them according to Contract.

XLVIII. If any Person by whom or on whose Behalf any Contract shall have been made for a Passage in any Ship proceeding on any Voyage to which this Act extends, shall be at the Place of Embarkation before Six o'Clock in the Afternoon of the Day of Embarkation appointed in such Contract, and shall, if required, pay the stipulated Passage Money, or the unpaid Balance thereof, and if from any Cause whatever, other than his own Refusal, Neglect, or Default, or the Prohibition of an Emigration Officer, as herein-before mentioned, or the Requirements of any Order in Council, such Passenger shall not be received on board before that Hour, or if from any such Cause as aforesaid any Passenger who shall have been received on board shall not either obtain a Passage in such Ship to the Port at which he may have contracted to land, or, together with all the immediate Members of his Family who may be included in such Contract, obtain a Passage to the same Port in some other equally eligible Ship, to sail within Ten Days from the Expiration of the said Day of Embarkation, and in the meantime be paid Subsistence Money from the Time and at the Rate herein-after mentioned, such Passenger, or any Emigration Officer on his Behalf, shall be entitled to recover either from the Party to whom or on whose Account the same may have been paid, or (in case such Contract shall have been made with the Owner, Charterer, or Master of such Ship, or with any Person acting on behalf or by the Authority of any of them respectively,) from such Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer, all Monies which shall have been paid by or on account of such Passengers for such Passage, and also such further Sum, not exceeding Ten Pounds in respect of each such Passage, as shall, in the Opinion of the Justices of the Peace who shall adjudicate on the Complaint, be a reasonable Compensation for the Loss or Inconvenience occasioned to such Passenger by the Loss of such Passage.

Subsistence in case of Detention.

XLIX. If any Ship, whether a "Passenger Ship" or otherwise, shall not actually put to Sea, and proceed on her intended Voyage before Three o'Clock in the Afternoon of the Day next after the said Day of Embarkation, the Owner, Charterer, or Master of such Ship, or his or their Agent, or any of them, at the Option of such Passenger or Emigration Officer, shall pay to every Passenger entitled to a Passage (or if such Passenger shall be lodged and maintained in any Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at the Port of Embarkation,) Subsistence Money after the Rate of One Shilling and Sixpence for each Statute Adult in respect of each Day of Delay for the first Ten Days, and afterwards Three Shillings a Day for each Statute Adult, until the final Departure of such Ship on such Voyage, and the same may be recovered in manner herein-after mentioned; provided that if the Passengers be maintained on board in the same Manner as if the Voyage had commenced, no such Subsistence Money shall be payable for the first Two Days next after the said Day of Embarkation, nor if they shall be maintained shall such Subsistence Money be payable if the ship be unavoidably detained by Wind or Weather, or by any Cause not attributable in the Opinion of the Emigration Officer to the Act or Default of the Owner, Charterer, or Master.

Ships putting back to replenish Provisions, &c.

L. If any "Passenger Ship" shall, after Clearance, be detained in Port for more than Seven Days, or shall put into or touch at any Port or Place in the United Kingdom, she shall not put to Sea again until there shall have been laden on board, at the Expense of the Owner, Charterer, or Master of such Ship, such further Supply of pure Water, wholesome Provisions of the requisite Kinds and Qualities, and Medical Comforts and Stores, as may be necessary to make up the full Quantities of those Articles herein-before required to be laden on board for the intended Voyage, nor until any Damage she may have sustained shall have been effectually repaired, nor until the Master of the said Ship shall have obtained from the Emigration Officer or his Assistant, or, where there is no such Officer, or in his Absence, from the Officer of Customs at such Port or Place, a Certificate to the same Effect as the Certificate herein-before required to enable the Ship to be cleared out; and in case of any Default herein the said Master shall be liable, on Conviction, as herein-after mentioned, to a Penalty not exceeding One hundred Pounds nor less than Fifty Pounds Sterling: And if the Master of any "Passenger Ship" so putting into or touching at any Port or Place as aforesaid shall not within Twelve Hours thereafter report, in Writing, his Arrival, and the Cause of his putting back, and the Condition of

Penalty for Default.

Ships putting back to be reported to Emigration Officer.

Passengers Rights.

of his Ship, and of her Stores and Provisions, to the Emigration Officer, or, as the Case may be, to the Officer of Customs at the Port, and shall not produce to such Officer the Official or "Master's List" of Passengers, such Master shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Two Pounds Sterling.

Penalty for Neglect.

In case of Wreck or Damage Passengers to be provided with a Passage by some other Vessel, and maintained in the meantime.

LI. If any "Passenger Ship" shall put into any Port or Place in the United Kingdom in a damaged State, and the Master, Charterer, or Owner shall not give a written Undertaking that the said Ship shall be made sound and seaworthy, and shall within Six Weeks from the Day of her so putting into such Port or Place again proceed with her Passengers on her intended Voyage, and if the said Ship shall not accordingly be made seaworthy and proceed on her intended Voyage within that Period, or if any such Ship shall after the Commencement of her Voyage be wrecked, sunk, or otherwise destroyed, or shall from any Cause whatsoever not land her Passengers at the Place where they may have respectively contracted to land, the Owner, Charterer, or Master thereof shall provide the Passengers with a Passage in some other eligible Ship to sail within Six Weeks to the Port or Place at which they respectively may have originally contracted to land, and shall in the meantime, if the Passengers be not lodged and maintained on board in the same Manner as if the Ship were at Sea, pay to such Passengers (or if such Passengers shall be lodged or maintained in any Hulk or Establishment under the Superintendence of the said Emigration Commissioners, then to the Emigration Officer at such Port or Place,) Subsistence Money after the Rate of One Shilling and Sixpence Sterling for each Statute Adult in respect of each Day of Delay until such Passengers are duly forwarded to their Destination; and if Default shall be made in any of the Requirements of this Section such Passengers respectively, or any Emigration Officer on their Behalf, shall be entitled to recover, by summary Process, as herein-after mentioned, all Monies which shall have been paid by or on account of such Passengers, or any of them, for such Passage, from the Party to whom or on whose Account the same may have been paid, or from the Owner, Charterer, or Master of such Ship, or any of them, at the Option of such Passenger or Emigration Officer: Provided that the said Emigration Officer may, if he shall think it necessary, direct that the Passengers shall be removed from such "Passenger Ship" at the Expense of the Master thereof; and if after such Direction any Passenger shall refuse to leave such Ship, he shall be liable to a Penalty not exceeding Forty Shillings or to Imprisonment not exceeding One Calendar Month.

In default, Passage Money to be returned.

Power to remove Passengers from Ship; Penalty on Passengers refusing.

Secretary of State, &c. may pay Expenses of taking off Passengers at Sea.

LII. If the Passengers or Cabin Passengers of any "Passenger Ship" shall be taken off from any such "Passenger Ship" or shall be picked up at Sea from any Boat, Raft, or otherwise, it shall be lawful, if the Port or Place to which they shall be conveyed shall be in the United Kingdom, for One of Her Majesty's Principal Secretaries of State, or if in any of Her Majesty's Colonial Possessions, for the Governor of such Colony, or for any Person authorized by him for the Purpose, or if in any Foreign Country, for Her Majesty's Consular Officer, at such Port or Place therein, to defray all or any Part of the Expenses thereby incurred.

Governors or Consuls may send on Passengers if the Master of the Ship fail to do so.

LIII. If any Passenger or Cabin Passenger of any "Passenger Ship" shall, without any Neglect or Default of his own, find himself within any Colonial or Foreign Port or Place other than that at which he may have contracted to land, it shall be lawful for the Governor of such Colony, or for any Person authorized by him for the Purpose, or for Her Majesty's Consular Officer at such Foreign Port or Place, as the Case may be, to forward such Passenger to his intended Destination, unless the Master of such Ship shall, within Forty-eight Hours of the Arrival of such Passenger, give to the Governor or Consular Officer, as the Case may be, a written Undertaking to forward or carry on within Six Weeks thereafter such Passenger or Cabin Passenger to his original Destination, and unless such Master shall accordingly forward or carry him on within that Period.

Expenses incurred under the Two preceding Sections to be a Crown Debt.

LIV. All Expenses incurred under the last Two preceding Sections or either of them, by or by the Authority of such Secretary of State, Governor, Consular Officer, as aforesaid, including the Cost of maintaining the Passengers until forwarded to their Destination, and of all necessary Bedding, Provisions, and Stores, shall become a Debt to Her Majesty and Her Successors from the Owner, Charterer, and Master of such Ship, and shall be recoverable from them, or from any One or more of them, at the Suit and for the Use of Her Majesty, in like Manner as in the Case of other Crown Debts; and a Certificate purporting to be under the Hand of any such Secretary of State, Governor, or Consular Officer, (as the Case may be,) stating the total Amount of such Expenses, shall, in any Suit or other Proceeding for the Recovery of such Debt, be received in Evidence without Proof of the Handwriting or of the official Character of such Secretary of State, Governor, or Consular Officer, and shall be deemed sufficient Evidence of the Amount of such Expenses, and that the same were duly incurred: Provided nevertheless, that in no Case shall any larger Sum be recovered on account of such Expenses than a Sum equal to twice the total Amount of Passage Money received by the Owner, Charterer, or Master of such Passenger Ship, or any of them, from or on account of the whole Number of Passengers and Cabin Passengers who may have embarked in such Ship; which total Amount of Passage Money shall be proved by the Defendant, if he will have the Advantage of this Limitation of the Debt; but if any such Passengers are forwarded or conveyed to their intended Destination under the Provisions of the last preceding Section, they shall not be entitled to the Return of their Passage Money, or to any Compensation for Loss of Passage under the Provisions of this Act.

When Passengers not entitled to Return of Passage Money.

Insurance of Passage Money not void on account of Nature of Risk.

LV. No Policy of Assurance effected in respect of any Passages, or of any Passage or Compensation Monies, by any Person by this Act made liable, in the Events aforesaid, to provide such Passages or to pay such Monies, or in respect of any other Risk under this Act, shall be deemed to be invalid by reason of the Nature of the Risk or Interest sought to be covered by such Policy of Assurance.

Penalty on wrongfully landing Passengers.

LVI. If any Passenger in any Ship, whether a "Passenger Ship" or otherwise, shall be landed at any Port or Place other than the Port or Place at which he may have contracted to land, unless with his previous Consent, or unless such Landing shall be rendered necessary by Perils of the Sea, or other unavoidable Accident, the Master shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Ten Pounds Sterling.

Passengers to be maintained for 48 Hours after Arrival.

Penalty.

LVII. Every Passenger in a "Passenger Ship" shall be entitled for at least Forty-eight Hours next after his Arrival at the End of his Voyage, to sleep in the Ship, and to be provided for and maintained on board thereof, in the same Manner as during the Voyage, unless within that Period the Ship shall quit such Port or Place in the further Prosecution of her Voyage. In case of Noncompliance with any of the Requirements of this Section, the Master shall for each Offence be liable to a Penalty not exceeding Five Pounds Sterling.

Passengers Right of Action preserved.

LVIII. Nothing herein contained shall take away or abridge any Right of Action which may accrue to any Passenger in any Ship, or to any other Person, in respect of the Breach or Nonperformance of any Contract made or entered into between or on behalf of any such Passenger or other Person, and the Master, Charterer, or Owner of any such Ship, or his or their Agent, or any Passage Broker.

Miscellaneous.

LIX. It shall be lawful for Her Majesty, by any Order in Council, to prescribe such Rules and Regulations as to Her Majesty may seem fit, for the following Purposes; (that is to say,)

Her Majesty may, by Orders in Council, prescribe Rules for Purposes herein described.

1st. For preserving Order, promoting Health, and securing Cleanliness and Ventilation on board of "Passenger Ships" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad.

2d. For permitting the Use on board of "Passenger Ships" of an Apparatus for distilling Water, and for defining in such Case the Quantity of fresh Water to be carried in Tanks or Casks for the Passengers.

3d. For prohibiting Emigration from any Port or Ports at any Time when Choleraic or any Epidemic Disease may be generally prevalent in the United Kingdom or any Part thereof, or for reducing the Number of Passengers allowed to be carried in "Passenger Ships" generally, or from any particular Ports under the Provisions of this Act.

4th. For requiring duly qualified Medical Practitioners to be carried in "Passenger Ships," in Cases where they would not be required to be carried under the Provisions of this Act.

Gazette and Copies printed by Queen's Printer to be Evidence, &c.

Any such Order in Council may from Time to Time in like Manner be altered, amended, and revoked, as Occasion may require. Any Copy of such Order in Council contained in the *London Gazette*, or purporting to be printed by the Queen's Printer, shall throughout Her Majesty's Dominions be received in all legal Proceedings as good and sufficient Evidence of the making and Contents of any such Order in Council.

Surgeon or Master to exact Obedience to Rules and Regulations.

Penalty on Refusal.

LX. In every such "Passenger Ship" the Medical Practitioner on board, aided by the Master thereof, or, in the Absence of such Medical Practitioner, the Master of such Ship, is hereby empowered to exact Obedience to all Rules and Regulations which may be prescribed by any such Order in Council to be observed on board Passenger Ships as aforesaid; and any Person on board who shall neglect or refuse to obey any such Rule or Regulation, or who shall obstruct the Medical Practitioner or Master of such Ship in the Execution of any Duty imposed upon him by any such Rule or Regulation, or who shall offend against any of the Provisions of this Act, or who shall be guilty of riotous or insubordinate Conduct, shall be liable for each Offence to a Penalty not exceeding Two Pounds Sterling, and, in addition thereto, to be confined in the Common Gaol for any Period not exceeding One Month, at the Discretion of the Justices who shall adjudicate on the Complaint.

Emigration Commissioners to prepare an Abstract of Act and Orders in Council.

Such Abstract to be posted up in each Ship.

Penalty for Neglect; and for defacing Abstract.

LXI. The said Emigration Commissioners shall from Time to Time prepare such Abstracts as they may think proper of the whole or any Part of this Act, and of any such Order in Council as aforesaid; and Four Copies of such Abstracts, together with a Copy of this Act, shall, on Demand, be supplied by the Principal Officer of Customs at the Port of Clearance to the Master of every "Passenger Ship" proceeding from the United Kingdom to any Port or Place in Her Majesty's Possessions abroad; and such Master shall, on Request made to him, produce a Copy of this Act to any Passenger on board, for his Perusal, and, further, shall post, previous to the Embarkation of the Passengers, and shall keep posted so long as any Passenger shall be entitled to remain in the Ship, in at least Two conspicuous Places between the Decks on which Passengers may be carried, Copies of such Abstracts; and such Master shall be liable to a Penalty not exceeding Forty Shillings Sterling for every Day during any Part of which by his Act or Default such Abstracts shall fail to be so posted; and any Person displacing or defacing such Abstracts so posted shall be liable to a Penalty not exceeding Forty Shillings Sterling.

Sale of Spirits prohibited.

Penalty.

LXII. If in any "Passenger Ship" any Person shall during the Voyage, directly or indirectly, sell or cause to be sold any Spirits or Strong Waters to any Passenger, he shall be liable for every such Offence to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

LXIII. Before

Miscellaneous.

Bond to be given by Masters of British and Foreign Passenger Ships.

LXIII. Before any "Passenger Ship" shall clear out or proceed to Sea, the Master, together with the Owner or Charterer of the Ship, or, in the event of the Absence of such Owner or Charterer, or if the Master be the Owner or Charterer, One other good and sufficient Person, to be approved by the Chief Officer of Customs at the Port of Clearance, shall enter into a joint and several Bond, in the sum of Two thousand Pounds, to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (C.) hereto annexed. Such Bond shall not be liable to Stamp Duty, and shall be executed in Duplicate.

Counterpart of Bond to be certified, and sent to the Colony to which Ship bound, and to be received in Evidence without further Proof of Execution.

LXIV. It shall be the Duty of the Chief Officer of Customs at the Port of Clearance of any "Passenger Ship" bound to any of Her Majesty's Possessions abroad, to certify on One Part of such Bond that it has been duly executed by the said Master of such Ship and the other Obligor, and to forward the same by Post to the Colonial Secretary of the Colony to which such "Passenger Ship" may be bound; and such Certificate shall, in any Colonial Court of Judicature in which the Bond may be put in suit, be deemed conclusive Evidence of the due Execution of the Bond by the said Master and the other Obligor; and it shall not be necessary to prove the Handwriting of the Officer of Customs who may have signed such Certificate, nor that he was at the Time of signing it Chief Officer of Customs at the Port of Clearance; provided that no such Bond shall be put in suit in any of Her Majesty's Possessions abroad after the Expiration of Three Calendar Months next after the Arrival therein of the said Ship, nor in the United Kingdom after the Expiration of Twelve Calendar Months next after the Return of the said Ship and of the said Master to the United Kingdom.

Owner responsible in respect of Default if no Agreement to the contrary.

LXV. In the Absence of any Agreement to the contrary, the Owner shall be the Party ultimately responsible, as between himself and the other Persons hereby made liable in respect of any Default in complying with the Requirements of this Act; and that if any such last-mentioned Person shall pay any Monies hereby made payable to or on behalf of any such Passengers as aforesaid, the Person so paying the same shall be entitled, in the Absence of any such Agreement as aforesaid, to sue for and recover from the Owner the Amount so paid, together with Costs of Suit.

Passage Brokers.

No Person to act as a Passage Broker without a Licence.

LXVI. No Person whatever shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties to be approved by the Emigration Officer at the Port nearest to the Place of Business of such Person, shall have previously entered into a joint and several Bond, in the Sum of One thousand Pounds to Her Majesty, Her Heirs and Successors, according to the Form contained in Schedule (D.) hereto annexed, which Bond shall be renewed on each Occasion of obtaining such Licence as herein-after mentioned, and shall be in Duplicate, without Stamps, and One Part thereof shall be deposited at the Office in *London* of the said Emigration Commissioners, and the other Part thereof with the Emigration Officer at the Port nearest to the Place of Business of such Person; nor unless such Person shall have obtained a Licence, as herein-after mentioned, to let or sell Passages, nor unless such Licence shall then be in force; and if any Person shall offend in any Particular against this Enactment, every Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds, to be sued for and recovered as herein-after mentioned: Provided, that such Bond shall not be required of any Person who shall be One of the Sworn Brokers of the City of *London:* Provided also, that there shall be excepted from the Operation of this Section the said Emigration Commissioners, and any Persons contracting with them, or acting under their Authority, and also any Person acting as the Agent of any Passage Broker in pursuance of an Appointment made in the Form prescribed by Schedule (I.) hereto annexed, signed by such Passage Broker, and countersigned by such Emigration Officer as aforesaid: Provided further, that the Acts and Defaults of any Person acting under the Authority or as Agent of any Passage Broker shall, for the Purposes of this Act, be deemed to be also the Acts and Defaults of such Passage Broker: Provided also, that nothing herein-before contained shall be held or construed to prevent the said Emigration Officer from accepting the Bond of a Guarantee Society, such Bond and such Guarantee Society as shall have been approved by the Lords Commissioners of Her Majesty's Treasury, in lieu of the Bond of Two good and sufficient Securities as aforesaid.

Emigration Commissioners and Agents exempted from this Section.

Passage Brokers to be responsible for their Agents.

How Passage Brokers Licences may be obtained.

LXVII. Any Person wishing to obtain a Licence to act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of *Europe*, and not being in the *Mediterranean Sea*, shall make Application for the same to the Justices at the Petty Sessions held for the District or Place in which such Person shall have his Place of Business; and such Justices are hereby authorized (if they shall think fit) to grant a Licence for that Purpose, according to the Form in the Schedule (E.) hereunto annexed, which Licence shall continue in force until the Thirty-first Day of *December* in the Year in which such Licence shall be granted, and for Thirty-one Days afterwards, unless sooner forfeited, as herein mentioned; and upon granting such Licence the Justices shall cause a Notice thereof according to the Form in Schedule (F.) hereto annexed to be transmitted forthwith by the Post to the said Emigration Commissioners at their Office in *London:* Provided always, that no such Licence shall be granted unless the Party applying for the same shall show to the Satisfaction of the Justices that he has given such Bond to Her Majesty, Her Heirs and Successors, as herein-before required, and has deposited One

Justices to give Notice of Licence granted.

Notice to be given of intend.

Part

Part thereof at the Office in *London* of the said Commissioners, or is a Sworn Broker of the City of *London*, and has in either Case given Notice to the said Commissioners Fourteen clear Days at least before such Application of his Intention to apply for the same, which Notice shall be transmitted by the Post to the Office in *London* of the said Commissioners, and shall be according to the Form contained in the Schedule (G.) hereto annexed: Provided also, that any Justices of the Peace who shall adjudicate on any Offence against this Act, or on any Breach or Nonperformance of any of the Requirements thereof, are hereby authorized, if they shall think fit, and the Offender is a Passage Broker, to order his Licence to be forfeited, and the same shall thereupon be forfeited accordingly; and the said Justices making such Order shall forthwith cause Notice of such Forfeiture, in the Form contained in the Schedule (H.) hereunto annexed, to be transmitted by the Post to the said Commissioners at their Office in *London:* In *Scotland*, where any Person wishing to obtain such Licence shall make Application for the same to the Sheriff or Steward or Sheriff Substitute or Steward Substitute, in place of to such Justices of the Peace as aforesaid, the Forms given in the said Schedules (D.), (E.), (F.), (G.), and (H.) respectively, shall still be adhered to, with such Alterations as may be necessary.

ed Application for Licences.

Justices may order Licences to be forfeited, &c.

As to Application for Licences in Scotland.

LXVIII. Every Passenger Broker's Licence in force at the Commencement of this Act shall, unless adjudged to be forfeited, continue in force until the First Day of *February* One thousand eight hundred and fifty-six, but no longer; and all Acts done under such Licence while in force shall be as valid as if done under any Licence granted under this Act.

Existing Licences to continue in force until 1st Feb. 1856.

LXIX. No Passage Broker shall employ as an Agent in his Business of Passage Broker any Person not holding from him the Appointment of Agent as herein-before mentioned; and every Person holding such Appointment shall produce the same, on the Demand of any Emigration Officer, or of any Person treating for a Passage under this Act: For any Breach or Violation of this Enactment in any Particular, the Offender shall be liable for each Offence to a Penalty not exceeding Fifty Pounds nor less than Twenty Pounds.

Employment of Agents by Passage Brokers. Agents to produce their Appointments on Demand.

LXX. If any Person shall by false Representation as to the Size of a Ship, or otherwise, or by any false Pretence or fraud whatsoever, induce any Person to engage a Passage in any Ship, the Person so offending shall for each Offence be liable to a Penalty not exceeding Twenty Pounds nor less than Five Pounds Sterling.

Penalty for fraudulently inducing to engage Passages.

LXXI. Every Person whatever, except the said Emigration Commissioners and Persons acting for them and under their direct Authority, who shall receive Money from any Person for or in respect of a Passage in any Ship, or of a Cabin Passage in any "Passenger Ship" proceeding from the United Kingdom to any Place out of *Europe*, and not being within the *Mediterranean Sea*, shall give to the Person paying such Money a Contract Ticket, signed by the Owner, Charterer, or Master of the Ship or "Passenger Ship" (as the Case may be) in which the Passage is to be provided, or by some Person in their or his Name, and on their or his Behalf: Such Contract Ticket shall be made out in plain and legible Characters on a printed Form, which in the Case of Cabin Passengers shall be according to the Form contained in Schedule (K.) hereto annexed, and in the Case of all other Passengers in the Form contained in Schedule (L.) hereto annexed, or according to such other Form as in either Case may from Time to Time be prescribed by the said Emigration Commissioners in any Notice issued under their Hands, or the Hands of any Two of them, and published in the *London Gazette:* And any Directions contained on the Face of such Form of Contract Ticket shall be obeyed in the same Manner as if herein set forth. In case of Noncompliance with any of the Requirements of this Section, or of any of the Directions on such Form of Contract Ticket not inconsistent with this Act, the Person so offending shall for each Offence be liable to a Penalty not exceeding Fifty Pounds, nor less than Five Pounds Sterling: Provided always, that such Contract Tickets shall not be liable to any Stamp Duty.

Contract Tickets for Cabin and other Passengers.

LXXII. Any Person who shall alter or cause to be altered, after it is once issued, or shall induce any Person to part with, render useless, or destroy any such Contract Ticket, during the Continuance of the Contract which it is intended to evidence (except in the Case of Cabin Passengers who may have consented thereto), shall be liable in each Case to a Penalty not exceeding Twenty Pounds Sterling.

Penalty for inducing anyone to part with Contract Ticket.

LXXIII. Any Question which may arise respecting the Breach or Nonperformance of any of the Stipulations in any such Contract Ticket, may, at the Option of any Passenger, or Cabin Passenger interested therein, be heard and determined in a summary Way by the Justices of the Peace, Magistrates, Sheriffs, or other Officers herein-after authorized to adjudicate on Offences and Complaints under the Act, who are hereby authorized to try such Questions, and if they shall find that a Breach of Contract has been committed, to award to the Complainant such Damages and Costs as they may think fit, not exceeding in any Case the Amount of the Passage Money specified in such Contract Ticket and Twenty Pounds; and if such Damages and Costs be not at once paid, Payment thereof shall thereupon be enforced, in the same Manner and by the same Processes as the Payment of Subsistence Money, or the Return of Passage Money, may be enforced under this Act; provided that if any Passenger shall have obtained Compensation or Redress, under any of the other Provisions of this Act, he shall not be entitled to sue under this Section for Damages for the same Matter or Cause of Complaint.

Summary Remedy for Breach of Contract.

LXXIV. If any Cabin or other Passenger shall, on Demand of any Emigration Officer, refuse or omit to produce his Contract Ticket, or if any Owner, Charterer, or Master of a Ship, shall on like Demand refuse or omit to produce to any Emigration Officer in the United Kingdom the Counterpart of any Contract

Penalty on Cabin Passengers and on Masters, &c.

omitting to produce Contract Tickets.

Contract Ticket issued by them, or on their Behalf, for the Inspection of such Emigration Officer, and for the Purposes of this Act, every Person so offending against the Requirements of this Section shall for each Offence be liable summarily to a Penalty not exceeding Ten Pounds.

Penalty on Persons acting as Runners without Licence and Badge, &c.

LXXV. Any Person who shall act as an "Emigrant Runner" without having previously been licensed and registered as herein-after mentioned, or who while so acting shall omit to wear conspicuously on his Breast such Badge as herein-after mentioned, or who shall employ as an "Emigrant Runner" any Person not duly licensed and registered, shall for each Offence be liable to a Penalty not exceeding Five Pounds nor less than Twenty Shillings.

Mode of licensing and registering Runners.

LXXVI. The Justices of the Peace at any Petty Sessions held for the District or Place within which any Person wishing to act as an "Emigrant Runner" is to carry on his Business, may upon the Recommendation in Writing of an Emigration Officer or of the Chief Constable or other Head Officer of Police of such District or Place (but not otherwise) grant, if they shall think fit, to such Person wishing to act as Runner a Licence for that Purpose according to the Form in Schedule (M.) hereto annexed, and such Runner shall within Forty-eight Hours thereafter (under a Penalty not exceeding Forty Shillings for any Default) lodge such Licence with the nearest Emigration Officer, who shall register the Name and Abode of such Runner in a Book to be kept for that Purpose, and shall number each Name registered in arithmetical Progression, and shall supply to such Runner, on his paying a Sum not exceeding Seven Shillings for the same, a Badge of such Form and Description as shall be approved by the said Emigration Commissioners.

Emigrant Runner's Licence to be renewed annually.

LXXVII. Every such "Emigrant Runner's" Licence shall continue in force until the Thirty-first Day of *December* in the Year in which it shall be granted, unless sooner revoked by any Justice of the Peace, for any Offence against this Act or for any other Misconduct committed by the Holder of such Licence. In case of any renewed Licence it shall be sufficient for the Emigration Officer to note the Fact, and the Date of the Renewal, in his Registry Book against the original Entry therein of the Name of the Runner holding such renewed Licence.

Penalty on Runner for certain Acts of Misconduct.

LXXVIII. If any "Emigrant Runner" shall refuse or fail to produce, on Demand, his Badge for Inspection, or to permit any Person to take the Number thereof, or if he shall fail within Forty-eight Hours to give to the Emigration Officer of the Port or Place within which he is licensed to act, Notice in Writing of any Change in his Place of Abode, in order that his new Abode may be registered, or of the Loss of his Badge, or if he shall mutilate or deface his Badge, or wear the same while unlicensed, or wear any other than the one delivered to him by such Emigration Officer as aforesaid, or permit any other Person to use his Badge, he shall for each such Offence be liable to a Penalty not exceeding Forty Shillings and to the Forfeiture of his Licence, if the convicting Justices or Magistrate shall so determine; and any Person retaining or using any "Emigrant Runner's" Badge not issued to him under the Provisions of this Act, or counterfeiting or forging any such Badge, shall for each such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty for using Badges not lawfully issued.

How fresh Badges may be obtained if old ones lost, &c.

LXXIX. Such Emigration Officer as last aforesaid may, if he thinks fit, on Payment to him of the Sum of Five Shillings, deliver a new Badge to any licensed "Emigrant Runner" who shall satisfy such Officer that he has lost his original Badge, or who shall deliver up the same in a mutilated or defaced State.

Runners not entitled to Commission from any Passage Broker unless acting with his Authority, &c.

LXXX. No "Emigrant Runner" shall be entitled to recover from any Passage Broker any Fee, Commission, or Reward for or in consideration of any Service connected with Emigration, unless he shall be acting under the written Authority of such Passage Broker, nor, under a Penalty for each Offence not exceeding Five Pounds, shall take or demand from any Person about to emigrate any Fee or Reward for the procuring of his Passage, or in any way relating thereto.

List of Runners to be exhibited by Brokers and sent to Emigration Officers.

LXXXI. Every Passage Broker shall exhibit and keep constantly exhibited in some conspicuous Place in his Office or Place of Business a correct List, in plain and legible Characters, containing the Names and Addresses in full of every Person for the Time being holding such Authority to act as his Agent or as an Emigrant Runner for him as aforesaid, and shall on or before the Fifth Day, or if that Day be a *Sunday*, on or before the Fourth Day, in every Month, transmit a true Copy of such List, duly signed by him, to the Emigration Officer stationed nearest to the Place of Business of such licensed Passage Broker, and shall report to such Emigration Officer every Discharge or fresh Engagement of an Agent or of an "Emigrant Runner" within Twenty-four Hours of the same taking place. In case of Noncompliance with any of the Requirements of this Section, the Person so offending shall be liable for each Offence to Penalty not exceeding Five Pounds nor less than Two Pounds.

Trustees of Docks may pass Byelaws for regulating the Landing and Embarkation of intending Emigrants, and for licensing Emigrant Porters.

LXXXII. It shall be lawful for the Trustees or other Persons charged with the Management of any Docks or Basins in any Port within the United Kingdom from which "Passenger Ships" are despatched, to make, and from Time to Time to alter, amend, or repeal, such Rules and Byelaws as may be necessary for prescribing the Docks, Basins, or other Places at which Persons arriving by Sea at such Ports for the Purpose of emigrating, or actually emigrating therefrom, shall be landed and embarked, and the Mode of their Landing and Embarkation, and for licensing Porters to carry their Luggage, and otherwise to attend upon them, and for the Storing and safe Custody of their Luggage, and for admitting Persons to and excluding Persons from Access to such Docks or Basins, and for attaching a Penalty not exceeding Five Pounds for the Breach of any of such Rules or Byelaws, such Penalty to be sued for and recovered

as other Penalties are by this Act directed to be recovered, except that instead of an Emigration Officer, such Trustees or other Persons as aforesaid shall sue for and recover the same: And it shall further be lawful for such Trustees, by their Officers or Servants, or by any Police Officer, to arrest and detain any Person charged with the Breach of any such Rule or Byelaw until brought before any Justice of the Peace, who is hereby authorized to adjudicate on the Offence in a summary Way: Provided that no such Rules or Byelaws shall take effect until they shall have been approved by One of Her Majesty's Principal Secretaries of State, and published by his Authority in the *London Gazette*, which Publication shall for all Purposes be deemed conclusive Evidence of such Rules and Byelaws, and of the Approval thereof by such Secretary of State.

Passage Brokers.

Byelaws to be approved by Secretary of State, &c.

LXXXIII. 'And whereas the said Emigration Commissioners and Persons acting under their Authority 'issue from Time to Time certain Forms of Application and other Papers for the Use of Persons desirous 'of emigrating by their Assistance: And whereas it is expedient to afford additional Security against the 'Falsification or Misuse of such Forms and Papers, and of any Certificate of Marriage or of Birth or 'Baptism, or other Document or Statement adduced in support of any Application to the said Commis-'sioners for such Assistance:' Be it therefore enacted, That if any Person shall falsely represent himself to be or falsely assume to act as the Agent of the said Commissioners, or shall sell any such Form of Application, Paper, or Embarkation Order, or shall wilfully make any false Representation in any such Form of Application, Paper, Certificate, or Document as aforesaid, or shall forge or fraudulently alter any Signature or Statement contained therein respectively, or shall personate any Person named therein respectively, or shall aid or in any way abet any Person in any such false Representation, Forgery, Alteration, or Personation, the Person so offending shall be liable for each such Offence to a Penalty not exceeding Fifty Pounds nor less than Two Pounds Sterling.

Penalty for falsifying Documents to obtain Passages from Emigration Commissioners, and for Personation.

LXXXIV. All Penalties and Forfeitures imposed by this Act shall be sued for in the United Kingdom by any Emigration Officer or his Assistant, or by any Person authorized thereto by the said Emigration Commissioners under the Hands of any Two of them, or by any Collector or Comptroller of Her Majesty's Customs, or by any other Officer of Her Majesty's Customs authorized thereto in Writing by the Commissioners of Her Majesty's Customs, and in any of Her Majesty's Possessions abroad by any Government Emigration Officer or Agent, or by any such Collector or Comptroller of Customs, or other Officer of Customs so authorized as aforesaid, or by any Officer authorized to sue for Penalties and Forfeitures under this Act by Writing under the Hand and Seal of the Governor of any such Possession; and the said Emigration Commissioners, and the Commissioners of Her Majesty's Customs, and every such Governor, are hereby respectively empowered to grant such Authority as aforesaid: And all Sums of Money made recoverable by this Act as Return of Passage Money, Subsistence Money, Damages, or Compensation may be sued for and recovered by and for the Use of any Passenger entitled thereto under this Act, or by any such Officer as aforesaid, for and on behalf and to the Use of any such Passenger or any Number of such Passengers respectively, and in any Case either by One or several Informations or Complaints.

Procedure for Penalties, &c.

By whom Penalties are to be recovered.

By whom Passage Money, &c. may be recovered.

LXXXV. All Penalties imposed and all Sums of Money made recoverable under this Act, by way of Passage Money, Subsistence Money, Compensation, or Damages for the Breach of any Stipulation in any Contract Ticket, shall and may be sued for and recovered before any Two or more Justices of the Peace acting in any Part of Her Majesty's Dominions or Possessions in which the Offence shall have been committed, or the Cause of Complaint shall have arisen, or in which the Offender or Party complained against shall happen to be, or acting in any County or Borough, or Place adjacent to any navigable River or Inlet of the Sea, on which such Offence shall have been committed or Cause of Complaint have arisen; and upon Information or Complaint made before any One Justice of the Peace acting as aforesaid, he shall issue a Summons, according to the Form in the Schedule (N.) hereto annexed, requiring the Party offending or complained against to appear at a Time and Place to be named therein; and every such Summons shall be served on the Party offending or complained against, or shall be left at his last known Place of Abode or of Business, or on board any Ship to which he may belong; and if such Party shall not appear accordingly, then (upon Proof of the due Service of the Summons by delivering the Summons or a Copy thereof to the Party, or at his last known Place of Abode or of Business, or on board any Ship to which he may belong, to the Person in charge of any such Ship,) any Two of such Justices so acting as aforesaid may either hear and determine the Case in the Absence of the Party, or either of them may issue his Warrant for apprehending and bringing such Party before them or any Two Justices so acting as aforesaid; or the Justice before whom the Charge shall be made, if he shall have Reason to suspect, from Information upon Oath, that the Party is likely to abscond, may issue such Warrant in the first instance, without any previous Summons; and either upon the Appearance of the Party offending or complained against, or in his Absence as aforesaid, any Two of such Justices so acting as aforesaid may hear and determine the Case, either with or without any written Information or Complaint; and upon Proof of the Offence, or of the Complainant's Claim, (as the Case may be,) either by Confession of the Party offending or complained against, or upon the Oath of One or more credible Witness or Witnesses (and the Justices are hereby authorized to summon and swear any Witnesses who may be deemed necessary), it shall be lawful for such Justices so acting as aforesaid, to convict the Offender, or to adjudicate upon the Complaint, (such Conviction or Adjudication to be drawn up according

Tribunal for adjudicating on Offences and Complaints under this Act.

Procedure for Penalties, &c.

according to One of the Forms of Conviction or Adjudication contained in Schedule (O.) hereto annexed, or as near thereto as the Circumstances of the Case will admit,) and upon every such Conviction, to order the Offender to pay such Penalty as they may think proper, not exceeding the Penalties hereinbefore imposed, and upon every such Adjudication to order the Party complained against to pay to the Party suing for the same the Sum of Money or Damages sued for, or so much thereof as such Justices shall think the Complainant justly entitled to, together with, in every Case, the Costs of the Proceedings; and if the Monies and Costs mentioned in such Conviction or Adjudication be not paid immediately, or within the Time limited in the Order, it shall be lawful for any Two of such Justices so acting as aforesaid, by Warrant, (and although the written Order of Conviction or Adjudication, or any Minute thereof, may not have been served,) to cause the Party offending to be committed to Gaol, there to be imprisoned, with or without Hard Labour, according to the Discretion of such Justices, for any Term not exceeding Three Calendar Months, unless such Monies and Costs be sooner paid and satisfied: Provided always, that in all Proceedings taken under this Act for which no Form is herein expressly provided, it shall be lawful to use Forms similar, as nearly as Circumstances will admit, to those contained in the Schedule to an Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

Proviso where no Forms of proceeding are prescribed by this Act.

Police and Stipendiary Magistrate, and in Scotland Sheriff, &c. to have same Powers as Justices of the Peace.

LXXXVI. Every Police or Stipendiary Magistrate, and in *Scotland* every Sheriff or Steward and Sheriff Substitute or Steward Substitute of a County or Stewartry within his own County or Stewartry, shall have such and the like Powers, Privileges, and Functions, and be entitled to exercise such and the like Jurisdiction under this Act, as any Justice or Two Justices, or Justices at Petty Sessions, have, or is or are entitled to exercise under the Provisions of this Act; and all Acts, Matters, and Things competent to be done under the Provisions of this Act by or before any Justice or Two Justices of the Peace, or Justices at Petty Sessions, or otherwise, may be done by and before any Police or Stipendiary Magistrate, and in *Scotland* by and before any Sheriff or Steward, or Sheriff Substitute or Steward Substitute within his own County or Stewartry.

No Objection to be allowed, nor Convictions to be quashed for Want of Form.

LXXXVII. No Objection shall be taken or allowed to any Complaint, Information, Summons, or Warrant under this Act, for any alleged Defect therein, either in Substance or in Form, or for any Variance between such Complaint or Information and the Evidence adduced on the Hearing thereof; but if any Variance shall appear to the Justice or Justices present and acting at such Hearing to be such that the Party so summoned and appearing has been thereby deceived or misled, it shall be lawful for such Justice or Justices, upon such Terms as he or they shall think fit, to adjourn the Hearing of the Case to some future Day, and in the meantime to commit the Defendant to such safe Custody as the said Justice or Justices may think fit, or to discharge him upon his Recognizance, with or without Sureties, to appear at such Time and Place as may be appointed: No Conviction, Order, Adjudication, or other Proceeding under or in pursuance of this Act shall be quashed or vacated for Want of Form.

Application of Penalties.

LXXXVIII. All Penalties imposed by this Act shall, when recovered, and notwithstanding any Local Act of Parliament to the contrary, be paid to the Emigration Officer or Officer of Customs at whose Suit the same shall have been recovered, for the Use of Her Majesty and Her Successors, and if recovered in the Colonies shall be paid over by the Party receiving the same into the Colonial Treasury, and shall form Part of the general Revenue of the Colony, and if recovered in the United Kingdom shall be paid over to the said Emigration Commissioners if the Party at whose Suit the same shall have been recovered be an Emigration Officer or his Assistant, and to Her Majesty's Commissioners of Customs if the Party at whose Suit the same shall have been recovered be an Officer of Customs, to be by such Emigration Commissioners and Commissioners of Customs respectively duly accounted for; and all such Penalties as may be recovered in the United Kingdom shall be appropriated to such Purposes and in such Manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury may from Time to Time direct and appoint: Provided always, that it shall be lawful for the Justices of the Peace who shall impose any such Penalty at the same Time to direct, if they shall think fit, that a Part, not exceeding One Moiety thereof, be applied to compensate any Passenger for any Wrong or Damage which he may have sustained by the Act or Default in respect of which such Penalty or Forfeiture shall have been imposed.

Justices may award Compensation out of Penalties.

Burden of Proof to be on Persons claiming Exemption from Act.

Proof of Negatives.

LXXXIX. If in any Suit, Action, Prosecution, or other legal Proceeding under this Act any Question shall arise whether any Ship was or was not exempted from the Provisions of this Act or any of them, the Burden of proving that such Ship was so exempted shall lie on the Party claiming the Benefit of the Exemption, and failing such Proof it shall for any such Purpose as aforesaid be taken and adjudged that the Ship did come within the Provisions of this Act; and it shall not be necessary, in any Information, Complaint, or other Process or Proceeding, to negative any Exemption, Proviso, or Condition contained in any Section of this Act on which such Information, Complaint, or other Process or Proceeding shall be framed, neither shall it be necessary for the Complainant to prove the Negative, but the Defendant may prove the Affirmative thereof, if he will have Advantage of the same.

Proof of a Party being an Emigration Officer.

XC. If in any Proceeding before any Justice or Justices of the Peace under this Act, or upon any Action, Suit, or other Proceeding whatsoever, against any Person, for anything done either contrary to or in pursuance of this Act, a Question should arise whether any Person is an Emigration Officer or Assistant

Assistant Emigration Officer, or an Officer of Customs, *vivâ voce* Evidence may be given of such Fact by the Officer himself, and shall be deemed legal and sufficient Evidence.

Passengers suing not incompetent Witnesses.

XCI. Any Passenger suing under this Act for any Sum of Money made recoverable by this Act as Passage Money, Subsistence Money, or Compensation, or Damages, shall not be deemed an incompetent Witness in any Proceeding for the Recovery thereof, notwithstanding the same, if recovered, shall be applicable to his own Use and Benefit.

Tender of Amends.

XCII. No Plaintiff shall recover in any Action against any Emigration Officer, his Assistant, Government Emigration Agent, or Officer of Customs, or other Person, for anything done in pursuance of this Act, if Tender of sufficient Amends shall have been made before such Action brought, or if, after Action brought, a sufficient Sum of Money shall have been paid into Court, by or on behalf of the Defendant.

Limitation of Actions against Officers executing the Act.

XCIII. No Action or Suit shall be commenced against any Emigration Officer, his Assistant, Government Emigration Agent, Officer of Customs, or other Person, for anything done in pursuance of or under the Authority of this Act, until Ten clear Days Notice in Writing, specifying distinctly the Cause of Action, has been given to the Officer, Agent, or Person as aforesaid against whom such Action or Suit is intended to be brought, nor after Three Calendar Months next after the Act committed and mentioned in such Notice for which such Action or Suit shall be so brought; and every such Action shall be brought, laid, and tried where the Cause of Action shall have arisen, and not in any other Place; and the Defendant in such Action or Suit may plead the General Issue, and give this Act and any special Matter in Evidence, at any Trial which shall be had thereupon; and if the Matter or Thing shall appear to have been done under or by virtue of this Act, or if it shall appear that such Action or Suit was brought before Ten clear Days Notice thereof given as aforesaid, or if any Action or Suit shall not be commenced within the Time herein-before limited, or shall be brought or laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant therein; and if a Verdict shall be found for such Defendant, or if the Plaintiff in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action, or if upon any Demurrer in such Action, Judgment shall be given for the Defendant thereon, then and in any of the Cases aforesaid, such Defendant shall recover full Costs of Suit as between Solicitor and Client, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

Defendant may plead the General Issue, &c.

Costs.

Limitation of legal Proceedings generally.

XCIV. Where no Time is expressly limited within which any Complaint or Information is to be made or laid for any Breach or Nonperformance of any of the Requirements of this Act, the Complaint shall be made or the Information laid within Twelve Calendar Months from the Time when the Matter of such Complaint or Information respectively arose, or in case the Master of any Ship is the Offender or Party complained against, within Twelve Calendar Months next after his Return to the Country in which the Matter of Complaint or Information arose.

Colonial Voyages.

XCV. 'And whereas it is expedient to provide in certain Cases for the Carriage of Passengers by Sea 'from Her Majesty's Possessions abroad:' Be it therefore enacted as follows: For the Purposes of this Act the Term "Colonial Voyage" shall signify any Voyage from any Place within any of such Possessions (except the Territories under the Government of the *East India* Company and the Island of *Hong Kong*) to any Place whatever, where the Distance between such Places shall exceed Four hundred Miles, or the Duration of the Voyage, to be prescribed as herein-after mentioned, shall exceed Three Days.

Colonial Voyages defined.

This Act to apply to all Colonial Voyages, except as relates to Matters herein named.

XCVI. This Act shall apply, so far as the same is applicable, to all Ships carrying Passengers on any such "Colonial Voyage," except as to such Parts of the Act as relate to the following Matters; (that is to say,)

1. To Passage Brokers and their Licences:
2. To Passengers Contract Tickets:
3. To Emigrant Runners:
4. To the giving Bond to Her Majesty:
5. To the keeping on board a Copy of this Act:
6. To Orders in Council regulating Emigration from the United Kingdom, or prescribing Rules for promoting Health, Cleanliness, Order, and Ventilation:

If any Colonial Voyage be less than Three Weeks, this Act not to apply to Subjects herein named.

Provided that if the prescribed Duration of any "Colonial Voyage" be less than Three Weeks, then, in addition to the Matters lastly herein-before excepted, the Provisions of this Act shall not extend or apply, so far as they relate to the following Subjects; (namely,)

The Construction or Thickness of the Decks:
The Berths and Berthing:
The Height between Decks:
Privies:
Hospitals:
Light and Ventilation:
Manning:
Passengers Stewards:
Passengers Cooks and Cooking Apparatus:
The Surgeon, and Medicine Chest:
The Maintenance of Passengers for Forty-eight Hours after Arrival:

Provided

Colonial Voyages.

Provided also, that in the Case of such "Colonial Voyages" whereof the prescribed Duration is less than Three Weeks, the Requirements of this Act respecting the Issue of Provisions shall not, except as to the Issue of Water, be applicable to any Passenger who may have contracted to furnish his own Provisions.

Governor of Colonies may, by Proclamation, declare Length of Voyage, and prescribe Scale of Diet, Medicines, and Medical Comforts.

XCVII. It shall be lawful for the Governor of each of Her Majesty's Possessions abroad, by any Proclamation to be by him from Time to Time issued for that Purpose (which shall take effect from the issuing thereof), to declare what shall be deemed, for the Purposes of this Act, to be the Length of the Voyage of any Ship carrying Passengers from such Possession to any other Place whatsoever, and to prescribe such Scale of Diet for the Use of the Passengers during the Voyage as he shall think proper, and also to declare what Medicines, Medical Comforts, Medical Instruments, and other Matters shall be deemed necessary for the Medical Treatment of the Passengers during such "Colonial Voyage;" and the Provisions and Requirements of every such Proclamation shall be enforced in all Her Majesty's Dominions as if they were incorporated in this Act, and in like Manner as the Provisions of this Act may be enforced; and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the public Seal of such Colony, shall in any Part of Her Majesty's Dominions wherein the same shall be produced, be received as good and sufficient Evidence of the due issuing, and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Copies of Proclamations to be received as Evidence.

Provision for Survey of Ships in the Colonies, and for appointing Surgeons thereto.

XCVIII. It shall be lawful for the Governors of any such Possessions respectively to authorize such Person or Persons as they may think fit to make the like Survey and Examination of "Passenger Ships" sailing from such Possessions respectively as is herein-before required to be made by Two or more competent Surveyors in respect of "Passenger Ships" sailing from the United Kingdom, and also to authorize in such Cases, as to such Governors may seem proper, any competent Person to act as Medical Practitioner on board any "Passenger Ship" proceeding on a "Colonial Voyage."

Power to Governor General of India in Council, by any Act to be passed for that Purpose, to adopt this Act for India, and to make Rules respecting Food, Passengers, Surgeons, &c.,

XCIX. This Act shall not apply to any of the Territories or Places under the Government of the *East India* Company: It shall, however, be lawful for the Governor General of *India* in Council, from Time to Time, by any Act or Acts to be passed for that Purpose, to declare that this Act or any Part thereof, shall apply to the Carriage of Passengers upon any Voyage from any Ports or Places within such Territories, to be specified in such Act or Acts, to any other Places whatsoever, to be also specified in such Act or Acts; and also in like Manner to authorize the Substitution, as respects such Voyages, of other Articles of Food and Provisions for those herein-before enumerated; and to declare the Rule of Computation by which the Length of any such Voyage shall be estimated; and to determine the Persons or Officers who, in such Territories, shall be entitled to exercise or perform the Powers, Functions, or Duties herein-before given to or imposed upon the Emigration Officers and Officers of Customs in the United Kingdom; and to authorize the Employment, on board any Ship, of a Medical Practitioner duly qualified by Law to practise as a Physician, Surgeon, or Apothecary within such Territories; and to declare for the Purposes of this Act the Space necessary for Passengers, and the Age at which Two Children shall be considered equal to One Statute Adult, in Ships that may clear out from any Port or Place within such Territories; and also to declare in what Manner, and before what Authorities, and by what Form of Proceedings, the Penalties imposed, and the Sums of Money made recoverable by this Act shall be sued for and recovered within such Territories, and to what Uses such Penalties shall be applied: And on the passing of such *Indian* Act or Acts, and whilst the same shall remain in force, all such Parts of this Act as shall be adopted therein, shall apply to and extend to the Carriage of Passengers upon such Voyages as in the said *Indian* Act or Acts shall be specified; the Provisions of such *Indian* Act shall be enforced in all Her Majesty's Possessions in like Manner as the Provisions of this Act may be enforced: Every such *Indian* Act shall be subject to Disallowance and Repeal, and shall in the same Manner be transmitted to *England*, to be laid before both Houses of Parliament, as in the Case of any other Law made by the Governor General in Council.

and to declare in what Manner Penalties, &c. may be sued for and recovered.

Indian Act may be enforced in like Manner as this Act.

Voyages to the United Kingdom.

C. The Master of every Ship bringing Passengers into the United Kingdom from any Place out of *Europe*, and not within the *Mediterranean Sea*, shall, within Twenty-four Hours after Arrival, deliver to the Emigration Officer or his Assistant, or in their Absence to the Chief Officer of Customs at the Port of Arrival, a correct List, signed by such Master, and specifying the Names, Ages, and Callings of all the Passengers embarked, and also the Port or Ports at which they respectively may have embarked, and showing which, if any of them, may have died, with the supposed Cause of Death, or been born on the Voyage; and if any Master shall fail so to deliver such List, or if the same shall be wilfully false, he shall, on Conviction, as herein-before mentioned, be liable to a Penalty not exceeding Fifty Pounds.

List of Passengers to be delivered by the Master of the Ship to the Emigration Officer.

Penalty.

Such Emigration or Customs Officer shall, upon receipt of such List, transmit the Particulars respecting any Passenger named therein who may have died, with the supposed Cause of Death, or been born on the Voyage, to the Registrar General of Births, Deaths, and Marriages, who shall file the same, and enter a Copy thereof under his Hand in the "Marine Register Book," which Entry shall be dealt with and be of the same Value as Evidence as any other Entry made in such Book under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for registering Births, Deaths, and Marriages in* England.

Returns of Births and Deaths at Sea to be made to the Registrar General.

6 & 7 W. 4. c. 86.

CI. If any Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall have on board a greater Number of Passengers or Persons than in the Proportions respectively prescribed

Penalty for having on board

scribed in the Fourteenth Section of this Act for Ships carrying Passengers from the United Kingdom, the Master of such Ship shall be liable, on such Conviction as herein-before mentioned, to a Penalty not exceeding Ten Pounds nor less than Five Pounds for each such Person or Statute Adult constituting any such Excess. a greater Number of Persons than prescribed by Section 14.

CII. The Master of every Passenger Ship bringing Passengers into the United Kingdom from any Place out of *Europe* shall make to each Statute Adult during the Voyage, including the Time of Detention, if any, at any Port or Place before the Termination thereof, Issues of pure Water and of good and wholesome Provisions in a sweet Condition, in Quantities not less in Amount than is prescribed in the Thirty-fifth Section of this Act for Passengers proceeding from the United Kingdom; and in case of Noncompliance with any of the Requirements of this Section the Master of such Ship shall, on such Conviction as herein-before mentioned, be liable for each Offence to a Penalty not exceeding Fifty Pounds. Provisions and Water to be issued to Passengers brought into the United Kingdom, &c. s. 35. Penalty.

CIII. The Schedules to this Act shall be deemed to be Part of this Act, and all the Directions therein contained shall be duly followed and enforced, under a Penalty not exceeding Ten Pounds on the Person failing to obey the same respectively. Schedules to be Part of the Act.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

FORM of CERTIFICATE exempting a MAIL STEAMER from the Provisions of the British Passengers Act, 1855.

N.B.—This Certificate must be produced, on Demand, to the Emigration Officer or his Assistant, or if there be no such Officer to the Chief Officer of Customs at the Port of Clearance or Port of Departure, by the Master of any Steam Vessel claiming Exemption from the Passengers Act, otherwise the Exemption will not be allowed.

This is to certify that the Steam Vessel of Tons, *registered* [a] Tonnage, belonging to the Port of , is duly authorized to carry Mails under a Contract with the Government of [b] between [b] and [b] , and is therefore exempt from the Operations of the "Passengers Act, 1855," from the Date hereof to the Day of 18 .

Given under my Hand at , this Day of 18 .

(Signature) _____ { Postmaster-General of the United Kingdom *or his Deputy* (*or* Governor *or* Postmaster-General, *&c.* of [*name the Colony or Foreign State*], *as the Case may be*).

[a] Omit this Word if inapplicable in the Case of a Foreign Vessel.

[b] Insert here the Name of the State.

BRITISH CONSUL'S CERTIFICATE in the Case of a Foreign Steam Vessel.

The above Signature is to the best of my Belief the Signature of the [*here insert the Title of the Officer signing the preceding Certificate*], the Officer duly authorized by the Government of to grant the same.

(Signature) _____ { Her Britannic Majesty's Consul-General, Consul, *or* Vice-Consul of (*as the Case may be*).

SCHEDULE (B.)

FORM OF PASSENGERS LIST.

Ship's Name.	Master's Name.	Tons per Register.	Aggregate Number of Superficial Feet in the several Compartments set apart for Passengers other than Cabin Passengers.	Total Number of Statute Adults, exclusive of Master, Crew, and Cabin Passengers, which the Ship can legally carry.	Where bound.

I hereby certify, That the Provisions actually laden on board this Ship are sufficient, according to the Requirements of the Passengers Act, for Statute Adults for a Voyage of Days.

(Signature) _____ Master.

Date _____ 185 .

NAMES AND DESCRIPTIONS OF PASSENGERS.

Ports of Embarkation.	Names of Passengers.	Age of each Adult of 12 Years and upwards.				Children between 1 and 12 Years.		Infants.		Profession, Occupation, or Calling of Passenger.	State whether English, Scotch, or Irish.	Port at which Passengers have contracted to land.
		Married.		Single.								
		Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.			

SUMMARY.

	Number of Souls.				Equal to Statute Adults.
	English.	Scotch.	Irish.	Total.	
Adults - - - -					
Children between 1 and 12 -					
Infants - - -					
TOTAL - -					

We hereby certify, That the above is a correct List of the Names and Descriptions of all the Passengers who embarked at the Port of _____

(Signed) _____ Master.
_____ Emigration Officer.
(Countersigned) _____ Officer of Customs at _____.

Date _____ 185 .

N.B.—Lines should be ruled in the same Form for any Additions to the List after the Ship first clears out; and similar Certificates be subjoined to such Additions, according to the Requirements of the Act.

SCHEDULE (C.)

FORM of BOND to be given by the MASTER and by the OWNER or CHARTERER of a "Passenger Ship."

KNOW all Men by these Presents, that we,* are held and firmly bound unto our Sovereign by the Grace of God, of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of Two thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty

* Insert here the Christian and Surnames in full, with Occupations and Addresses of each of the Two Obligors.

WHEREAS by the "Passengers Act, 1855," it is amongst other things enacted, that before any "Passenger Ship" shall clear out or proceed to Sea, the Master together with the Owner or Charterer of the Ship, or in the Absence of such Owner or Charterer, or if the Master be the Owner or Charterer, One other good and sufficient Person, to be approved by the Chief Officer of Customs at the Port of Clearance, shall enter into a Bond to Majesty, Heirs and Successors, in the Sum of Two thousand Pounds:

Now the Condition of this Obligation is such, that if the Ship whereof the above bounden is Master, bound to is in all respects seaworthy, *[and if the said Ship shall call at the Port of and there shall be shipped on board at such Port pure Water for the Use of the Passengers, sufficient in Quantity to afford an Allowance of Three Quarts daily to each Statute Adult for the Period of Days on the Voyage from such Port to the final Port or Place of Discharge of such Vessel,] and if (notwithstanding any Penalty by the said Act imposed, and whether the same may have been sued for and recovered or not,) all and every the Requirements of the said Passengers Act, 1855, (except such of them as relate exclusively to Passage Brokers and Runners) and of the Emigration Commissioners acting in the Manner prescribed by the said Act, and of any Order passed by Her Majesty in Council relating to "Passenger Ships" and now in force, shall in all respects be well and truly performed †[and if the Master for the Time being of the said Ship shall submit himself, in like Manner as a British Subject being the Master of a British Passenger Ship, to the Jurisdiction of the

* The Clause within Brackets is to be inserted only when the Ship is to call at an intermediate Port to take in Water as provided by s. 34. of the Act.

† This Clause to be inserted only

the Tribunals in Majesty's Possessions abroad, empowered by the said Act to adjudicate on Offences committed against the said Act,] and if moreover all Penalties, Fines, and Forfeitures which the Master of such Ship may be adjudged to pay for or in respect of the Breach or Nonfulfilment of any of such Requirements as aforesaid shall be well and truly paid, and if all Expenses incurred by the Secretary of State or any Governor or British Consular Officer under the Provisions of this Act shall also be well and truly paid, then this Obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered by the above bounden and in the Presence of ‡

§[I hereby certify, that the above Bond was duly signed, sealed, and delivered according to the Law of Great Britain by the said Master of the said Ship and by the said (*other Obligor*)].

(Signature)_____ { Chief Officer of Customs for the Port of .

(Date)_____ 185 .

in the Case of a Foreign Passenger Ship proceeding to any of the British Colonies.

‡ Insert Names and Addresses in full of the Witnesses.

§ Certificate to be signed by the Chief Officer of Customs and forwarded with the Bond to the Colony, according to s. 64. of the Act.

SCHEDULE (D).

FORM of PASSAGE BROKER'S ANNUAL BOND, with Two Sureties, to be approved by the Emigration Officer at the nearest Port.

KNOW all Men by these Presents, That we, *A.B.** of *C.D.* of, *&c.* and *E.F.* of, *&c.* are held and firmly bound unto our Sovereign by the Grace of God, of the United Kingdom of Great Britain and Ireland Defender of the Faith, in the Sum of One thousand Pounds of good and lawful Money of Great Britain, to be paid to our said the Heirs and Successors; to which Payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our Heirs, Executors, and Administrators, and every of them, firmly by these Presents. Sealed with our Seals. Dated this Day of One thousand eight hundred and fifty .

* Insert Christian and Surnames in full, with Occupations and Address of each of the Parties.

WHEREAS by the "Passengers Act, 1855," it is amongst other things enacted, that no Person whatever, save as therein excepted, shall directly or indirectly act as a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, or shall sell or let, or agree to sell or let, or be in anywise concerned in the Sale or Letting of Passages in any Ship, whether a "Passenger Ship" or otherwise, proceeding from the United Kingdom to any such Place as aforesaid, unless such Person, with Two good and sufficient Sureties, to be approved by the Emigration Officer at the Port nearest the Place of Business of such Person, shall have previously entered into a joint and several Bond to Her Majesty, Her Heirs and Successors, in the Sum of One thousand Pounds: And whereas the said *C.D.* and *E.F.* have been duly approved by the proper Emigration Officer as Sureties for the said *A.B.*:

Now the Condition of this Obligation is such, that if the above-bounden *A.B.*, and every Agent whom he may employ in his Business of a Passage Broker, shall well and truly observe and comply with all the Requirements of the said recited Act, so far as the same relate to Passage Brokers, and further shall well and truly pay all Fines, Forfeitures, and Penalties, and also all Sums of Money, by way of Subsistence Money, or of Return of Passage Money and Compensation, to any Passenger, or on his Account, together with all Costs which the above-bounden *A.B.*, or any of his Agents as aforesaid, may at any Time be adjudged to pay under or by virtue of any of the Provisions of the said recited Act, then and in such Case this Obligation to be void, otherwise to remain in full Force.

Signed, sealed, and delivered by the above-bounden *A.B.*, *C.D.*, and *E.F.*, in the Presence of *

* Insert the Names and Addresses in full of the Witnesses.

N.B.—This Bond is to be executed in Duplicate, in the Presence of and to be attested by an Emigration Officer or his Assistant, or an Officer of Customs, or a Magistrate, or a Notary Public. One Part is to be deposited with the Emigration Commissioners in London, and the other Part with the Emigration Officer at the Port nearest to the Place of Business of the Broker. Each Member of a Firm or Partnership who acts as a Passage Broker must give a separate Bond with Two Sureties.

[The Bond is exempt from Stamp Duty, but must be renewed annually with Licence.]

SCHEDULE (E.)

FORM of PASSAGE BROKER'S LICENCE.*

A.B.† of in the having shown to the Satisfaction of me (*or* us) the undersigned, that he hath given Bond to Majesty, as by the "Passengers Act, *1855*," required, and also given Fourteen Days previous Notice to the Emigration Commissioners of his Intention to make Application for a Licence to carry on the Business of a Passage Broker in respect of Passages from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, I (*or* we), the undersigned, having had no sufficient Cause shown to me (*or* us), and seeing no valid Reason why

† The Christian and Surnames in full, with the Address and Trade or Occupation of the Party applying for the Licence, must be correctly inserted. If a Member of

* N.B. Each Member of a Firm or Partnership who acts as a Passage Broker must have a separate Licence.

a Firm, the Christian and Surnames of all the Members must be given.

why the said *A.B.* should not receive such Licence, do hereby license and authorize the said *A.B.* to carry on the Business of a Passage Broker as aforesaid until the End of the present Year, and Thirty-one Days afterwards, unless this Licence shall be sooner determined by Forfeiture for Misconduct on the Part of the said *A.B.* as in the "Passengers Act, 1855," is provided.

Given under my Hand and Seal (*or* our respective Hands and Seals), this Day of 185 at

Signature _____ (L.S.) { Justices of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Steward Substitute, *as the Case may be.*

SCHEDULE (F.)

FORM of NOTICE to be given to the Emigration Commissioners by Justices granting a Licence.

Gentlemen,

THIS is to give you Notice, That we (*or* I), the undersigned, did on the Day of 185 license *A.B.* of* to carry on the Business of a Passage Broker under the Provisions of the "Passengers Act, 1855."

* Insert the Christian and Surnames in full, with the Address and Occupation of the Party.

Signatures _____ { Justices of the Peace, *or as the Case may be.*

Place _____ Date _____

To the Emigration Commissioners, London.

SCHEDULE (G.)

FORM of NOTICE to be given to the Emigration Commissioners by any Applicant for a Passage Broker's Licence.

Gentlemen,

I, *A.B.** of in do hereby give you Notice, That it is my Intention to apply, after the Expiration of Fourteen clear Days from the putting of this Notice into the Post, to the Justices to be assembled in Petty Sessions to be held † (*or* to the Police *or* Stipendiary Magistrate for the City *or* Borough *or* District of *or* if in Scotland to the Sheriff *or* Steward of *as the Case may be,*) for a Licence to carry on the Business of a Passage Broker under the Provisions of "The Passengers Act, 1855."

* The Christian Names and Surname in full, with the Address and Trade or Occupation of the Party applying for a Licence, must be here correctly inserted.

† The Place or District in which the Party giving the Notice has his Place of Business.

Signature _____

Date _____

To the Emigration Commissioners, London.

SCHEDULE (H.)

FORM of NOTICE to be given by the Justices to the Emigration Commissioners of Forfeiture of a Passage Broker's Licence.

Gentlemen,

THIS is to give you Notice, That the Licence granted on the Day of 185 to *A.B.** of in to act as a Passage Broker, was on the Day of now last past duly declared by me (*or* us) the undersigned Justices of the Peace in Petty Sessions assembled, to be forfeited.†

* The Christian and Surnames in full, with the Address and Trade or Occupation of the Party, to be here inserted.

† Here state generally the Reason of Forfeiture.

Signatures _____

Place and Date _____ 185

To the Emigration Commissioners, London.

SCHEDULE (I.)

FORM of APPOINTMENT of Passage Broker's Agent.

I, *A.B.*, of, *&c.* (*or as the Case may be*) One of the Partners and on behalf of the Firm of, *&c.* (*name all the Partners and the Style of the Firm*) carrying on the Business of at , do hereby nominate and appoint you, *C.D.* of, *&c.*, to act as my Agent and on my Behalf in the Sale or Letting of Passages and otherwise in the Business of a Passage Broker, according to the Provisions of "The Passengers Act, 1855."

DIRECTIONS.

Insert in the proper Places the Christian and Surnames in full, with the correct Addresses and Designations of the Constituent and Agent respectively.

Signature in full _____

Place and Date _____ 185

Counter Signature _____ { Emigration Officer at the Port of _____.

SCHE-

SCHEDULE (K.)

Counterpart of Cabin Passenger's Contract Ticket.

This Counterpart is to be produced by the Owner, Charterer, or Master of the Ship to the Emigration Officer at the Port of Embarkation (or, if no such Officer, to the Officer of Customs), or to any one appointed by him to receive it, under a Penalty for Default not exceeding £10.

These Directions form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Cabin Passenger engaging a Passage in a "Passenger Ship" from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, under a Penalty not exceeding £50.
2. Unless the Passengers are to have a free Table, the Victualling Scale for the Voyage must be appended to the Contract Ticket.
3. All the Blanks must be correctly and legibly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures only.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it, unless with his Consent.

Ship_____ of_____ Tons Register, to sail from_____ for_____ on the_____ Day of_____ 185__.

Names.	No. of Persons.	
	Adults above 12 Years.	Children 12 Years and under.
Total No. of Persons.	}	

In consideration of the Sum of £_____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with_____ Class Cabin Passage in the above-named Ship, to sail from the Port of_____ for the Port of_____ in_____ with not less than_____ Cubical Feet of Luggage for each Person, and that such Person shall be victualled as_____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with_____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the Sum of £_____ in { full / part } Payment of such Passage Money.

Signature in full_____

Place and Date_____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at_____.

Total £_____

N.B.—This Contract Ticket is exempt from Stamp Duty.

Cabin Passenger's Contract Ticket.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Cabin Passenger engaging a Passage in a "Passenger Ship" from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea, under a Penalty not exceeding £50.
2. Unless the Passengers are to have a free Table, the Victualling Scale for the Voyage must be appended to the Contract Ticket.
3. All the Blanks must be correctly and legibly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Ship is to sail must be inserted in Words and not in Figures only.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration or Erasure made in it, unless with his Consent.

Ship_____ of_____ Tons Register, to sail from_____ for_____ on the_____ Day of_____ 185__.

Names.	No. of Persons.	
	Adults above 12 Years.	Children 12 Years and under.
Total No. of Persons.	}	

In consideration of the Sum of £_____ I hereby agree with the Person named in the Margin hereof that such Person shall be provided with_____ Class Cabin Passage in the above-named Ship, to sail from the Port of_____ for the Port of_____ in_____ with not less than_____ Cubical Feet of Luggage for each Person, and that such Person shall be victualled as_____ Class Cabin Passenger during the Voyage, and the Time of Detention at any Place before its Termination; and I further engage to land the Person aforesaid, with_____ Luggage, at the last-mentioned Port, free of any Charge beyond the Passage Money aforesaid; and I hereby acknowledge to have received the Sum of £_____ in { full / part } Payment of such Passage Money.

Signature in full_____

Place and Date_____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____

Balance £_____ to be paid at_____.

Total £_____

Notice to Cabin Passengers.

1. If Cabin Passengers, through no Default of their own, fail to obtain a Passage in the Ship, and on the Day named in this Contract Ticket, they may obtain Redress for Breach of Contract by summary Process under the 73rd Section of the "Passengers Act, 1855."
2. Cabin Passengers must produce, on Demand, their Contract Tickets to the Government Emigration Officer under a Penalty not exceeding £10. This Ticket should therefore be preserved and kept in readiness to be produced on board the Ship.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHEDULE (L.)

Ship_____.

Counterpart of Passengers Contract Ticket.

THIS Part of the Contract Ticket is to be separated from the other, and to be delivered by the Passenger to the Emigration Officer at the Port of Embarkation, (or, if no such Officer, to the Officer of Customs,) or to any one appointed by him to receive it, under a Penalty not exceeding £10.

CONTRACT TICKET.

I engage that the Persons mentioned below shall be provided with a Steerage Passage to____ and be landed at the Port of_____ in_____ in the Ship_____ of____ Tons with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the whole Voyage according to the Dietary Scale prescribed by Law. The Ship to receive her Passengers at____ on the_____ Day of_____ 185__. Passage Money, including Government Dues, if any, and all Charges of Landing, £_____.

NAMES.	Ages.

_____Souls, equal to *_____ Statute Adults.

To be signed in full by the Party issuing the Ticket. ____

* Insert Number of Souls and of Statute Adults respectively.

PASSENGER'S CONTRACT TICKET.

These Directions, and the "Notices to Passengers" below, form Part of, and must appear on, each Contract Ticket.

1. A Contract Ticket in this Form must be given to every Passenger engaging a Passage from the United Kingdom to any Place out of Europe, and not being within the Mediterranean Sea.
2. The Victualling Scale for the Voyage must be printed in the Body of the Ticket.
3. All the Blanks must be correctly filled in, and the Ticket must be legibly signed with the Christian Names and Surname and Address in full of the Party issuing the same.
4. The Day of the Month on which the Passengers are to embark must be inserted in Words and not in Figures.
5. When once issued, this Ticket must not be withdrawn from the Passenger, nor any Alteration, Addition, or Erasure made in it.

Ship_____ of_____ Tons Register, to take in Passengers at_____ for_____ on the_____ Day of_____ 185__

NAMES.	Ages.	Equal to Statute Adults.

I engage that the Person named in the Margin hereof shall be provided with a Steerage Passage to, and shall be landed at, the Port of_____ in_____ in the Ship_____ with not less than Ten Cubic Feet for Luggage for each Statute Adult, and shall be victualled during the Voyage and the Time of Detention at any Place before its Termination, according to the subjoined Scale, for the Sum of £_____ including Government Dues before Embarkation, and Head Money, if any, at the Place of Landing, and every other Charge, except Freight for Excess of Luggage beyond the Quantity above specified, and I hereby acknowledge to have received the Sum of £_____ in {full / part} Payment.

The following Quantities, at least, of Water and Provisions, (to be issued daily,) will be supplied by the Master of the Ship, as required by Law; viz., to each Statute Adult 3 Quarts of Water daily, exclusive of what is necessary for cooking the Articles required by the Passengers Act to be issued in a cooked State; and a Weekly Allowance of Provisions according to the following Scale:

[Here insert the Victualling Scale intended to be used on the Voyage. This must be either the Scale prescribed in the 35th Section of the Passengers Act, 1855, or that Scale modified by the Introduction of Articles authorized by the Act, to be substituted for Oatmeal, Rice, and Potatoes.]

[N.B.—If Mess Utensils and Bedding are to be provided by the Ship, the Stipulation must be inserted here.]

Signature in full_____
Place and Date_____

[If signed by a Broker or Agent, state on whose Behalf.]

Deposit £_____
Balance £_____ to be paid at_____.
Total £_____

NOTICES TO PASSENGERS.

1. If Passengers, through no Default of their own, are not received on board on the Day named in their Contract Tickets, or fail to obtain a Passage in the Ship, they should apply to the Government Emigration Officer at the Port, who will assist them in obtaining Redress under the Passengers Act.
2. Passengers should carefully keep this Part of their Contract Ticket till after the End of the Voyage.

N.B.—This Contract Ticket is exempt from Stamp Duty.

SCHE-

SCHEDULE (M.)

FORM of EMIGRANT RUNNER'S Annual Licence.

A. B. (a) of in the having made Application in Writing to us, the undersigned Justices of the Peace assembled in Petty Sessions, for the (b) of to grant to him a Licence to enable him to be registered as an Emigrant Runner in and for (b) , and the said [*A.B.*] having also been recommended as a proper Person to receive such Licence by an Emigration Officer, *or* by the Chief Constable [*or other Head Officer of Police, as the Case may be*] of [*the District, Town, or Place in which the said A.B. is to carry on his Business*]: We, the under-mentioned Justices, having no sufficient Cause shown to us, and seeing of ourselves no valid Reason why the said *A. B.* should not receive such Licence, do hereby grant to him this Licence for the Purposes aforesaid, subject nevertheless to be revoked for Misconduct on the Part of the said *A.B.*, as in the "Passengers Act, 1855," is provided.

(a) The Christian and Surnames in full, with the Address of the Party applying for the Licence, must be here correctly inserted.

(b) City, Town, or District in which the Emigrant Runner is to carry on his Business.

SCHEDULE (N.)

FORM of SUMMONS for a DEFENDANT or a WITNESS.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District of (*as the Case may be*).

THIS is to command you to appear without fail on the Day of instant (*or* next) at o'Clock in the noon at before me, or other the Magistrate or Justices of the Peace then and there present (1) [to answer the Complaint of (an Emigration Officer, *or* Assistant Emigration Officer, *or* Officer of Customs, or (*in the Colonies* a Government Emigration *or* Immigration Agent, *as the Case may be,*) for a Breach of the Section (*or* Sections, *as the Case may be,*) of the Passengers Act, 1855,] (2) [*or* to give Evidence in the Complaint of *A.B.* against *C.D.* for Breach of the Passengers Act, 1855].

Signed _____ { Justice of the Peace, *or* Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff Substitute, *or* Steward Substitute, *as the Case may be.*

Dated this Day of One thousand eight hundred and

To _____

(1) Insert this when the Defendant is summoned.

(2) Insert this in case a Witness is summoned.

SCHEDULE (O.)

FORM of CONVICTION and ORDER of ADJUDICATION under the Passengers Act, 1855, when the DEFENDANT appears.

A.B. Complainant.
C.D. Defendant.

County, *or* City, *or* Borough, *or* Police District, *or* Stewartry of (*as the Case may be*).

BE it remembered, That on the Day of instant, *C.D.* of personally came before me (*or* us, *as the Case may be,*) at to answer the Complaint of *A.B.* (1) for a Breach of the Section (*or* Sections, *as the Case may be,*) of the Passengers Act, 1855, in that, *&c.* (2) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated , and issued by to for a Passage to in the Ship .

Whereupon I (*or* we) did proceed to examine into the Complaint so made against the said *C.D.*, and the same having been (admitted to be true by the said *C.D.*, *or as the Case may be,*) fully proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (3) a credible Witness (*or* Witnesses), I (*or* we) (4) [do convict him the said *C.D.* of the Offence (*or* Offences) aforesaid; and I (*or* we)] do adjudge and order that he shall pay to the said *A.B.* as such (Emigration Officer, *or* Government Emigration Agent, *or* Officer of Customs, *or* Passenger of the Ship , *as the Case may be,*) the Sum of *l.* by way of Penalty (*or* by way of Subsistence Money, *or* of Return of Passage Money, *or* as Damages for Breach of such Contract as aforesaid, *as the Case may be,*) [(5) and shall also pay to the said *A.B.* the further Sum of *l.* as Compensation for the Loss and Inconvenience occasioned to (6) by the Loss of Passage in the Ship].

(7) [And I (*or* we) do also adjudge and order that the Licence granted to the said *C.D.* to act as a Passage Broker be forfeited.]

(8) [And I (*or* we) do hereby also adjudge and order that the Sum of *l.* being a Part not exceeding One Moiety of the said Penalty of *l.*, be applied to compensate (9) for the Wrong or Damage which he (she *or* they) has (*or* have) sustained in this Matter.

And

(1) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship as the Case may be.

(2) Here describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(3) Name the Witness, or Witnesses if more than One.

(4) Omit these Words where there is no Conviction, but only an Order of Adjudication.

(5) Insert this in Cases where Compensation is awarded.

(6) Name the Passenger or Passengers by or on whose Behalf the Compensation is awarded.

(7) Insert this where the Offender is a Passage Broker, and his Licence is declared forfeited.

(8) Insert this where Compensation out of the Penalty is awarded to any aggrieved Passenger.

(9) Name the Passenger or Passengers.

And I (*or* we) do further adjudge and order, that the said *C.D.* shall forthwith pay to the said *A.B.* the further Sum of *l.* for the Costs and Charges by him the said *A.B.* incurred in the Prosecution of this Matter.

Given under my Hand and Seal (*or* our Hands and Seal), this Day of One thousand eight hundred and .

Signature { Justice of the Peace, Police *or* Stipendiary Magistrate, *or* Sheriff, *or* Steward, *or* Sheriff *or* Stewards Substitute, *as the Case may be*, for (1)

(1) State County or District, &c. as the Case may be.

FORM of CONVICTION and ORDER of ADJUDICATION where the DEFENDANT does not appear.

A.B. Complainant. *C.D.* Defendant. } BE it remembered, That *C.D.* of being duly summoned to answer the Complaint of *A.B.* (2) for a Breach of the Section (*or* Sections) of the Passengers Act, 1855, in that, *&c.* (3) *or* (*as the Case may be*), for a Breach of the Contract contained in a certain Contract Ticket, dated and issued by to for a Passage to in the Ship , did not appear before me (*or* us), pursuant to the said Summons. Nevertheless, I (*or* we) did proceed to examine into the Complaint so preferred against the said *C.D.*, and the same having been duly proved to my (*or* our) Satisfaction by the Testimony on Oath of *E.F.* (4) a credible Witness (*or* Witnesses), I (*or* we) do, *&c.* (*proceed as in preceding Form of Conviction according to the Circumstances of the Case*).

County, *or* City, *or* Borough, *or* Police District, *or* Stewartry of , *as the Case may be.*

(2) State whether Emigration Officer, or Officer of Customs, or Government Emigration Agent, or Passenger of the Ship , as the Case may be.

(3) Describe briefly and in general Terms the Requirement (or Requirements) of the Act which has not been fulfilled.

(4) Name the Witness or Witnesses.

CAP. CXX.

An Act for the better Local Management of the Metropolis. [14th *August* 1855.]

'WHEREAS it is expedient that Provision should be made for the better Local Management of the Metropolis in respect of the Sewerage and Drainage, and the paving, cleansing, lighting, and Improvements thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Election of Vestries and Auditors in Parishes in Schedules (A.) and (B.)

1 & 2 W. 4. c. 60. repealed so far as regards Parishes in Schedules (A.) and (B.)

I. The Act of the Session holden in the First and Second Years of King *William* the Fourth, Chapter Sixty, "For the better Regulation of Vestries, and for the Appointment of Auditors of Accounts in "certain Parishes of *England* and *Wales*," shall be repealed, from and after the passing of this Act, so far as regards any Parish mentioned in either of the Schedules (A.) and (B.) to this Act: Provided always, that the Vestry and Auditors already elected for any such Parish under the said Act shall continue to be such Vestry and Auditors until the First Election of Vestrymen and Auditors for such Parish under this Act has taken place, but no longer; and the Provisions of the said Act of King *William* the Fourth shall continue applicable to every such Vestry and to their Proceedings, and the Books in which the same are entered, and to such Auditors and their Proceedings accordingly.

Vestries in Parishes named in either of the Schedules (A.) and (B.) to consist of not less than 18 or more than 120 Persons qualified and elected as after provided.

II. The Vestry in every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall consist of a certain Number of Persons qualified and elected as herein provided; (that is to say,) Eighteen Vestrymen for every Parish in which the Number of rated Householders shall not exceed One thousand; and Six additional Vestrymen, that is, Twenty-four Vestrymen for every Parish in which the Number of rated Householders shall exceed One thousand; and Twelve additional Vestrymen, that is, Thirty-six Vestrymen, for every Parish in which the Number of rated Householders shall exceed Two thousand; and so on at the Proportion of Twelve additional Vestrymen for every Thousand rated Householders: Provided always, that in no Case the Number of Vestrymen shall exceed One hundred and twenty: Provided also, that the Incumbent and Churchwardens of each such Parish shall constitute a Part of the Vestry, and shall vote therein, in addition to the elected Vestrymen: Provided also, that every District Rector now constituting in any such Parish a Part of the Vestry thereof shall continue to constitute a Part of the Vestry thereof under this Act: Provided also, that where in any Parish the whole Number of Persons qualified to be Vestrymen shall not amount to Eighteen, the Vestry thereof shall consist of so many Persons as are so qualified, anything in this Act to the contrary notwithstanding.

Such Parishes with more than 2,000 rated Householders to be divided into Wards.

III. Each of the said Parishes which at the Time of the passing of this Act contains more than Two thousand rated Householders shall be divided into Wards; and it shall be lawful for such Person or Persons as may be appointed for this Purpose as herein provided to determine and set out, on or before the Tenth Day of *October* next, the Number, Extent, Limits, and Boundary Lines of such Wards, but so nevertheless that no Ward shall contain less than Five hundred rated Householders, and that the whole

whole Number of Wards in any Parish shall not exceed Eight; and the Person or Persons setting out such Wards in any Parish shall apportion among the several Wards the Number of Vestrymen to be elected for such Parish, and shall, in assigning the Number of Vestrymen to each Ward, have regard, as far as in his or their Judgment it is practicable, as well to the Number of Persons rated to the Relief of the Poor in each Ward as to the aggregate Amount of the Sums at which all such Persons are rated; and the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three; and a Copy of the Particulars of such Division and Apportionment shall be forthwith transmitted to One of Her Majesty's Principal Secretaries of State, and also to the Vestry Clerk of the Parish to which such Division and Apportionment relate; and if Her Majesty, by the Advice of Her Privy Council, approve of such Division and Apportionment, the Particulars thereof shall be published in the *London Gazette;* and the Parish shall, after such Publication, be deemed to be divided into such Wards so determined and set out, and such Division shall continue and be in force until the same be altered as herein provided; and the Number of Vestrymen assigned to each Ward shall be the Number to be elected for such Ward until altered as aforesaid: Provided always, that if Her Majesty, by Advice of Her Privy Council, do not approve such Division and Apportionment, such Publication as aforesaid shall nevertheless be made, and such Division and Apportionment be in force for the Purpose of any Election under the Provisions of this Act, until such Time as Her Majesty, by Advice of Her Privy Council, upon further Information and Report from any such Person or Persons, definitively approve the Division of such Parish into Wards, and of the Number of Vestrymen assigned to each Ward in manner herein-before mentioned: Provided also, that where any Parish is already divided into Wards under any Local Act such Parish shall be deemed to be divided into such Wards for the Purposes of this Act, without any Division of such Parish into Wards being made as herein-before provided, but the Number of Vestrymen to be elected for such Parish shall be apportioned as aforesaid among the Wards of such Parish by such Person or Persons as may be appointed for that Purpose as herein provided.

Power to Secretary of State to appoint Persons to set out the Wards, and apportion Number of Vestrymen to be elected.

IV. One of Her Majesty's Principal Secretaries of State shall, as soon as conveniently may be after the passing of this Act, appoint not more than Four fit Persons, the Names of such Persons to be published in the *London Gazette*, to set out the Wards into which the said Parishes are by this Act directed to be divided, and to apportion the Number of Vestrymen to be elected for such Parishes respectively among such Wards, and also to apportion the Number of Vestrymen to be elected for any Parish already divided into Wards as aforesaid among such Wards; and any One or more of such Persons may be appointed to act as aforesaid separately from any other or others of them as such Secretary of State may see fit; and such Secretary of State shall, in case Circumstances appear to him so to require, appoint any other fit Person or Persons in the Place of or in addition to any such Person or Persons originally appointed under this Provision; and every Person appointed to set out such Wards shall be paid at a Rate not exceeding the Sum of Five Guineas for every Day that he is employed by virtue of such Appointment, and the Amount payable to him in respect of such Employment in each Parish shall be determined and certified by the Commissioners of Her Majesty's Treasury, and the Amount so certified shall be paid out of the Poor Rates of the Parish.

If relative Population of Wards vary in future Census, Numbers of Vestrymen may be altered.

V. When at any Time, upon any Account taken of the Population by the Authority of Parliament, the relative Numbers of the inhabited Houses in the several Wards of any Parish divided into Wards as aforesaid are found to have varied from those shown by the last previous Census, it shall be lawful for the Metropolitan Board of Works, upon the Application of the Vestry or any Ratepayers of such Parish, to alter the Number of Vestrymen assigned to such Wards or any of them, but so that the Number of Vestrymen assigned to each Ward shall be a Number divisible by Three.

Qualification of Vestrymen.

VI. The Vestry elected under this Act in any Parish shall consist of Persons rated or assessed to the Relief of the Poor upon a Rental of not less than Forty Pounds *per Annum;* and no Person shall be capable of acting or being elected as One of such Vestry for any Parish unless he be the Occupier of a House, Lands, Tenements, or Hereditaments in such Parish, and be rated or assessed as aforesaid upon such Rental as aforesaid within such Parish: Provided always, that in any Parish in which the Number of Poor Rate Assessments at Forty Pounds or upwards does not exceed One Sixth of the whole Number of such Assessments it shall not be necessary, in order to qualify a Person to be a Vestryman, that the Amount of Rental upon which he is rated or assessed as aforesaid exceed Twenty-five Pounds: Provided also, that the joint Occupation of any such Premises as aforesaid, and a joint Rating in respect thereof, shall be sufficient to qualify each joint Occupier in case the Amount of Rental on which all such Occupiers are jointly rated will, when divided by the Number of Occupiers, give for each such Occupier a Sum not less than the Amount herein-before required.

As to the First Election of Vestrymen under this Act.

VII. The First Election of Vestrymen under this Act in every Parish shall be holden in the Month of *November* next after the passing of this Act, and between the Fifth and Twenty-first Days of that Month, and the Day on which such Election shall commence shall be appointed by the Churchwardens of the Parish, and Twenty-one Days previously to the Day of Election Notice of such Election shall be given in manner herein-after directed concerning Notice of Election of Vestrymen and Auditors, and the next such Election shall take place on such Day in the Month of *May* in the Year One thousand eight hundred and fifty-seven as the Vestry shall appoint, and every subsequent Election shall take place annually in the Month of *May* in every Year as the Vestry appoint.

VIII. At

The full Number of Vestrymen to be chosen at First Election, and existing Vestries superseded.

VIII. At the First such Election of Vestrymen as aforesaid for any Parish, the full Number of Elective Vestrymen of which such Vestry is to consist as herein-before mentioned shall be elected, and such Vestrymen, with such other Persons as herein-before mentioned, shall forthwith be deemed to constitute the Vestry of such Parish, and shall supersede any existing Vestry therein, and exercise the Powers and Privileges held by such existing Vestry, save as in this Act otherwise provided; and the Authority of such Vestry may be pleaded before any Justice or Justices of the Peace or in any Court of Law in regard to all Parochial Property or Monies due, or Holdings or Contracts, or other Documents of the like Nature, under the Control or in the Keeping of such existing Vestry; and all Parish Officers or Boards shall account to them in like Manner as they are by Law liable to account to such existing Vestry.

As to the Term of Office of Vestrymen elected at First Election, and as to future Elections.

IX. One Third of the Vestrymen first elected under this Act in any Parish, or, where such Parish is divided into Wards under this Act, in each Ward of such Parish, shall go out of Office at the Time appointed for the Election of Vestrymen in the Year One thousand eight hundred and fifty-seven, One other Third of them at the Time appointed for such Election in the Year One thousand eight hundred and fifty-eight, and the remaining Third at the Time appointed for such Election in the Year One thousand eight hundred and fifty-nine; and the Vestry shall, at some Meeting before the Time of the Election in One thousand eight hundred and fifty-seven, determine by Lot which of the Members first elected shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members from Time to Time elected at the annual Elections after the First Election shall go out of Office at the Time appointed for the annual Election in the Third following Year, except such Members as are elected to supply Vacancies occasioned otherwise than by Effluxion of Time; and such last-mentioned Members shall go out of Office at the respective Times when the Terms of Office of the Members in whose Places they are respectively elected would have expired by Effluxion of Time.

Vacancies to be filled up at annual Elections.

X. At every Election of Vestrymen under this Act, except the First, for any Parish or any Ward of any Parish, the Parishioners of such Parish entitled to vote in such Election shall elect as many Vestrymen as there are Vacancies in the Vestry, or among the Vestrymen elected for such Ward, whether such Vacancies be occasioned by the Expiration of the Term of Office, or by Death or otherwise.

Appointment of Auditors of Accounts for Parishes in Schedules (A.) and (B.)

XI. For every Parish mentioned in either of the Schedules (A.) and (B.) to this Act there shall be elected such Number as herein-after mentioned of the Ratepayers of the Parish who have signified in Writing their Assent to serve to be Auditors of Accounts, which Auditors shall be so elected at the same Times and in the same Manner as Members of the Vestry; and the Number of Ratepayers so to be elected Auditors in any Parish not divided into Wards under this Act shall be Five, and the Number of Ratepayers so to be elected Auditors in any Parish which is divided into Wards shall be the same as the Number of Wards, One Auditor being elected in each Ward: Provided always, that where the Number of Wards into which any Parish is divided exceeds Five, the Vestry of such Parish shall, at their First Meeting after the Election of Auditors as aforesaid, in any Year, elect by Ballot from among such Auditors Five of them, and the Five Persons so elected by Ballot shall be the Auditors for such Parish exclusively of any other Person or Persons who may have been elected an Auditor or Auditors for such Parish under the Provisions herein contained; and a List of the Five Persons so elected by the Vestry shall be forthwith published by the Churchwardens in the Parish as herein provided: Provided also, that no Person shall be eligible to fill the Office of Auditor of Accounts who is not qualified to fill the Office of Vestryman for the Parish; but no Person shall be eligible to fill the Office of Auditor who is a Member of the Vestry; and if any Person be chosen to be both a Member of the Vestry and Auditor of Accounts he shall be incapable of acting as a Vestryman.

As to the Term of Office of Auditors.

XII. The Auditors first elected under this Act in any Parish as aforesaid shall go out of Office at the Time appointed for the Election of Vestrymen and Auditors in the Year One thousand eight hundred and fifty-seven, and the Auditors then elected and to be thereafter elected shall go out of Office at the Election of Vestrymen and Auditors in the Year next following their Election.

Notice of Elections.

XIII. The Churchwardens of every Parish mentioned in either of the said Schedules (A.) and (B.), which is not divided into Wards, shall, on some *Sunday* at least Twenty-one Days previously to the Day of annual Election of Vestrymen, cause to be published in such Parish as herein provided a Notice according to the following Form:

'Parish of [*here insert Name of Parish*].

'The Parishioners duly qualified according to the Provisions of the Act of the Session holden in the 'Eighteenth and Nineteenth Years of the Reign of Queen Victoria, intituled "An Act" [*here insert 'the Title of the Act*], are hereby required to meet at on the Day of 'conformably to the Provisions of the said Act, and then and there to consider of and elect fit and 'proper Persons to be Vestrymen and Auditors of Accounts of the Parish of for the 'ensuing Year [*the Words* "for the ensuing Year" *to be omitted in the Notice of the First Election*]; 'that is to say,

Members of the Vestry,
Auditors of Accounts.'

And

And the Churchwardens of every such Parish as aforesaid which is divided into Wards shall at the Time aforesaid cause to be published as herein provided, in each Ward of the Parish, a Notice according to the following Form:

'Parish of , Ward of [*inserting the Parish and Ward*].

'The Parishioners duly qualified according to the Provisions of the Act of Parliament of the Session 'holden in the Eighteenth and Nineteenth Years of the Reign of Queen Victoria, intituled "An Act," '[*here insert the Title of this Act*], are hereby required to meet at on the 'Day of , conformably to the Provisions of the said Act, and then and there to consider of 'and elect fit and proper Persons to be Vestrymen and an Auditor of Accounts of the 'Parish of for the Ward of for the ensuing Year [*the Words* "for the 'ensuing Year" *to be omitted in the Notice of the First Election*].'

Churchwardens to appoint Persons to preside at Ward Elections.

XIV. Where any Parish is divided into Wards, the Churchwardens, Three clear Days at least before the Day of Election, shall appoint in Writing under their Hands a Person to preside at such Election as aforesaid in each of the said Wards, except any Ward in which One of the Churchwardens shall preside, and notify such Appointment to the Vestry Clerk of the Parish.

Rate Collectors to assist at the Elections.

XV. The Rate Collectors, or Persons appointed by them, shall attend the Churchwardens and Persons presiding at Elections under this Act, and Inspectors of Votes, to assist in ascertaining that the Persons presenting themselves to vote are Parishioners rated to the Relief of the Poor in the Parish, or the respective Wards thereof, and duly qualified to vote at the Election.

Form of Proceeding at Elections.

XVI. On the Day of Election of Vestrymen and Auditors in any Parish under this Act the Parishioners then rated to the Relief of the Poor in the Parish, or, where the Parish is divided into Wards under this Act, in the Ward thereof for which the Election is holden, and who are desirous of voting, shall meet at the Place appointed for such Election, and shall then and there nominate Two Ratepayers of the Parish, or (if the Parish be divided into Wards) of the Ward for which the Election is holden, as fit and proper Persons to be Inspectors of Votes; and the Churchwardens, or, in the Case of a Ward Election, such One of the Churchwardens as is present thereat, or, where One of the Churchwardens is not present, the Person appointed by them to preside thereat, shall, immediately after such Nomination as aforesaid by the Parishioners, nominate Two other such Ratepayers to be such Inspectors; and after such Nominations the said Parishioners shall elect such Persons duly qualified as may be there proposed for the Offices of Vestrymen and Auditors or Auditor; and the Chairman at such Meeting shall declare the Names of the Parishioners who have been elected by a Majority of Votes at such Meeting: Provided nevertheless, that no Person shall be entitled to join or vote in any such Election for any Parish, or any Ward of any Parish, or be deemed a Ratepayer thereof, or be entitled to do any Act as such under this Act, unless he have been rated in such Parish to the Relief of the Poor for One Year next before the Election, and have paid all Parochial Rates, Taxes, and Assessments due from him at the Time of so voting or acting, except such as have been made or become due within Six Months immediately preceding such voting or acting.

Power to demand a Poll, which shall be taken by Ballot.

XVII. Provided always, That any Five Ratepayers may then and there, in Writing or otherwise, demand a Poll, which shall be taken by Ballot on the Day next following, and shall commence at Eight of the Clock in the Forenoon and close at such Hour as herein-after mentioned; that is to say, at Six of the Clock in the Afternoon in the Case of any Election to be holden in *November* One thousand eight hundred and fifty-five, and at Eight of the Clock in the Afternoon in all other Cases; each Ratepayer depositing as herein-after provided Two folded Papers, One of which Papers shall contain the Names of the Persons for whom such Parishioner may vote as fit and proper to be Members of the Vestry, and the other shall contain the Names or Name of the Persons or Person for whom such Parishioner may vote as fit and proper to be Auditors or Auditor of Accounts; and each Ratepayer shall have One Vote and no more for the Members of the Vestry, and One Vote and no more for the Auditors or Auditor of Accounts to be chosen in the said Parish or Ward.

Duty of Inspectors of Votes.

XVIII. The Persons voting shall deposit such folded Papers in Two separate Sets of Balloting Glasses or Boxes, one Set for Voting Papers for Members of Vestry, and another Set for the Voting Papers for Auditors or an Auditor; and the said Balloting Glasses or Boxes shall be closed at the Time herein-before fixed for the closing of the Poll; and the Inspectors for the Parish or Ward (as the Case may be) shall forthwith meet together, and proceed to examine the said Votes, and if necessary shall continue the Examination by Adjournments from Day to Day, not exceeding Two Days (*Sunday* excepted), until they have decided upon the Persons duly qualified according to the Provisions of this Act who may have been chosen to fill the aforesaid Offices.

Provision for Case of Equality of Votes.

XIX. In case an Equality of Votes appear to the aforesaid Inspectors to be given for any Two or more Persons to fill either of the said Offices, the Inspectors shall decide by Lot upon the Person to be chosen.

If in the Interval between Elections the Vestry of any Parish be re-

XX. If in the Interval between any Election under this Act of Vestrymen in any Parish and the Time at which the next Election would in the Absence of this Enactment have taken place the Number of such Vestrymen be reduced below Two Thirds of the full Number, so many Vestrymen as may be requisite for filling up such Number shall be forthwith elected in like Manner as in the Case of the annual

duced below Two Thirds, the Vacancies to be filled up as herein named.

annual Election of such Vestrymen, and the Provisions of this Act shall be applicable in the Case of such Election accordingly, save that the Notice of Election shall be varied from the Form prescribed by this Act so far as may be necessary, and where such Parish is divided into Wards under this Act each Ward shall supply the Vacancies among the Members elected for the same; and every Vestryman elected under this Enactment shall go out of Office at the Time when the Term of Office of the Person in whose Place he is elected would have expired by Effluxion of Time.

Penalty for forging or falsifying any Voting Paper or obstructing the Election.

XXI. If any Person knowingly personate and falsely assume to vote in the Name of any Parishioner entitled to vote in any Election under this Act, or forge or in any way falsify any Name or Writing in any Paper purporting to contain the Vote or Votes of any Parishioner voting in any such Election, or by any Contrivance attempt to obstruct or prevent the Purposes of any such Election, the Person so offending shall, upon Conviction before any Two or more Justices of the Peace having Jurisdiction in the Parish, be liable to a Penalty of not less than Ten and not more than Fifty Pounds, and in default of Payment thereof shall be imprisoned for a Term not exceeding Six nor less than Three Months.

A List of Persons elected Vestrymen and Auditors to be published.

XXII. The Inspectors shall, immediately after they have decided upon whom the aforesaid Elections have fallen, deliver to the Churchwardens, or to One of them, or other the Person presiding at the Election, a List of the Persons chosen by the Parishioners to act as Vestrymen and Auditors, or an Auditor of Accounts; and the said List, or a Copy thereof, shall be published in the Parish as herein provided.

Penalty on Inspector for making incorrect Return.

XXIII. If any Inspector wilfully make or cause to be made an incorrect Return of the said Votes, every such Offender shall, upon Information laid by any Person before Two or more Justices of the Peace having Jurisdiction in the Parish, and upon Conviction for such Offence, be liable to a Penalty of not less than Twenty-five Pounds and not exceeding Fifty Pounds.

Vestries to provide Places for holding Elections, and pay Expenses of taking Poll, &c.

XXIV. The Vestry of every Parish mentioned in either of the Schedules (A.) and (B.) to this Act shall provide such Places as may be requisite for holding Elections of Vestrymen and Auditors under this Act, and taking the Poll thereat; and the Expenses of providing such Places, of publishing Notices, of taking the Poll, and of making the Return at Elections of Vestrymen and Auditors, shall be paid out of the Poor Rates of the Parish by Order of the Vestry: Provided always, that the Places requiring to be provided for the First Election under this Act of Vestrymen and Auditors in any Parish shall be provided by the Churchwardens, and the Expenses of providing the same shall be paid out of the Poor Rates, upon their Order.

As to Parishes having no Churchwardens.

XXV. The Provisions herein-before contained shall, so far as concerns any Parish in either of the said Schedules (A.) and (B.) in which there are no Churchwardens, be construed as referring to the Overseers of the Poor instead of the Churchwardens.

How Notices and Lists to be published.

XXVI. Every Notice and List herein-before required to be published in any Parish or Ward of any Parish shall be so published by being fixed in some public and conspicuous Situation, on the Outside of the outer Door or outer Wall near the Door of every Church and Public Chapel in such Parish or Ward, including Places of Public Worship which do not belong to the Established Church, and if there be no such Building as aforesaid, then in some public and conspicuous Situation within such Parish or Ward.

Non-compliance with Act a Misdemeanor.

XXVII. If any Churchwarden, Overseer, Rate Collector, or other Parish Officer refuse or neglect to call any Meeting, or give any Notice, or do any other Act required of him under the Provisions of this Act, he shall be deemed guilty of a Misdemeanor.

Quorum of Vestries.

XXVIII. All Powers or Duties to be performed by the Vestry of any Parish under this Act may be exercised and performed respectively by the major Part of such Vestry assembled at any Meeting, there being not less than Five Vestrymen present at a Meeting of a Vestry which consists of not more than Eighteen elected Vestrymen, and not being less than Seven Vestrymen present at a Meeting of a Vestry which consists of Twenty-four elected Vestrymen and no more, and not being less than Nine Vestrymen present at a Meeting of a Vestry which consists of Thirty-six elected Vestrymen or upwards; and at every such Meeting all Questions shall be decided by the Votes of the Majority of the Vestrymen present, and the Vestry may act notwithstanding any Vacancies therein.

Meetings not to be holden in the Church.

XXIX. In any Case in which the Vestry-room of any such Parish as aforesaid is not sufficiently large and commodious for any Vestry Meeting, such Meeting shall be held elsewhere within the said Parish, but not in the Church or Chapel thereof.

Meeting to elect a Chairman.

XXX. At every Meeting of any Vestry under this Act, in the Absence of the Persons authorized by Law or Custom to take the Chair, the Members present shall elect a Chairman for the Occasion before proceeding to other Business, and the Chairman, in case of an Equality of Votes on any Question, shall have a Second or Casting Vote.

Formation of Parishes into Districts, and Constitution of District Boards.

Parishes in Schedule (B.) to be united, and form Districts, and District Boards constituted.

XXXI. For the Purposes of this Act the several Parishes mentioned in the Second Column of Schedule (B.) to this Act shall be united, and form the respective Districts mentioned in conjunction therewith and named in the First Column of the same Schedule; and there shall be a Board of Works for each such District, composed of the Members elected as herein-after mentioned for the Parishes forming such District.

XXXII. The

Vestries to elect Members of District Boards.

XXXII. The Vestry constituted by this Act in every Parish in any such District shall on the Twenty-eighth Day of *November* in the Year One thousand eight hundred and fifty-five elect the Number of Persons mentioned in the Third Column of the said Schedule (B.) in conjunction with such Parish to be a Member or Members of the Board of Works for such District.

If relative Numbers of inhabited Houses in any District vary on any future Census, Numbers of Members may be altered.

XXXIII. When at any Time hereafter, upon any Account taken of the Population by the Authority of Parliament, the relative Numbers of the inhabited Houses in the several Parishes forming any such District are found to have varied from those shown by the last previous Census, it shall be lawful for the Metropolitan Board of Works constituted by this Act, upon the Application of the Vestry or any Ratepayers of any such Parish, to alter the Number of the Members of the Board of Works for such District to be elected for all or any of the Parishes therein; but so that the Number of Members to be elected for any such Parish, if exceeding Three, shall be a Number divisible by Three.

As to the Term of Office of Members of District Boards elected at First Election, and as to future Elections.

XXXIV. One Third of the Members of any such Board first elected for any Parish for which Three or more such Members are by this Act appointed to be elected shall go out of Office at the Time hereinafter appointed for the Election of Members of such Board in the Year One thousand eight hundred and fifty-seven, One other Third of them at the Time appointed for such Election in One thousand eight hundred and fifty-eight, and the remaining Third at the Time appointed for such Election in the Year One thousand eight hundred and fifty-nine; and the Vestry shall at the Time of the First Election under this Act of such Members determine by Lot which of the Members first elected shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members elected to supply Vacancies occasioned by Members going out of Office at the Expiration of their Term of Office shall go out of Office at the Election of Members of such Board in the Third following Year.

Elections to be held annually for supplying Vacancies.

XXXV. The Vestry of every such Parish shall on the First *Wednesday* in the Month of *June* in the Year One thousand eight hundred and fifty-seven, and in every subsequent Year, elect so many Vestrymen of such Parish to be Members of the Board for the District in which such Parish is comprised, as may be necessary for supplying the Vacancies among the Members of such Board, elected for such Parish, occasioned by Expiration of the Term of Office of the Members going out of Office at the Time of such Election.

Provision as to Parishes not electing as many as Three Members of a District Board.

XXXVI. The Members of any such Board first elected for Parishes for which less than Three Members are by this Act appointed to be elected shall go out of Office on the said First *Wednesday* in *June* One thousand eight hundred and fifty-nine, and Members subsequently elected for such Parishes to supply Vacancies occasioned by Members going out of Office at the Expiration of their Term of Office shall go out of Office on the First *Wednesday* in *June* in the Third Year following their Election; and the Vestries of such Parishes shall on the said First *Wednesday* in *June* in the Year One thousand eight hundred and fifty-nine, and in every Third following Year, elect Members in the Place of the Members then going out of Office.

Provision as to casual Vacancies.

XXXVII. When any Member of any District Board dies, resigns, or ceases to be such Member, otherwise than by the Expiration of his Term of Office, the Vestry of the Parish for which he was elected shall with all convenient Speed elect a Person to be a Member of such Board in his Place; and every Member of any such Board elected to supply any such Vacancy shall go out of Office when the Term of Office of the Member in whose Place he is elected would have expired by Effluxion of Time.

Powers of District Boards to be exercised at Meetings, &c.

XXXVIII. All Powers and Duties vested in the Board of Works for any District may be exercised or performed at any Meeting of such Board holden under this Act, there being not less than Seven Members of the Board present; and at every such Meeting all Questions shall be decided by the Votes of the Majority of the Members present; and the Board may act notwithstanding any Vacancies therein, and notwithstanding any Omission to elect any Member or Members of such Board, in pursuance of this Act.

Ordinary Meetings of District Boards.

XXXIX. The First Meeting of the Board of Works for any District shall be holden on the *Wednesday* in the Week next following the Election of such Board, at Ten o'Clock in the Forenoon, at the Place at which the Vestry of the Parish in such District first named in Schedule (B.) to this Act usually meet; and every subsequent Ordinary Meeting shall be holden on and at such Day, Time, and Place as the Board may from Time to Time appoint in this Behalf, subject, nevertheless, to the Provision herein-after contained, appointing the Day on which Meetings shall be holden for the First Election of the Metropolitan Board of Works.

Special Meetings of District Boards.

XL. A Special Meeting of any such Board may be convened by any Five Members of the Board, or by the Clerk of the Board, upon the Requisition in Writing of Five Members of the Board, by a Notice to the several Members thereof Forty-eight Hours at least before the Time of meeting, such Notice to be signed by the Members or Clerk convening the Meeting, and to specify the Object thereof.

Chairman to be elected at Meeting of Board.

XLI. Every such Board shall at every Meeting of such Board, before proceeding to Business, elect a Chairman of such Meeting, and such Chairman, in case of an Equality of Votes on any Question, shall have a Second or Casting Vote.

Incorporation of Vestries and District Boards.

District Boards and Vestries of Parishes in Schedule (A.) incorporated.

XLII. The Board to be constituted as aforesaid for every such District shall be a Body Corporate by the Name of "The Board of Works for the District," and the Vestry of every Parish mentioned in Schedule (A.) to this Act shall be a Body Corporate by the Name of "The Vestry of the Parish of in the County of ," and every such Board and Vestry shall by such Name respectively have perpetual Succession and a Common Seal, and shall sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act.

Constitution and Incorporation of Metropolitan Board of Works.

Metropolitan Board of Works constituted and incorporated.

XLIII. A Board, to be called "The Metropolitan Board of Works," shall be constituted as herein-after mentioned, and such Board shall by such Name be a Body Corporate, and have perpetual Succession and a Common Seal, and sue and be sued, and have Power and Authority (without any Licence in Mortmain) to take, purchase, and hold Land for the Purposes of this Act.

Three Members of Metropolitan Board to be elected for the City.

XLIV. The Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, shall on the Twelfth Day of *December* One thousand eight hundred and fifty-five elect Three Persons to be Members of the said Metropolitan Board, and shall, when any Member of such Board elected by the said Mayor, Aldermen, and Commons dies, resigns, or otherwise ceases to be such Member, elect some Person in his Place.

Vestries of single Parishes and District Boards to elect Members of the Metropolitan Board.

XLV. The Vestry of each of the Parishes mentioned in the First Part of the said Schedule (A.) shall, at a Meeting of such Vestry to be holden on the Twelfth Day of *December* One thousand eight hundred and fifty-five, elect Two Persons to be Members of the said Metropolitan Board of Works; and the Vestry of each of the Parishes mentioned in the Second Part of the said Schedule (A.), except the Parish of *Rotherhithe*, and the Board of Works for each of the Districts mentioned in the First Part of the said Schedule (B.), shall, at a Meeting of such Vestry and Board respectively to be holden on the last-mentioned Day, elect One Person to be a Member of the said Metropolitan Board; and every such Vestry and Board shall, when any Member of such Metropolitan Board, elected by such Vestry or Board, dies, resigns, or otherwise ceases to be such Member, elect a Person to be a Member of the said Metropolitan Board in the Place of the Member so dying, resigning, or otherwise ceasing to be such Member.

Boards for Districts of Plumstead and Lewisham united for electing a Member of Metropolitan Board.

XLVI. The districts of *Plumstead* and *Lewisham*, mentioned in the Second Part of the said Schedule (B.), shall be united for the Purpose of electing from Time to Time a Member of the Metropolitan Board of Works; and the Boards of Works for such Districts shall, at a joint Meeting of such Boards, to be holden on the said Twelfth Day of *December* One thousand eight hundred and fifty-five, at the Place of Meeting of the Board of Works for the District of *Plumstead*, elect a Person to be a Member of the said Metropolitan Board; and when any Member of such Board elected by the Boards of Works for the said united Districts dies, resigns, or otherwise ceases to be such Member, such Boards of Works shall, at a joint Meeting of such Boards to be holden at the Place aforesaid, elect some Person in his Stead; and such Meeting shall be convened as follows; that is to say, the Clerk of the Board of Works for the District of *Plumstead* shall communicate with the Clerk of the Board of Works for the District of *Lewisham*, and arrange with him the Time of such Meeting of the Boards of Works for such Districts; and when such Arrangement has been made, Notice of the Time, Place, and Object of such Meeting shall be given by such Clerks respectively in manner required for Notices of Special Meetings of the Boards for such Districts; and every Election to be made as aforesaid by the said Boards shall be determined by the Votes of the Majority of the Members thereof present at the Meeting; and every such Meeting shall, before proceeding to the Election, choose a Chairman, who shall preside thereat, and shall, in case of an Equality of Votes for Two or more Persons, have a Second or Casting Vote.

The Parish of Rotherhithe and District of St. Olive united for electing a Member of the Metropolitan Board of Works.

XLVII. The Parishes of *Rotherhithe*, *Saint John Horsleydown*, *Saint Olave*, and *Saint Thomas Southwark* shall be united for the Purpose of electing from Time to Time a Member of the Metropolitan Board of Works; and the Vestries of such several Parishes shall, at a joint Meeting of such Vestries to be holden on the said Twelfth Day of *December* One thousand eight hundred and fifty-five, at the Place of Meeting of the Vestry of the Parish of *Saint Olave*, elect a Person to be a Member of the said Metropolitan Board; and when any Member of the said Board elected by such Vestries dies, resigns, or otherwise ceases to be such Member, such Vestries shall, at a joint Meeting of such Vestries to be holden at the Place aforesaid, elect some Person in his Stead; and such Meeting shall be convened as follows; that is to say, the Vestry Clerk of the Parish of *Saint Olave* shall communicate with the Vestry Clerks of the said other Parishes, and arrange with them the Time of such Meeting; and when such Arrangement has been made, Notice of the Time, Place, and Object of such Meeting shall be given by the respective Vestry Clerks of all the said Parishes in manner required for Notices of Vestry Meetings; and every Election to be made as aforesaid by the said Vestries jointly shall be determined by the Votes of the Majority of the Members thereof present at the Meeting; and every such Meeting shall, before proceeding to the Election, choose a Chairman, who shall preside thereat, and shall, in case of an Equality of Votes for Two or more Persons, have a Second or Casting Vote.

XLVIII. One

As to the Term of Office of Members of Metropolitan Board elected at First Election, and as to future Elections.

XLVIII. One Third of the Members first elected as aforesaid of the Metropolitan Board of Works shall go out of Office on the Second *Wednesday* in *June* One thousand eight hundred and fifty-seven, One other Third of them on the Second *Wednesday* in *June* One thousand eight hundred and fifty-eight, and the remaining Third on the Second *Wednesday* in *June* One thousand eight hundred and fifty-nine; and such first elected Members shall determine by Lot among themselves which of them shall constitute the One Third to go out of Office in the Years One thousand eight hundred and fifty-seven and One thousand eight hundred and fifty-eight respectively; and all Members of the said Board elected to supply any Vacancy occasioned by any Member's going out of Office by the Expiration of his Term of Office shall go out of Office on the Second *Wednesday* in *June* in the Third Year next following the Year of his Election; and every Member of the said Board elected to supply any other Vacancy shall go out of Office when the Term of Office of the Member in whose Place he is elected would have expired by Effluxion of Time.

Elected Members of Metropolitan Board to elect a Chairman, with Salary not less than 1,500*l.* nor more than 2,000*l.*

XLIX. The Members first elected of the Metropolitan Board of Works shall meet at such Time and Place as One of Her Majesty's Principal Secretaries of State shall by Notice in the *London Gazette* appoint in this Behalf, and shall at such Meeting, or some Meeting to be holden by Adjournment thereof (which it shall be competent for the Members present to appoint), elect a Chairman of the said Board, and shall also decide upon the Amount of Salary to be paid to such Chairman, such Salary not to be less than One thousand five hundred Pounds and not to exceed Two thousand Pounds *per Annum;* and such Members, before proceeding at any such Meeting to such Election, or to determine the Amount of such Salary, shall choose from among the Members present a Chairman of such Meeting, and such Election of the future Chairman of the Board shall be determined by the Votes of the Majority of the Members present, and in case of an Equality of Votes the Chairman of the Meeting shall have a Second or Casting Vote; and any Person may be elected as aforesaid, whether he be or be not a Member of the said Board; and such Chairman shall be subject to be removed by a Resolution agreed to by Two Thirds of the Members present at any Meeting specially convened for considering the Question of such Removal; and in case any elected Member of the said Metropolitan Board be appointed Chairman thereof, he shall thenceforth be a Member thereof by virtue only of his Office of Chairman, and his Place as an elected Member shall become vacant, and another shall be elected in his Stead.

As to Appointment of Chairman on any Vacancy.

L. Upon every Vacancy in the Office of Chairman of the said Metropolitan Board a new Chairman shall be appointed, and his Salary fixed, in manner herein-before mentioned, save that the Appointment of such Chairman may be made at any such Meeting as may be provided in this Behalf by the Regulations for the Time being of the said Metropolitan Board.

Powers of Metropolitan Board to be exercised at Meetings, not less than Nine Members being present.

LI. All Powers and Duties vested in the Metropolitan Board of Works may be exercised and performed at any Meeting of such Board at which not less than Nine Members of the Board are present; and at every such Meeting all Questions shall be determined by the Votes of the Majority of the Members present; and such Board may act notwithstanding any Vacancies therein, and notwithstanding any Omission to elect any Member or Members of such Board in pursuance of this Act, but such Board shall not be deemed to be constituted until the First Election of a Chairman of such Board under this Act.

Meetings of the Metropolitan Board.

LII. The First Meeting of the said Metropolitan Board shall be holden at such Time and Place as the Chairman may appoint, of which Notice in Writing, signed by such Chairman, shall be given to each elected Member of the said Board Two clear Days at the least before the Time of such Meeting; and the said Board may meet at such Times and Places as they may from Time to Time appoint; and a Special Meeting of the said Board may be convened by the Chairman of the said Board, or by the Clerk thereof, upon the Requisition in Writing of the Chairman or any Five Members of the Board, by a Notice to the several Members thereof Two clear Days at the least before the Time of meeting, such Notice to be signed by the Chairman or Clerk convening the Meeting, and to specify the Object thereof.

Chairman to preside at Meetings. In case of Vacancy, &c.

LIII. The Chairman of the Metropolitan Board of Works for the Time being elected under this Act shall preside at every Meeting of such Board at which he is present; and in case of a Vacancy in the Office of such Chairman, or in his Absence, some other Member of such Board shall be chosen to preside thereat; and in case there be an equal Number of Votes upon any Question, the Chairman presiding at the Meeting shall have a Second or Casting Vote.

Provisions concerning Constitution, Procedure, and Officers of Metropolitan and District Boards and Vestries.

Disqualifications of Members of Metropolitan Board, of District Boards, of Vestries of Parishes in Schedule (A.) and (B.), and of Auditors.

LIV. In case any Member of the Metropolitan Board of Works, or of any District Board of Works, or of any Vestry for any Parish mentioned in Schedule (A.) or (B.) to this Act, or any Auditor of the Accounts of any such Board or Vestry, be declared bankrupt, or apply to take the Benefit of or become subject to any Act for the Relief of Insolvent Debtors, or compound with his Creditors, or accept or hold any Office under the Board or Vestry of which he is a Member, or of whose Accounts he is Auditor, other than, in the Case of any such Auditor, his Office of Auditor, or in any Manner be concerned or interested in any Contract or Work made with or executed for such Board or Vestry, in every such Case such Person shall cease to be such Member or Auditor as aforesaid: Provided always, that no Person being a Shareholder of any Joint Stock Company shall be disabled from continuing or acting as a Member of

of any such Board or Vestry by reason of any Contract between such Company and such Board or Vestry, or of any Work executed by such Company; but no such Member shall vote upon any Question in which such Company is interested; and any Person who acts as a Member of any such Board or Vestry, or as Auditor of the Accounts thereof, after ceasing to be such Member or Auditor as aforesaid, or who, being a Shareholder in any Joint Stock Company, votes upon any Question in which such Company is interested, and any Person who acts as a Member of any such Vestry as aforesaid without being qualified by Rating and Occupation as required by this Act, shall for every such Offence be liable to a Penalty of Fifty Pounds, which may be recovered by any Person who may sue for the same in any of the Superior Courts of Law, with full Costs of Suit: Provided also, that all Acts and Proceedings of any Person ceasing to be such Member or Auditor, or disabled from acting as aforesaid, shall, if done previously to the Recovery of such Penalty, be valid and effectual to all Intents and Purposes whatsoever.

Members of Metropolitan and District Boards, and of Vestries of Parishes in Schedule (A.) or (B.), may resign.

LV. Any Member of the Metropolitan Board of Works, or of any Vestry elected for any Parish mentioned in Schedule (A.) or (B.) to this Act, or of the Board of Works for any District, may at any Time resign his Office, such Resignation of any Member of the Metropolitan Board of Works to be notified in Writing signed by such Member to the Chairman of such Board, and such Resignation of any Vestryman or Member of any such District Board to be notified in Writing signed by such Vestryman or Member to the Churchwardens of the Parish for which he was elected.

Retiring Members may be re-elected.

LVI. Any Member of the Metropolitan Board of Works, or of any District Board of Works, or of any such Vestry, going out of Office, shall, if qualified, be capable of immediate Re-election.

No Resolution of Metropolitan or any District Board, &c. to be revoked at a subsequent Meeting, unless under certain Circumstances.

LVII. No Resolution or other Act of the Metropolitan Board of Works, or of the Board of Works for any District, or of any such Vestry, shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be specially convened for the Purpose, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Members of the Board, or of the Vestrymen present at such subsequent Meeting, if the Number of Members or Vestrymen present at such subsequent Meeting be not greater by One Fifth than the Number present when such Resolution was made or such Act was done, but if the Number of Members or Vestrymen present at such subsequent Meeting be greater by One Fifth than the Number present at such former Meeting, then such Revocation or Alteration may be determined upon by a mere Majority.

Committees may be appointed.

LVIII. It shall be lawful for the Metropolitan Board of Works, and the Board of Works for any District, and any such Vestry respectively, to appoint a Committee or Committees for any Purposes which, in the Discretion of the Board or Vestry, would be better regulated and managed by means of such Committee, and at any Meeting to continue, alter, or discontinue such Committee: Provided always, that the Acts of every such Committee shall be submitted to the general Body of the Board or Vestry appointing such Committee for their Approval.

Powers of Committees.

LIX. Every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee are present.

Minutes of Proceedings of Metropolitan and District Boards and of Vestries to be entered.

LX. Entries of all Proceedings of the Metropolitan Board of Works and every such District Board, and of any such Vestry, with the Names of the Members who attend each Meeting, shall be made in Books to be provided and kept for that Purpose, under the Direction of the Board or Vestry, and shall be signed by the Members present, or any Two of them; and all Entries purporting to be so signed shall be received as Evidence, without Proof of any Meeting of the Board or Vestry having been duly convened or held, or of the Presence at any such Meeting of the Persons named in any such Entry as being present thereat, or of such Persons being Members of the Board or Vestry, or of the Signature of any Person by whom any such Entry purports to be signed, all which Matters shall be presumed until the contrary be proved; and every such Board and Vestry shall provide and keep Books in which shall be entered true and regular Accounts of all Sums of Money received and paid by them or under their Authority, and of all Liabilities incurred by them, and of the several Purposes for which such Sums of Money are received and paid and such Liabilities incurred, and Copies of all Contracts entered into by any such Board or Vestry.

All Books to be open to Inspection.

LXI. All such Books shall at all reasonable Times be open to the Examination of every Member of the Board and Vestry respectively to which such Books belong, and of every Owner of Property, Churchwarden, Overseer, and Ratepayer within the Metropolis, as regards Books of the said Metropolitan Board, and of every Owner of Property, Churchwarden, Overseer, and Ratepayer within any District or Parish, as regards Books belonging to the District Board or Vestry thereof (as the Case may be), and of every Creditor on the Rates raised under this Act by any such Board or Vestry respectively, without Fee or Reward, and they respectively may take Copies of or Extracts from such Books or any Part thereof, without paying for the same; and in case the Members of the Board or Vestry, or any of them, or any of the Officers or Servants of the Board or Vestry having the Custody of the said Books, being thereunto reasonably requested, refuse to permit or do not permit any such Owner of Property, Churchwarden, Overseer, Ratepayer, or Creditor to examine the same, or take any Copies or Extracts, every such Member, Officer, or Servant so offending shall for every such Offence, upon a summary Conviction thereof before Two Justices, forfeit any Sum not exceeding Ten Pounds.

LXII. The

Power to Metropolitan Board, District Boards, and Vestries to appoint Officers.

LXII. The Metropolitan Board of Works, and (subject to the Provisions herein contained) the Board of Works for every District under this Act, and the Vestry of every Parish mentioned in Schedule (A.) to this Act, shall respectively appoint or employ, or continue for the Purposes of this Act, and may remove at pleasure, such Clerks, Treasurers, and Surveyors, and such other Officers and Servants as may be necessary, and may allow to such Clerks, Treasurers, Surveyors, Officers, and Servants respectively such Salaries and Wages as the Board or Vestry may think fit.

Clerk and Treasurer not to be the same Person.

LXIII. No Person holding the Office of Treasurer under the Metropolitan Board, or any District Board or any such Vestry, nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or in any Manner assist or officiate in the Office of Clerk; and neither the Person holding the Office of Clerk, nor his Partner, nor any Person in the Service or Employ of them or either of them, shall hold, be eligible to, or in any Manner assist or officiate in the Office of Treasurer; and every Person offending in any of the Cases specified in this Provision shall forfeit and pay the Sum of One hundred Pounds, which may be recovered by any Person, with full Costs of Suit, by Action in any of the Superior Courts of Law.

Penalty on Officers, &c. being interested in Contracts, or exacting Fees.

LXIV. No Officer or Servant of the Metropolitan Board, or of any District Board or any such Vestry, shall be in anywise concerned or interested in any Contract or Work made with or executed for such Board or Vestry; and if any such Officer or Servant be so concerned or interested, or, under colour of his Office or Employment, exact, take, or accept any Fee or Reward whatsoever, other than his proper Salary, Wages, and Allowances, he shall be incapable of afterwards holding or continuing in any Office or Employment under such Board or Vestry, and shall forfeit and pay the Sum of Fifty Pounds, which may be recovered by any Person, with full Costs of Suit, by Action in any of the Superior Courts of Law; provided that no Person, being a Shareholder of any Joint Stock Company, shall be prevented from being employed as an Officer or Servant by reason of any Contract between such Company and such Board or Vestry, or of any Work executed by such Company.

Officers, &c. intrusted with Money to give Security for duly accounting for the same.

LXV. Before any Officer or Servant as aforesaid enters upon any Office or Employment under this Act, by reason whereof he will or may be intrusted with the Custody or Control of Money, the Board or Vestry shall require and take from him such Security for the faithful Execution of such Office or Employment, and for duly accounting for all Monies which may be intrusted to him by reason thereof, as they may think sufficient; and every such Officer and Servant, as well during his Continuance in Office or Employment as upon his Resignation, Dismissal, or ceasing to hold his Office or Employment, shall respectively, when and in such Manner as shall be required by the Board or Vestry, make out and deliver a true and perfect Account, in Writing signed by him, of all Monies received by him for the Purposes of this Act, and stating how, and to whom, and for what Purpose such Monies have been disposed of, and shall together with such Account deliver the Vouchers or Receipts for all Payments made by him, and pay over to the Treasurer or such Person as the Board or Vestry may appoint all Monies owing by him; and if any such Officer or Servant fail to render such Account, or to produce and deliver up such of the said Vouchers and Receipts as may be in his Possession or Power, or to pay over any such Monies as aforesaid, or if, for the Space of Five Days after being thereunto required, he fail to deliver up to the Board or Vestry, or to such Person as they may appoint, all Books, Papers, Writings, Property, Effects, Matters, and Things in his Possession or Power belonging to the Board or Vestry, then and in every such Case a Justice shall, on Complaint being made to him in that Behalf, summon the Party charged to appear and answer the Complaint before Two Justices, at a Time and Place to be specified in the Summons; and upon the Appearance of the Party charged, or upon Proof that the Summons was personally served upon him or left at his last known Place of Abode in *England*, and if it appear to the last-mentioned Justices that he has failed to render any such Account, or to produce and deliver up any such Vouchers or Receipts, or any such Books, Papers, Writings, Property, Effects, Matters, or Things as aforesaid, and that he still fails or refuses so to do, it shall be lawful for them, by Warrant under their Hands and Seals, to commit the Offender to Gaol, there to remain, without Bail, until he shall have rendered such Account, and produced and delivered up all such Vouchers, Receipts, Books, Papers, Writings, Property, Effects, Matters, and Things in respect of which the Charge was made; and if it appears that the Party charged has failed to pay over any such Monies as aforesaid, and that he still fails or refuses so to do, it shall be lawful for the last-mentioned Justices, by a like Warrant, to cause the same to be levied by Distress and Sale of his Goods and Chattels, and in default of any sufficient Distress to commit him to Gaol, there to remain, without Bail, for a Period not exceeding Three Months, unless such Monies be sooner paid: Provided always, that if the Complainant, by Deposition on Oath, show to the Satisfaction of any Justice that there is probable Cause for believing that the Party charged intends to abscond, it shall be lawful for such Justice, without previous Summons, by Warrant under his Hand and Seal to cause him to be forthwith apprehended; and in such Case the said Party shall, within Twenty-four Hours after Apprehension, be brought before the same or some other Justice, who may order that he be discharged from Custody, if such Justice think that there is no sufficient Ground for Detention, or that he be further detained until he be brought before Two Justices at a Time and Place to be named in the Order, unless Bail to the Satisfaction of the Justice be given for the Appearance of the Party before such Two Justices: Provided also, that no such Proceeding shall be construed to relieve or discharge any Surety of the Offender from any Liability whatsoever.

If Officer fail to render Account, &c. Justices may commit Offender to Prison.

Power to levy by Distress.

LXVI. The

Metropolitan and District Boards and Vestries to provide proper Offices, &c.

LXVI. The Metropolitan Board of Works and every such District Board and Vestry respectively shall provide and maintain such Offices within their respective District or Parish as may be necessary for the Purposes of this Act, and shall take care that their Clerk, or some Person duly authorized by them in that Behalf, attends at their Office daily (*Sundays, Christmas Day*, and *Good Friday*, and Days appointed for any General Fast or Thanksgiving, alone excepted), for the Purpose of receiving Notices and transacting the ordinary Business of the Board or Vestry under this Act.

Duties and Powers of Vestries and District Boards.

Meaning of "Vestry" in following Provisions.

LXVII. Where in the Provisions herein-after contained any Expression is used referring to the Vestry of a Parish, such Expression shall be construed as referring only to the Vestry of a Parish mentioned in Schedule (A.) to this Act, unless such Construction be repugnant to the Context.

Sewers (except Main Sewers) vested in Vestries and District Boards.

LXVIII. Upon the Commencement of this Act all Sewers vested in the Metropolitan Commissioners of Sewers which are situate in any Parish mentioned in Schedule (A.) to this Act (except such Sewers as are mentioned in Schedule (D.) to this Act), with the Walls, Defences, Banks, Outlets, Sluices, Flaps, Penstocks, Gullies, Grates, Works, and Things thereunto appertaining, and the Materials thereof, with all Rights of Way and Passage used and enjoyed by such Commissioners over or to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall become vested in the Vestry of such Parish; and all Sewers vested in the said Metropolitan Commissioners which are situate within any District mentioned in Schedule (B.) to this Act, except as before excepted, with all such Works and Things as aforesaid appertaining thereto, and all Rights of Way and Passage used and enjoyed by such Commissioners over or to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall become vested in the Board of Works for such District; and all Sewers made and to be made within any such Parish or District, except Sewers and Works vested or to be vested in the Metropolitan Board of Works, as herein-after mentioned, shall be vested in such Vestry and Board respectively.

Vestries and District Boards to repair, &c. all Sewers vested in them, and from Time to Time to construct new ones, &c.

LXIX. The Vestry of every Parish mentioned in Schedule (A.) to this Act, and the Board of Works for every District mentioned in Schedule (B.) to this Act, shall (subject to the Powers by this Act vested in the Metropolitan Board of Works) from Time to Time repair and maintain the Sewers under this Act vested in them, or such of them as shall not be discontinued, closed up, or destroyed under the Powers herein contained, and shall cause to be made, repaired, and maintained such Sewers and Works, or such Diversions or Alterations of Sewers and Works, as may be necessary for effectually draining their Parish or District, and shall cause all Banks, Wharves, Docks, or Defences abutting on or adjoining any River, Stream, Canal, Pond, or Watercourse in such Parish or District to be raised, strengthened, or altered or repaired, where it may be necessary so to do, for effectually draining, or protecting from Floods or Inundation such Parish or District; and it shall be lawful for any such Vestry or District Board to carry any such Sewers or Works through, across, or under any Turnpike Road, or any Street or Place laid out as or intended for a Street, or through or under any Cellar or Vault which may be under the Pavement or Carriageway of any Street, and into, through, or under any Lands whatsoever, making Compensation for any Damage done thereby as herein-after provided; and it shall be lawful for any such Vestry or District Board from Time to Time to enlarge, contract, raise, lower, arch over, or otherwise improve or alter all or any of the Sewers, Watercourses, and Works which shall be from Time to Time vested in them or subject to their Order and Control, and to discontinue, close up, or destroy such of them as they may deem to have become unnecessary: Provided always, that no new Sewer shall be made without the previous Approval of the Metropolitan Board of Works: Provided also, that the Discontinuance, Closing up, Destruction, or Alteration of any Sewer as aforesaid shall be so done as not to create a Nuisance; and if by reason thereof any Person shall be deprived of the lawful Use of any covered Sewer, it shall be the Duty of the Vestry or District Board to provide some other Sewer or a Drain as effectual for his Use as the Sewer of which he is so deprived: Provided also, that where the Vestry or District Board alter any Sewer, or provide a new Sewer in substitution for a Sewer discontinued, closed up, or destroyed, they may contract or otherwise alter the private Drains communicating with the Sewer so altered, or with the Sewer so discontinued, closed up, or destroyed, or may close up or destroy such private Drains, and provide new Drains in lieu thereof, as the Circumstances of the Sewerage may appear to them to require, but so that in every Case the altered or substituted Drain shall be as effectual for the Use of the Person entitled thereto as the Drain previously used.

Power to Vestries and District Boards to do Works of Improvement in Sewers, &c., the Expense of which to be divided between the Party liable and the Parish or District.

LXX. Wherever any Party is, by Prescription, by reason of Tenure, or otherwise, liable by Law to maintain or do any Repairs to Sewers, Banks, Watercourses, or Works in any such Parish or District which the Vestry or District Board judge it necessary to alter or improve, it shall be lawful for them to make such Alterations or Improvements therein as they think proper, and to divide the Expense of such Alterations or Improvements between the Party liable to such Maintenance or Repairs and the Parish, District, or Persons who would have been wholly liable to the Expense of such Alterations or Improvements if no Party had been liable as aforesaid, so as to throw on the Party liable to such Maintenance or Repairs such Part of the Expense of Alterations or Improvements as may be equal to what would be incurred for such Maintenance or Repairs, and to throw on the Parish, District, or Persons

Persons aforesaid the Residue of such Expense, and to settle and adjust such Proportions either by some general Regulation or by Order in each particular Case, as they may think proper: Provided always, that nothing in this Act contained shall exempt from Liability to do any Works, or to pay the whole Cost thereof, any Person who, by Prescription, by reason of Tenure, or otherwise by Law, is so liable.

Gullyholes, &c. to be trapped.

LXXI. Every District Board and Vestry shall, by providing proper Traps or other Coverings, or by Ventilation, or by such other Ways and Means as shall be practicable for that Purpose, prevent the Effluvia of Sewers from exhaling through Gullyholes, Gratings, or other Openings of Sewers in any of the Streets or other Places within their District or Parish.

Vestries and District Boards to cause Sewers to be cleansed, &c.

LXXII. Every Vestry and District Board shall cause the Sewers vested in them to be constructed, covered, and kept so as not to be a Nuisance or injurious to Health, and to be properly cleared, cleansed, and emptied, and for the Purpose of clearing, cleansing, and emptying the same they may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, and other Works as may be necessary.

Vestry or District Board in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer.

LXXIII. If any House or Building, whether built before or after the Commencement of this Act, situate within any such Parish or District, be found not to be drained by a sufficient Drain communicating with some Sewer, and emptying itself into the same, to the Satisfaction of the Vestry or Board of such Parish or District, and if a Sewer of sufficient Size be within One hundred Feet of any Part of such House or Building, on a lower Level than such House or Building, it shall be lawful for the Vestry or Board, at their Discretion, by Notice in Writing, to require the Owner of such House or Building forthwith, or within such reasonable Time as may be appointed by the Vestry or Board, to construct and make from such House or Building into any such Sewer a covered Drain, and such Branches thereto, of such Materials, of such Size, at such Level, and with such Fall as shall be adequate for the Drainage of such House or Building, and its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices, (if any,) and for conveying the Soil, Drainage, and Wash therefrom into the said Sewer, and to provide fit and proper paved or impermeable sloped Surfaces for conveying Surface Water thereto, and fit and proper Sinks, and fit and proper syphoned or otherwise trapped Inlets and Outlets for hindering Stench therefrom, and fit and proper Water Supply and Water supplying Pipes, Cisterns, and Apparatus for scouring the same, and for causing the same to convey away the Soil, and fit and proper Sand Traps, expanding Inlets, and other Apparatus for hindering the Entry of improper Substances therein, and all other such fit and proper Works and Arrangements as may appear to the Vestry or Board, or to their Officers, requisite to secure the safe and proper working of the said Drain, and to prevent the same from obstructing or otherwise injuring or impeding the Action of the Sewer to which it leads; and it shall be lawful for the said Vestry or Board to cause the said Works to be inspected while in progress, and from Time to Time during their Execution to order such reasonable Alterations therein, Additions thereto, and Abandonment of Part or Parts thereof, as may to the Vestry or Board or their Officers appear, on the fuller Knowledge afforded by the opening of the Ground, requisite to secure the complete and perfect working of such Works; and if the Owner of such House or Building neglect or refuse, during Twenty-eight Days after the said Notice has been delivered to such Owner, or left at such House or Building, to begin to construct such Drain and other Works aforesaid, or any of them, or thereafter fail to carry them on and complete them with all reasonable Despatch, it shall be lawful for the Vestry or Board to cause the same to be constructed and made, and to recover the Expenses to be incurred thereby from such Owner in the Manner herein-after provided.

Penalty on Owner, &c. for Neglect.

Provision for combined Drainage of Blocks of Houses.

LXXIV. If it appear to the Vestry or Board of any Parish or District that a Group or Block of contiguous Houses, or of adjacent detached or semi-detached Houses, may be drained and improved more economically or advantageously in combination than separately, and a Sewer of sufficient Size already exist or be about to be constructed within One hundred Feet of any Part of such Group or Block of Houses, whether contiguous, detached, or semi-detached, it shall be lawful for such Board or Vestry to order that such Group or Block of Houses be drained and improved, as herein-before provided, by a combined Operation.

No House to be built without Drains constructed to the Satisfaction of the Vestry or District Board.

LXXV. It shall not be lawful to erect any House or other Building in any Parish mentioned in Schedule (A.) to this Act, or in any District mentioned in Schedule (B.) to this Act, or to rebuild any House or Building within any such Parish or District which has been pulled down to or below the Floor commonly called the Ground Floor, or to occupy any House or Building so newly built or rebuilt, unless a Drain and such Branches thereto and other connected Works and Apparatus and Water Supply as herein-before mentioned be constructed and provided to the Satisfaction of the Surveyor of the Vestry of such Parish or Board of Works for such District, of such Materials, of such Size, at such Level, and with such Fall as they may direct, so that the same shall be available for the Drainage of the lowest Floor of such House or Building, and of its several Floors or Stories, and also of its Areas, Waterclosets, Privies, and Offices (if any), which Drain shall lead from such House or Building, or the intended Site of such House or Building, to such Sewer, already made or intended to be constructed near thereto, as the Vestry or Board shall direct and appoint, or if there be no such Sewer existing or intended to be constructed within One hundred Feet of any Part of the intended Site of such House or Building, then to such covered Cesspool or other Place, not being under any Dwelling House, as the Vestry or Board shall direct;

direct; and whenever any House or Building is rebuilt as aforesaid, the Level of the lowest Floor of such House or Building shall be raised sufficiently to allow of the Construction of such a Drain and such Branches thereto and other Works and Apparatus as are herein-before required, and for that Purpose the Levels shall be taken and determined under the Direction of the Vestry or District Board.

Notice of Buildings to be given to the Vestry or District Board before commencing the same.

LXXVI. Before beginning to lay or dig out the Foundation of any new House or Building within any such Parish or District, or to rebuild any House or Building therein, and also before making any Drain for the Purpose of draining directly or indirectly into any Sewer under the Jurisdiction of the Vestry or Board of or for any such Parish or District, Seven Days Notice in Writing shall be given to the Vestry or Board by the Person intending to build or rebuild such House or Building or to make such Drain; and every such Foundation shall be laid at such Level as will permit the Drainage of such House or Building in compliance with this Act, and as the Vestry or Board shall order, and every such Drain shall be made in such Direction, Manner, and Form, and of such Materials and Workmanship, and with such Branches thereto and other connected Works and Apparatus and Water Supply as herein-before mentioned, and as the Vestry or Board shall order, and the making of every such Drain shall be under the Survey and Control of the Vestry or Board; and the Vestry or District Board shall make their Order in relation to the Matters aforesaid, and cause the same to be notified to the Person from whom such Notice was received within Seven Days after the Receipt of such Notice, and in default of such Notice, or if such House, Building, or Drain, or Branches thereto or other connected Works and Apparatus and Water Supply, be begun, erected, made, or provided in any respect contrary to any Order of the Vestry or Board made and notified as aforesaid, or the Provisions of this Act, it shall be lawful for the Vestry or Board to cause such House or Building to be demolished or altered, and to cause such Drain or Branches thereto and other connected Works and Apparatus and Water Supply to be relaid, amended, or re-made, or, in the event of Omission, added, as the Case may require, and to recover the Expenses thereof from the Owner thereof in the Manner herein-after provided.

Power to branch Drains into Sewers constructed by Metropolitan Board or any Vestry or District Board under certain Regulations.

Penalty.

LXXVII. It shall be lawful for any Person, at his own Expense, to make or branch any Drain into any of the Sewers vested in the Metropolitan Board of Works or any Vestry or District Board under this Act, or authorized to be made by them under this Act, such Drain being of such a Size, and of such Conditions, and branched to such Sewer, in such a Manner and Form of Communication in all respects as the Vestry or Board shall direct or appoint; and in case any Person make or branch any Drain into any of the said Sewers so vested in the Vestry or Board, or authorized to be made by them under this Act, of a larger Size, or of different Conditions, or in a different Manner and Form of Communication than shall be directed or appointed by the Vestry or Board, every Person so offending shall for every such Offence forfeit a Sum not exceeding Fifty Pounds.

Power to Metropolitan Board, &c. to branch private Drains into Sewers, at the Expense of the Party to whom they belong.

LXXVIII. Whenever it is necessary to open any Part of the Pavement or any Street or public Place, for the Purpose of making or branching any private Drain into any of the Sewers or Drains vested in the Metropolitan Board of Works, or any Vestry or District Board under this Act, or authorized to be made by them under this Act, it shall be lawful for the Vestry or Board, in case they think fit so to do, to make so much and such Part of such private Drain, and also to construct so much and such Part of the Work necessary for branching the same into the public Sewers as shall be under or in any Street, and to recover the Expenses incurred thereby from the Owner of the House, Building, or Ground to which such private Drain belongs, in the Manner herein-after provided.

Vestry or District Board may agree to make House Drains at the Expense of Owners or Occupiers.

LXXIX. It shall be lawful for any such Vestry or Board to contract and agree with the Owners or Occupiers of any Houses, Buildings, or Ground that any Drains required to be made, altered, or enlarged by such Owners shall be constructed, made, altered, and enlarged by the Vestry or Board; and the Cost Price of making, altering, or enlarging such Drains, as certified by the Surveyor of the Vestry or Board, shall be repaid by the Owner or Occupier so agreeing to the Vestry or Board, and in default of Payment the same may be recovered in the Manner herein-after provided.

Vestry or District Board may order a Contribution towards Construction of Sewers in certain Cases.

LXXX. Where any Sewer in any of the Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, into which any Drain shall be made or branched, has been built since the Third Day of *September* One thousand eight hundred and thirteen, and before the Commencement of this Act, at the Expense of any Person or Body other than any Commissioners of Sewers, the Vestry or District Board in whom such Sewer is vested may order such Sum as they may deem just, to be paid and contributed by the Owner of the House to which such Drain belongs towards the Expense of the Construction of such Sewer, which Sum shall, on the Receipt thereof by such Vestry or Board, be paid over to the Person or Body aforesaid, and such Vestry or Board may, if they see fit, order and accept Payment of such Sum, with Interest after a Rate not exceeding Five Pounds for the Hundred by the Year, by Instalments within any Period not exceeding Twenty Years.

Penalty on erecting or rebuilding Houses without proper Watercloset, &c.

LXXXI. After the Commencement of this Act it shall not be lawful newly to erect any House, or to rebuild any House pulled down to the Extent aforesaid, within any Parish mentioned in Schedule (A.) to this Act, or any District mentioned in Schedule (B.) to this Act, without a sufficient Watercloset or Privy and Ashpit furnished with proper Doors and Coverings, and also furnished as regards the Watercloset with suitable Water Supply and Water Supply Apparatus, and with suitable trapped Soilpan and other suitable Works and Arrangements, so far as may be necessary to ensure the efficient Operation thereof; and whosoever shall offend against this Enactment shall be liable to a Penalty not exceeding Twenty

Twenty Pounds; and if at any Time it appear to the Vestry or District Board of such Parish or District that any House in any such Parish or District, whether built before or after the Commencement of this Act, is without a sufficient Watercloset or Privy and Ashpit furnished with proper Doors and Coverings, and with other Apparatus and Works as aforesaid, the Vestry or District Board shall, in case the same can be provided without disturbing any Building, give Notice in Writing to the Owner or Occupier of such House, requiring him forthwith, or within such reasonable Time as shall be specified in such Notice, to provide a sufficient Watercloset or Privy and Ashpit so furnished as aforesaid, or either of them, as the Case may require; and if such Notice be not complied with, it shall be lawful for the Vestry or District Board to cause to be constructed a sufficient Watercloset or Privy and Ashpit, or either of them, or do such other Works as the Case may require, and to recover the Expenses incurred by them in so doing from the Owner of such House in manner herein-after provided: Provided always, that where a Watercloset or Privy has been and is used in common by the Inmates of Two or more Houses, or if in the Opinion of the Vestry or District Board a Watercloset or Privy may be so used, they need not require the same to be provided for each House.

Power to Vestry, &c. to require Owners, &c. to provide sufficient Watercloset, &c.

If Owners fail, Vestry, &c. to cause the Work to be done at their Expense.

LXXXII. It shall be lawful for any such Vestry or Board, or for their Surveyor or Inspector, or such other Person as they appoint, to inspect any Drain, Watercloset, Privy, Cesspool, or Water Supply Apparatus, or Sinks, Traps, Syphons, Pipes, or other Works or Apparatus connected therewith, within the Parish or District of such Vestry or Board, and for that Purpose, at all reasonable Times in the Daytime, after Twenty-four Hours Notice in Writing has been given to the Occupier of the Premises to which such Drain, Watercloset, Privy, Cesspool, or Water Supply Apparatus, or other connected Works or Apparatus as aforesaid, is attached, or left upon the Premises, or in case of Emergency without Notice, to enter, by themselves or their Surveyor or Inspector and Workmen, upon any Premises, and cause the Ground to be opened in any Place they think fit, doing as little Damage as may be.

Power for Vestries and District Boards to authorize Inspection of Drains, Privies, and Cesspools.

LXXXIII. In case any Drain, Watercloset, Privy, Cesspool, or Water Supply, or Water Supply Apparatus, or other connected Works or Apparatus, herein-before mentioned, be found, on Inspection, not to have been made or provided according to the Directions or Regulations of the Vestry or District Board, or contrary to the Provisions of this Act, or in case any Person, without the Consent of the Vestry or District Board, construct, rebuild, or unstop any Sewer, Drain, Watercloset, Privy, or Cesspool, which may have been ordered by them not to be made, or to be demolished or stopped up, or in case any Person discontinue any Water Supply, or destroy any connected Works or Apparatus as aforesaid, or in case any Person, without the Consent of the Vestry or District Board, break into any Sewer vested in such Vestry or Board, every person so offending shall forfeit and pay any Sum not exceeding Ten Pounds; and in case the Person so making any Sewer, Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid, contrary to the Directions or Regulations of the Vestry or Board, or contrary to the Provisions of this Act, or, without such Consent as aforesaid, constructing, rebuilding, or unstopping any Sewer, Drain, Watercloset, Privy, or Cesspool which may have been ordered to be demolished or stopped up, or discontinuing any Water Supply or destroying any connected Works or Apparatus as aforesaid, or breaking into any such Sewer as aforesaid, do not, within Fourteen Days after Notice in Writing by the Vestry or Board, cause such Sewer, Drain, Watercloset, Privy, or Cesspool to be altered or reinstated in conformity with the Directions of the Vestry or Board, or, as the Case may be, to be demolished or stopped up, or such Water Supply to be renewed, or such connected Works or Apparatus to be restored, then and in every such Case the Vestry or Board may cause the Work to be done, and the Expenses thereof shall be paid by the Person who has so offended.

Penalty on Persons improperly making or altering Drains.

LXXXIV. If such Drain, Watercloset, Privy, Cesspool, or Water Supply, or Water Supply Apparatus, or other connected Works and Apparatus, be found, on Inspection as aforesaid, to be made to the Satisfaction of the Vestry or Board, and in proper Order and Condition, they shall cause the same to be reinstated and made good as soon as may be, and the Expenses of Examination, reinstating, and making good such Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid, shall be defrayed by the Vestry or Board, and full Compensation shall be made by them for all Damages or Injuries done or occasioned by the Examination of any such Drain, Watercloset, Privy, Cesspool, or other Works or Apparatus as aforesaid.

Where no Default found Expenses to be paid by Vestry or Board.

LXXXV. If, upon such Inspection as aforesaid, any Drain, Watercloset, Privy, or Cesspool appear to be in bad Order and Condition, or to require cleansing, Alteration, or Amendment, or to be filled up, the Vestry or Board shall cause Notice in Writing to be given to the Owner or Occupier of the Premises upon or in respect of which the Inspection was made, requiring him forthwith, or within such reasonable Time as shall be specified in such Notice, to do the necessary Works; and if such Notice be not complied with by the Person to whom it is given, the Vestry or Board may, if they think fit, execute such Works, and the Expenses incurred by them in so doing shall be paid to them by the Owner or Occupier of the Premises.

Vestry or District Board to cause Drains, &c. to be put into proper Condition, &c. where necessary.

LXXXVI. Every Vestry and District Board shall drain, cleanse, cover, or fill up, or cause to be drained, cleansed, covered, or filled up, all Ponds, Pools, open Ditches, Sewers, Drains, and Places containing or used for the Collection of any Drainage, Filth, Water, Matter, or Thing of an offensive Nature, or likely to be prejudicial to Health, which may be situate in their Parish or District; and they shall cause written Notice to be given to the Person causing any such Nuisance, or to the Owner or Occupier

Vestry and District Board to cause offensive Ditches, Drains, &c. to be cleansed or covered.

Occupier of any Premises whereon the same exists, requiring him, within a Time to be specified in such Notice, to drain, cleanse, cover, or fill up such Pond, Pool, Ditch, Sewer, Drain, or Place, or to construct a proper Sewer or Drain for the Discharge of such Filth, Water, Matter, or Thing, or to do such other Works as the Case may require; and if the Person to whom such Notice is given fail to comply therewith, the Vestry or Board shall execute such Works as may be necessary for the Abatement of such Nuisance, and may recover the Expenses thereby incurred from the Owner of the Premises in manner herein-after mentioned: Provided always, that it shall be lawful for such Vestry or Board, where they think it reasonable, to defray all or any Portion of such Expenses, as Expenses of Sewerage are to be defrayed under this Act: Provided also, that where any Work by any Vestry or District Board done or required to be done in pursuance of the Provisions of this Act interferes with or prejudicially affects any ancient Mill, or any Right connected therewith, or other Right to the Use of Water, full Compensation shall be made to all Persons sustaining Damage thereby, in manner herein-after provided, or it shall be lawful for the Vestry or Board, if they think fit, to contract for the Purchase of such Mill, or any such Right connected therewith, or other Right to the Use of Water; and the Provisions of this Act with respect to the Purchases by the Vestry or Board herein-after authorized shall be applicable to every such Purchase as aforesaid.

Where Works interfere with any ancient Mill, &c. Compensation to be made, or Rights therein purchased.

Power to Vestries and District Boards to fill up Ditches by the Side of Roads, and substitute Pipes.

LXXXVII. It shall be lawful for any Vestry or District Board, where they think fit, to cause the Ditches at the Sides of or across public Roads and Byeways and public Footways to be filled up, and to substitute Pipe or other Drains alongside or across such Roads and Ways, with appropriate Shoots and Means of conveying Water from such Roads and Ways thereinto, and from Time to Time to repair and amend the same; and the Surface of Land gained by filling up such Ditches may, if the Vestry or Board so think fit and direct, be thrown into such Roads and Ways, and be repairable as Part thereof, and be under the Control of the Surveyors of the Highways, or other Person in charge of such Roads, Byeways, or Footways.

Power to Vestries and District Boards to provide public Conveniences.

LXXXVIII. It shall be lawful for every Vestry and District Board to provide and maintain Urinals, Waterclosets, Privies, and like Conveniences, in Situations where they deem such Accommodation to be required, and to supply the same with Water, and to defray the Expense thereof, and any Damage occasioned to any Person by the Erection thereof, and the Expense of keeping the same in good Order, as Expenses of Sewerage are to be defrayed under this Act.

Vestries and District Boards may transfer their Powers as to Sewerage to the Metropolitan Board of Works.

LXXXIX. If any Vestry or District Board desire to transfer to the Metropolitan Board of Works the Powers and Duties vested in such Vestry or District Board in relation to Sewerage and Drainage, and a Resolution for so transferring such Powers and Duties be passed by a Majority at a Meeting of such Vestry or District Board, specially convened for the Purpose of considering the Question of such Transfer, of which not less than Fourteen Days Notice shall have been given, and at which there shall be present not less than Two Thirds of the whole Number of such Vestry or Board, then such Powers and Duties, and all Sewers and Property vested in such Vestry or Board under this Act, for the Purposes of or in connexion with such Powers and Duties, shall, at the Expiration of One Month after Notice from such Vestry or Board shall have been given under their Seal to the said Metropolitan Board of such Resolution having been passed as aforesaid, become vested in the said Metropolitan Board, and the Provisions of this Act for defraying Expenses incurred by such Board in the Execution of this Act shall extend to Expenses incurred by them in the Execution of the Powers and Duties so transferred to them.

All Powers relating to paving, &c. to be vested in Vestries and in District Boards.

XC. All the Duties, Powers, and Authorities for or in relation to the paving, lighting, watering, cleansing, or improving of any Parish mentioned in Schedule (A.) to this Act, or any Part of such Parish, now vested in any Commissioners, or in any Body other than the Vestry of such Parish, or in any Officer of any Commissioners or other Body, and all other Duties, Powers, and Authorities in anywise relating to the Regulation, Government, or Concerns of any such Parish or Part, or of the Inhabitants thereof, (except such Duties, Powers, and Authorities as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, so far as such Duties, Powers, and Authorities relate thereto,) now vested under any Local Act of Parliament in any Commissioners, or in any Body other than the Vestry of such Parish, or in any such Officer, shall cease to be so vested, and shall, save as herein otherwise provided, become vested in and be performed and exercised by the Vestry of such Parish under this Act; and all the Duties, Powers, and Authorities for or in relation to the paving, lighting, watering, cleansing, or improving of any Parish included in any District mentioned in Schedule (B.) to this Act, or any Part of such Parish, now vested in any Commissioners, Vestry, or other Body, or in any Officer of any Commissioners or other Body, and all other Duties, Powers, and Authorities in anywise relating to the Regulation, Government, or Concerns of any such Parish, or Part, or of the Inhabitants thereof (except such Duties, Powers, and Authorities as relate to the Affairs of the Church, or the Management or Relief of the Poor, or the Administration of any Money or other Property applicable to the Relief of the Poor, so far as such Duties, Powers, and Authorities relate thereto), now vested under any Local Act of Parliament in any Commissioners, Vestry, or other Body, or in any such Officer, shall cease to be so vested, and shall, save as herein otherwise provided, become vested in and be performed and exercised by the Board of Works for such District; and the Provisions of every such Act of Parliament

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as aforesaid shall be applicable to the Vestry of every Parish mentioned in the said Schedule (A.) and to every such District Board accordingly, and the Offices of all Commissioners and Persons whose Powers are determined by this Act shall cease and be determined, and there shall be no new Appointment or Election to any such Office.

Saving as to Baths and Washhouses, Metropolitan Burials, Markets, and Charitable Trusts Acts.

XCI. Provided always, That, save as regards the Appointment of Auditors, nothing in this Act shall divest the Vestry of any Parish, or any Commissioners or Burial Board appointed by any Vestry, of any Powers or Property vested in them respectively under the Provisions of the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Seventy-four, or any Act amending the same, or under the Provisions of the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, or any Act amending the same, or in anywise affect the Provisions of any of the said Acts; and nothing in this Act shall extend to or affect any Rights, Privileges, Powers, or Authorities vested in any Persons in reference to any Market, or any Powers or Rights for or in relation to the Administration of any Charitable Trusts, save that any Powers or Rights in relation to any such Trusts vested or which would have become vested in the existing Vestry of any Parish shall be vested in the Vestry of such Parish as constituted by this Act.

Expenses incurred under existing Powers relating to paving, &c. to be deemed Expenses incurred under this Act.

XCII. Provided also, That all Expenses of paving, lighting, watering, cleansing, or improving any Parish or any Part of any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, and all other Expenses in relation to the Regulation, Government, or public Concerns of any such Parish or Part, or of the Inhabitants thereof, except only Expenses incurred in relation to the Affairs of the Church, or for the Management or Relief of the Poor, and other Expenses by Law payable out of any Poor Rate, which are not herein provided for, shall be deemed Expenses incurred in the Execution of this Act, and shall be defrayed accordingly.

As to the Transfer of Property.

XCIII. All Property, Matters, and Things whatsoever vested in such Commissioners or other Body, or in any such Officer as aforesaid, under any such Act, in connexion with any such Duties or Powers as aforesaid, hereby transferred to the Vestry of any Parish or the Board of Works for any District, shall upon the Commencement of this Act be vested in such Vestry or Board; and where any such Property, Matters, or Things are vested in any such Commissioners or Body, or Officer, acting for Parts extending beyond such Parish or District, the Metropolitan Board of Works shall by their Order declare in what Vestry or District Board they shall be vested, and may, if they see fit, apportion the same between the Vestries and District Boards within whose respective Districts and Parishes such Parts may be situate, and the same shall be vested accordingly; and any Money in the Possession of any such Commissioners or other Body, or any such Officer, which becomes vested in any such Vestry or Board under this Enactment, and the Income of any other such Property, until sold or disposed of, shall be applicable, as nearly as may be, for the like Purposes as if this Act had not been passed.

Existing Contracts, &c. to remain valid.

XCIV. Provided always, That all Contracts, Agreements, Bonds, Covenants, or Securities made or entered into with or in favour of or by such Commissioners or Body, or any Person in their Behalf, or any such Officer as aforesaid, before the Commencement of this Act, shall remain as valid and effectual and be proceeded on and enforced as if this Act had not been passed; and no Action, Suit, Prosecution, or Proceeding commenced or carried on by or against such Commissioners or Body, or any of them respectively, shall abate or be discontinued, or prejudicially affected by this Act, but shall continue and take effect as if this Act had not been passed; and all Monies coming to such Commissioners or Body, under any such Contract, Agreement, Bond, Covenant, Security, Action, Suit, or Proceeding, and which would have been applicable by them, if this Act had not been passed, for the Purposes of any of the Duties or Powers hereby transferred to any Vestry or District Board, shall be paid over to such Vestry or Board, or as they may direct, and be applied for the like Purposes; and all Monies and Liabilities which such Commissioners or Body, or Officer, would have been liable to pay or discharge, under any such Contract, Agreement, Bond, Covenant, Security, Action, Suit, or Proceeding, out of any Rates to be levied under any such Powers as aforesaid, if this Act had not been passed, and all Costs, Damages, and Expenses which such Commissioners or Body, or any of them respectively, might, if this Act had not been passed, have legally defrayed out of any such Rates, shall be paid out of Rates to be levied by such Vestry or Board as herein-after provided.

Existing Commissioners, &c. under Local Acts continued in Office until Commencement of this Act.

XCV. Where, under the Provisions of any Local Act in relation to the paving, lighting, watering, cleansing, or improving of any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, or any Part of any such Parish, any Election or Appointment of any Commissioners or Persons whose Powers are determined by this Act is appointed to take place at any Time between the Time of the passing of this Act and the Time appointed for the Commencement thereof, the Commissioners or Persons now acting under such Local Act shall remain in Office, and perform and exercise all the Duties, Powers, and Authorities of such Act, until the Commencement of this Act, anything in such Local Act to the contrary notwithstanding.

Powers and Duties of Surveyors of Highways, and Property vested in them, transferred to Ves-

XCVI. Every Vestry and District Board shall, within their Parish or District (exclusively of any other Persons whatsoever), execute the Office of and be Surveyor of Highways, and have all such Powers, Authorities, and Duties, and be subject to all such Liabilities, as any Surveyor of Highways in *England* is now or may hereafter be invested with or liable to by virtue of his Office, under the Laws for the Time being in force, so far as such Powers, Authorities, Duties, and Liabilities are not inconsistent with this Act; but all Expenses which under any such Law ought to be defrayed by Highway Rates shall be defrayed

tries and District Boards.

defrayed by means of the Rates to be raised under this Act, and all Monies which would be applicable in aid of such Highway Rates shall be applied in aid of the said Rates to be raised under this Act, and no such Vestry or Board shall be subject to any Provisions concerning the Accounts of Surveyors of Highways, or requiring any Returns to be made to any Special Sessions; and all Streets being Highways, and the Pavements, Stones, and other Materials thereof, and all other Things provided for the Purposes thereof by any Surveyor of Highways, or by any Person serving the Office of Surveyor of Highways, or by any Vestry or District Board under this Act, shall vest in and be under the Management and Control of the Vestry or District Board of the Parish or District in which such Highways are situate.

Provision as to Rates already made in Parishes mentioned in Schedule (A.)

XCVII. Provided always, That all Rates made previously to the Commencement of this Act for defraying the Expenses of executing any Duties, Powers, and Authorities hereby transferred to any Vestry or District Board, and all Highway Rates made previously to such Commencement, or so much of such respective Rates as may not have been levied and paid, shall be levied and collected as if this Act had not been passed, and, subject to the Payment or Retainer thereout of any Sum or Expenses lawfully payable out of such respective Rates, shall, where such Rates are levied in a Parish mentioned in Schedule (A.) to this Act, be accounted for and paid over to the Vestry of such Parish, and shall, where levied in any other Parish, be accounted for and paid over to the Board of Works for the District in which such Parish is comprised, and shall in every Case be applied in aid of the Rates to be raised for the like Purposes under this Act in the particular Parish or Part in which the said Rates so made previously to the Commencement of this Act are levied.

Vestry or District Board to cause Streets to be paved.

XCVIII. It shall be lawful for every Vestry and District Board from Time to Time to cause all or any of the Streets within their Parish or District, or any Part thereof respectively, to be paved or repaired when and as often and in such Form and Manner and with such Materials as such Vestry or Board think fit, and to cause the Ground or Soil thereof to be raised or lowered, and the Course of the Channels running in, into, or through the same to be turned or altered, in such Manner as they think proper, and to alter the Position of any Mains or Pipes in or under such Street, such Alteration to be made subject to the Approval of the Engineer of the Company to which such Mains or Pipes belong.

Owners possessing Freehold of Courts, &c. to pave the same.

XCIX. Provided always, That whenever the Freehold of any Court, Passage, or public Place, not being a Thoroughfare, is vested in the Owner of any adjoining House, the paving of such Court, Passage, or public Place shall be done by such Owner, if deemed expedient or necessary by the Vestry or District Board.

Owner of Courts to drain them, and keep the Pavement, &c. in repair.

C. The Owner of any such Court, Passage, or public Place, not being a Thoroughfare, shall, if required by the Vestry or District Board of the Parish or District in which the same is situate, to the Satisfaction of such Vestry or District Board, sufficiently pave, cover the Surface of, or repair the same, and lay, at a proper Level, through, over, under, or along such Part thereof as such Vestry or Board may require, a Drain, Channel, or Gutter, and keep such Pavement or Covering, and Drain, Channel, or Gutter, in good Repair, to the Satisfaction of such Vestry or Board; and if any such Owner of any Court, Passage, or public Place, not being a Thoroughfare, do not sufficiently pave or cover the same as aforesaid, or do not lay down therein such Drain, Channel, or Gutter, or do not repair the same respectively, to the Satisfaction of such Vestry or Board, within Fourteen Days after Notice in Writing requiring him so to do, has been given to him by such Vestry or Board, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Owners for Neglect.

Vaults and Cellars under Streets not to be made without the Consent of the Vestry or Board.

CI. No Vault, Arch, or Cellar shall be made under any Street without the Consent of the Vestry or District Board of the Parish or District in which the same is situate; and all such Vaults, Arches, and Cellars hereafter to be made within any Parish or District mentioned in either of the Schedules (A.) and (B.) to this Act shall be substantially made, and so as not to interfere or communicate with any Drain or Sewer under the Control of any Vestry or District Board, or of the Metropolitan Board of Works, without their Consents respectively first obtained; and if any Vault, Arch, or Cellar be made contrary to this Provision, it shall be lawful for the Vestry or District Board, or for the Metropolitan Board of Works, to fill up or alter the same, and the Expenses incurred thereby shall be paid by the Owner of such Vault, Arch, or Cellar.

Vaults, &c. under Streets to be repaired by Owners or Occupiers.

CII. All Vaults, Arches, and Cellars made either before or after the Commencement of this Act under any Street in any Parish or District mentioned in either of the Schedules (A.) and (B.) to this Act, and all Openings into the same in any such Street, shall be repaired and kept in proper Order by the Owners or Occupiers of the Houses or Buildings to which the same respectively belong; and in case any such Vault, Arch, or Cellar be at any Time out of repair, it shall be lawful for the Vestry or District Board of such Parish or District to cause the same to be repaired and put into good Order, and to recover the Expenses thereof from such Owner in the Manner herein-after provided.

Provisions as to the Occupation of underground Rooms as Dwellings.

CIII. Any Room of a House, the Surface of the Floor of which Room is more than Three Feet below the Surface of the Footway of the adjoining Street, and any Cellar, where such Room or Cellar is or has been occupied separately as a Dwelling at or before the Time of the passing of this Act, may continue to be so let or occupied if it possess the following Requisites; that is to say,

If there be an Area not less than Three Feet wide, in every Part from Six Inches below the Floor of such Room or Cellar to the Surface or Level of the Ground adjoining to the Front, Back, or external Side thereof, and extending the full Length of such Side;

If

If such Area, to the Extent of at least Five Feet long and Two Feet Six Inches wide, be in front of the Window of such Room or Cellar, and be open or covered only with open Iron Gratings;

If there be in every such Room or Cellar an open Fireplace, with proper Flue therefrom;

If there be a Window Opening of at least Nine Superficial Feet in Area, which Window Opening must be fitted with a Frame filled in with glazed Sashes, of which at the least Four and a Half Superficial Feet must be made to open for Ventilation:

And no such Room nor any Cellar not so let or occupied as aforesaid at or before the Time of the passing of this Act shall be so let or occupied unless it possess the following Requisites; that is to say,

Unless the same be in every Part thereof at least Seven Feet in Height, measured from the Floor to the Ceiling thereof;

Unless the same be at least One Foot of its Height above the Surface of the Footway of the Street adjoining or nearest to the same;

Unless there be outside of and adjoining the same Room or Cellar, and extending along the entire Frontage thereof and upwards, from Six Inches below the Level of the Floor thereof up to the Surface of the said Footway, an open Area at least Three Feet wide in every Part;

Unless the same be effectually drained and secured against the Rise of Effluvia from any Sewer or Drain;

Unless there be appurtenant to such Room or Cellar the Use of a Watercloset or Privy and an Ashpit furnished with proper Doors and Coverings kept and provided according to the Provisions of this Act;

Unless the same have a Fireplace with a proper Chimney or Flue;

Unless the same have an external glazed Window of at least Nine Superficial Feet in Area clear of the Frame, and made to open in such Manner as is approved by the Surveyor of the Metropolitan Board of Works;

Provided always, that in any Area adjoining a Room or Cellar there may be placed Steps necessary for Access to such Room or Cellar, and over or across any such Area there may be Steps necessary for Access to any Building above the Room or Cellar to which such Area adjoins, if the Steps in such respective Cases be so placed as not to be over or across any such external Window:

And whosoever lets, occupies, or continues to let, or knowingly suffers to be occupied, any Room or Cellar contrary to this Act, shall be liable for every such Offence to a Penalty not exceeding Twenty Shillings for every Day during which the same continues to be so let or occupied; and every Room or Cellar in which any Person passes the Night shall be deemed to be occupied as a Dwelling within the Meaning of this Act; and every District Surveyor acting under the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Eighty-four, or under any Act repealing or amending the same, shall, without any Fee or Reward, report periodically, and otherwise, as the said Metropolitan Board may order, to such Board, all Cases in which Rooms or Cellars are occupied contrary to this Enactment in the District of such Surveyor, and also to the respective Vestries and District Boards, all such Cases occurring within such Parts of his District as may be within their respective Parishes and Districts; but nothing herein contained shall be construed to disable other Persons from enforcing this Enactment, and taking Proceedings for Penalties thereunder.

Power to District Surveyors to enter underground Rooms and Cellars. If Admission refused, Justice may issue an Order.

CIV. For the Purpose of enforcing the Enactment lastly herein-before contained, it shall be lawful for any such District Surveyor, or for any other Person, having reasonable Grounds for believing that any Room or Cellar is occupied contrary to such Enactment, to demand Admission to inspect the same at any Time between Nine o'Clock in the Morning and Six o'Clock in the Evening; and if Admission be not granted, any Justice having Jurisdiction in the Place where such Room or Cellar is situate may, on Oath before him, of Belief that such Room or Cellar is occupied contrary to the said Enactment, by Order under his Hand, authorize such District Surveyor or other Person to enter into and inspect such Room or Cellar between the Hours aforesaid.

Provisions for paving new Streets.

CV. In case the Owners of the Houses forming the greater Part of any new Street laid out or made, or hereafter to be laid out or made, which is not paved to the Satisfaction of the Vestry or District Board of the Parish or District in which such Street is situate, be desirous of having the same paved, as hereinafter mentioned, or if such Vestry or Board deem it necessary or expedient that the same should be so paved, then and in either of such Cases, such Vestry or Board shall well and sufficiently pave the same, either throughout the whole Breadth of the Carriageway and Footpaths thereof, or any Part of such Breadth, and from Time to Time keep such Pavement in good and sufficient Repair; and the Owners of the Houses forming such Street shall, on Demand, pay to such Vestry or Board the Amount of the estimated Expenses of providing and laying such Pavement (such Amount to be determined by the Surveyor, for the Time being, of the Vestry or Board); and in case such estimated Expenses exceed the actual Expenses of such paving, then the Difference between such estimated Expenses and such actual Expenses shall be repaid by the said Vestry or Board to the Owners of Houses by whom the said Sum of Money has been paid; and in case the said estimated Expenses be less than the actual Expenses of such paving, then the Owners of the said Houses shall, on Demand, pay to the said Vestry or Board such further Sum of Money as, together with the Sum already paid, amounts to such actual Expenses.

CVI. The

Notice of Intention to repair any Street, not being a Highway.

CVI. The Vestry or District Board of any Parish or District may, if they think fit, by Notice in Writing put up in any Part of any Street in their Parish or District, not being a Highway, declare their Intention of repairing the same under this Act, and thereupon the same shall be from Time to Time repaired by them under the Authority of this Act: Provided always, that no Street shall be repaired as last aforesaid, unless such Notice in Writing be also given to all Persons interested in such Street, or if within One Month after Notice in Writing has been put up or given as last aforesaid, any Person interested in such Street, or the Person representing, or entitled to represent any Person interested as aforesaid, by Notice in Writing to the Vestry or Board, object thereto.

Proviso.

Act not to authorize the making any Thoroughfare without Consent.

CVII. Nothing in this Act shall extend or be construed to extend to authorize the taking down or removing any Bar, Gate, Rail, or other Fence fixed for preventing any Thoroughfare into or from any Square, Street, or Way, without the Consent of the Proprietor of the Estate or Property upon which such Bar, Gate, Rail, or other Fence, Square, Street, or Way shall be situate.

Vestries and District Boards may place Fences, &c. to Footways.

CVIII. It shall be lawful for every Vestry and District Board from Time to Time to place any Posts, Fences, and Rails on the Sides of any Footways or Carriageways in their Parish or District, for the Purposes of Safety, and to prevent any Carriage or Cattle from going on the same, and also to place any Posts or other Erections in any Carriageways so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair and renew any such Posts, Rails, or Fences, or to remove the same, or any other Obstruction or Encroachment on any Carriageway or Footway.

Notice to be given by Companies to Vestries and District Boards when Pavement, &c. is required to be taken up.

CIX. No Company or Person shall break up or open the Pavement, Surface, or Soil of any Street, the Paving whereof is under the Control and Management of the Vestry or District Board of any Parish or District, for the Purpose of making and laying down any Main of Pipes or for any other Purpose whatsoever, except in Cases of Emergency arising from Defects in Pipes or other Works, without having previously given Three clear Days Notice in Writing to such Vestry or District Board, stating in such Notice the Name of the Street and the particular Part thereof in which such Pavement, Surface, or Soil is intended to be broken up or opened, the Day on which the Work is proposed to be commenced, and the Time within which it will be completed; and in any such Case of Emergency as aforesaid such Company or Person shall, within Twelve Hours after they or he begin to break up or open such Pavement, Surface, or Soil as aforesaid, give such Notice as aforesaid to the said Vestry or District Board; and no such Pavement, Soil, or Surface shall be broken up or opened for the Purpose of laying down any new Main of Pipes for the Conveyance of Water during any Part of the Months of *December*, *January*, and *February*, without the Consent of the said Vestry or District Board; and no Gaslight Company shall at any Time break up or open any such Pavement, Surface, or Soil for the Purpose of laying down any new Mains of Pipes, without the Consent in Writing of the said Vestry or District Board; and every Company or Person offending against this Enactment shall, for every such Offence, forfeit a Sum not exceeding Five Pounds, and shall, within Twenty-four Hours after Notice in Writing from the Vestry or District Board, cause such Mains of Pipes to be taken up and removed, and the Pavement, Surface, or Soil to be reinstated and put into its former State: Provided always, that any Gaslight Company may break up or open any such Pavement, Surface, or Soil, for the Purpose of laying down and attaching to Mains and Pipes already existing, any new Service Pipes, on giving to the said Vestry or District Board, Three Days at the least before so doing, Notice of their Intention to break up or open such Pavement, Surface, or Soil for such Purpose.

Streets not to be broken up, except under the Superintendence of Vestry or Board.

Streets broken up to be reinstated without Delay.

CX. Whenever it is necessary, from any Cause whatever, for any Company or Person to break up or open the Pavement, Surface, or Soil of any Street, such Street, and the Pavement, Surface, and Soil thereof, shall be broken up and opened under the Superintendence of the Vestry or District Board of the Parish or District in which the same is situate, and in such Manner, and as regards Gas Companies, at such Time, as they shall direct; and such Company or Person shall with all convenient Speed complete the Work on account of which the same is broken up or opened, and fill in the Ground, and make good the Pavement or Surface or Soil so broken up or opened, and carry away the Rubbish occasioned thereby, and shall, in the meantime, cause the Place where such Pavement or Surface or Soil is so broken up or opened, to be fenced and guarded, and shall set up and maintain upon or against the Part of the Pavement, Surface, or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Surface or Soil is continued open or broken up.

Penalty on Persons taking taking up Pavements neglecting to reinstate them, and to place Lights during the Night-time to prevent Accidents.

CXI. If any Company or Person authorized to break up or open any of the Pavement or Surface of any Street, for the Purpose of laying, altering, or repairing any Gas, Water, or other Pipe, or other lawful Cause, do not, with due Diligence, cause the Ground to be filled in, and the Pavement to be reinstated, and the Surface to be made good, in a proper and substantial Manner, or do not, in the meantime, fence and guard the same, and affix and maintain Lights during the Night, near to the Places where any Ground is open, so as to prevent any Accident, every such Company or other Person so offending shall, for every such Offence, forfeit a Sum not exceeding Five Pounds, and also a further Sum not exceeding Forty Shillings, for every Day during which such Offence continues; and no such Pavement shall be considered to have been reinstated in a proper and substantial Manner by any such Company or other Person, unless the same have been reinstated with the same or similar Materials of the like Quality and Thickness, and cemented and bound together in the same or in an equally substantial Manner, as those of which it was composed, in such Manner as is satisfactory to the Vestry or Board.

CXII. In

Vestry or District Board to direct Pavements injured by Water or Gas Pipes to be repaired by Company. Penalty for Neglect.

CXII. In case any Part of the Pavement of any Street be sunk, broken, injured, or damaged, by reason of the breaking, bursting, or Want of Repair of any Pipe belonging to any Water, Gas, or other Company, it shall be lawful for the Vestry or District Board of the Parish or District in which such Pavement is situate, if they deem it expedient so to do, to cause Notice to be given to the Company to whom such Pipe is supposed to belong, forthwith well and sufficiently to repair and make good such Pavement; and if the Company to whom such Notice is given do not, within Forty-eight Hours next after such Notice, take up such Pavement, and well and sufficiently repair and amend such Pipe, and cause the Ground to be well and sufficiently filled in and rammed down, and the said Pavement to be relaid and repaired, to the Satisfaction of the Vestry or District Board, then such Company so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Company opening the Ground to repair a Pipe discovered to belong to another Company, to give Notice to such Company, and to be reimbursed Expenses.

CXIII. Provided always, That in case it be discovered, after any Pavement in any Street has been taken up by any Company, and the Ground opened, that the Pipe beneath the Surface of such Pavement required to be repaired and amended, does not belong to the Company to whom such Notice has been given as aforesaid, but to some other Company, then such first-mentioned Company, to whom such Notice has been so given as aforesaid, shall, within Forty-eight Hours after such Discovery, cause a Copy of such Notice to be in like Manner given to the Company to whom such Pipe belongs, and require them to obey, conform to, and comply with the original Notice, instead of the Company to whom such original Notice was given as aforesaid; and such other Company to whom such last-mentioned Notice is given as aforesaid, shall reimburse and pay, on Demand, to the first-mentioned Company, the reasonable Costs and Charges incurred in and about the taking up of the Pavement and opening the Ground; and the said last-mentioned Company shall obey, conform to, and comply with the said original Notice, and execute and perform the Work mentioned therein, in such and the same Manner, and within such and the same Time, in all respects, as if the said original Notice had been given to such last-mentioned Company, and they shall be liable to, and shall incur the same Penalties and Forfeitures, on Neglect so to do, as they would have incurred and been liable to if the said original Notice had been given to them in manner before directed with respect to such first-mentioned Company; and if the Company by whom such Pavement has been first taken up, and who have opened the Ground, neglect to give the Notice hereby required to the Company to whom such Pipe actually belongs, such Company so neglecting shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Power to Vestry or District Board to reinstate Pavement, and charge the Expenses to the Parties.

CXIV. Provided also, That whenever the permanent Surface or Soil of any Street is broken up or opened, it shall be lawful for the Vestry or District Board of the Parish or District in which the same is situate, in case they think it expedient so to do, to fill in the Ground, and to make good the Pavement or Surface or Soil so broken up or opened, and to carry away the Rubbish occasioned thereby, instead of permitting such Work to be done by the Company or Person by whom such Surface or Soil is broken up or opened; and the Expenses of filling in such Ground, and of making good the Pavement or Soil so broken up or opened, shall be repaid, on Demand, to the Vestry or Board by such Company or Person.

Power for Vestry or District Board to contract for restoring Pavements.

CXV. It shall be lawful for the Vestry or District Board of any Parish or District to contract and agree, for any Term of Years or otherwise, with the several Companies or Persons authorized to take up any of the Pavements or other formed Surface of any of the Streets within such Parish or District, for the filling in, paving, and restoring of such Parts of the said Streets as may be from Time to Time required to be taken up for the Purpose of laying, altering, or repairing any Pipes or other like Purpose.

As to the watering of Streets.

CXVI. Every Vestry and District Board shall have full Power and Authority to cause all or any of the Streets in their Parish or District to be watered as often as they think fit, and also to cause any Wells to be dug and sunk in such public Places as they think proper, and also to erect and fix any Pumps in any public Places, for the gratuitous Supply of Water to the Inhabitants of the Parish or District.

Vestry or District Board to cause Footways to be cleansed.

CXVII. Every Vestry and District Board shall cause any Footway within their Parish or District to be scraped, swept, or cleansed in such Manner and at such Times as they think fit; but this Enactment shall not relieve any Occupier of any House or Building or any Company whatsoever from any Liability to scrape, sweep, or cleanse, or cause to be scraped, swept, or cleansed, any Part of any such Footway, or from any Penalty for Neglect so to do.

Vestries and District Boards may appoint and pay Crossing Sweepers.

CXVIII. It shall be lawful for every Vestry and District Board to appoint and pay, or for Two or more Vestries and District Boards to unite, when necessary, in appointing and paying, suitable Persons to cleanse and sweep, and to keep properly cleansed and swept daily, Crossings for Passengers over the Streets and public Thoroughfares within their respective Jurisdictions, and in such Situations as the said Vestries or District Boards may from Time to Time fix and determine, which Persons so appointed shall be distinguished by their Dress or some distinctive Mark as Public Servants.

Owners, &c. to remove future Projections, on Notice from Vestry or District Board.

CXIX. If any Porch, Shed, projecting Window, Step, Cellar Door or Window, or Steps leading into any Cellar or otherwise, Lamp, Lamp Post, Lamp Iron, Sign, Sign Post, Sign Iron, Showboard, Window Shutter, Wall, Gate, Fence, or Opening, or any other Projection or Obstruction placed or made against or in front of any House or Building after the Commencement of this Act, shall be an Annoyance, in consequence of the same projecting into or being made in or endangering or rendering less commodious the Passage along any Street in their Parish or District, it shall be lawful for the Vestry or District Board to give Notice in Writing to the Owner or Occupier of such House or Building to remove such

Projection or Obstruction, or to alter the same, in such Manner as the Vestry or Board think fit; and such Owner or Occupier shall within Fourteen Days after the Service of such Notice upon him remove such Projection or Obstruction, or alter the same in the Manner directed by the Vestry or Board; and if the Owner or Occupier of any such House or Building neglect or refuse, within Fourteen Days after such Notice, to remove such Projection or Obstruction, or to alter the same, in the Manner directed by the Vestry or Board, he shall forfeit any Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings, for every Day, during which such Projection or Obstruction continues, after the Expiration of such Fourteen Days from the Time when he may be convicted of any Offence contrary to the Provisions hereof.

Penalty for Neglect.

Vestry or District Board may remove existing Projections, and make Compensation for the same.

CXX. It shall be lawful for every Vestry and District Board, if any Projection or Obstruction which has been placed or made against or in front of any House or Building in any such Street, before the Commencement of this Act, shall be an Annoyance as aforesaid, to cause the same to be removed or altered as they think fit: Provided always, that the Vestry or Board shall give Notice in Writing of such intended Removal or Alteration to the Owner or Occupier against or in front of whose House or Building such Projection or Obstruction shall be, Seven Days before such Removal or Alteration shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal, excepting in Cases where the Obstruction or Projection may now be removable under any Act, in which Case no Compensation shall be made.

Hoards to be erected during Repairs.

CXXI. Every Person who shall build or begin to build, or to take down or begin to take down, any House, Building, or Wall, or alter or repair, or begin to alter or repair, the outward Part of any House, Building, or Wall, shall, in all Cases in which the Footway is thereby obstructed or rendered inconvenient, cause to be put up a proper and sufficient Hoard or Fence, with a convenient Platform and Handrail, if there be Room enough for the same, to serve as a Footway for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, in such Cases as aforesaid, with such Platform and Handrail, standing and in good Condition, to the Satisfaction of the Vestry or District Board of the Parish or District in which such House, Building, or Wall is situate, during such Time as may be necessary for the Public Safety or Convenience, and shall, in all Cases in which the same is necessary to prevent Accidents, cause such Hoard or Fence to be well lighted during the Night; and every such Person who fails to put up such Hoard or Fence and such Platform, with such Handrail as aforesaid, or who does not, whilst the said Hoard or Fence is standing, keep the same well lighted during the Night, shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during the Continuance of such Default.

Penalty on not erecting Hoards.

No Hoard to be erected without Licence from Vestry or District Board.

CXXII. It shall not be lawful for any Person to erect or set up in any Street any Hoard or Fence or Scaffold for any Purpose whatever, or any Posts, Bars, Rails, Boards, or other Things by way of Inclosure, for the Purpose of making Mortar, or of depositing Bricks, Lime, Rubbish, or other Materials, without a Licence in Writing first had and obtained from the Clerk or Surveyor of the Vestry or District Board of the Parish or District in which such Street is situate; and every such Licence shall state the Place where, and the Purpose for which, such Hoard or Fence, Scaffold or Inclosure, is to be set up or made, and the Size thereof, and the Time for which it is to be permitted to continue.

If Hoard be erected or Materials be deposited in any Manner otherwise than to the Satisfaction of the Vestry or District Board, the same may be removed.

CXXIII. If any Person erect or set up in any Street any Hoard or Fence or Scaffold for any Purpose whatever, or any Posts, Bars, Rails, Boards, or other Things by way of Inclosure, for the Purpose of making Mortar, or of depositing Bricks, Lime, Rubbish, or other Materials, without a Licence from the Vestry or District Board, or do any such Act as aforesaid in any other Manner than as permitted by such Licence, or continue the same beyond the Time stated in such Licence, or fail to keep any Hoard, Fence, Platform, or Handrail in good Repair, he shall for every such Offence forfeit a Sum not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings, for every Day during the Continuance of such Offence; and it shall be lawful for the Vestry or Board to cause such Hoard, Fence, Scaffold, or Inclosure to be pulled down, and the Materials thereof, and also all the Bricks, Mortar, Lime, or other Building Materials, or other Matters or Things contained within any such Inclosure, to be removed, and deposited in such Place as the Vestry or Board may think fit, and to be kept until the Charges of pulling down and removing the same be paid to the Vestry or Board; and in case the same be not claimed and the said Charges paid within the Space of Eight Days next after such Seizure thereof, it shall be lawful for the Vestry or Board to order the same to be sold, and by and out of the Proceeds of such Sale, to pay such Charges, rendering any Surplus to the Owner or other Person by Law entitled thereto; and in case the Proceeds of such Sale be insufficient to cover such Charges, and the Charges of selling and disposing of such Materials, Matters, and Things, the Deficiency shall be repaid by the Owner of such Materials, Matters, and Things to the Vestry or District Board, on Demand.

Providing against Accidents in laying out new Streets, &c.

CXXIV. Every Person laying out or opening any new Street, or building therein, shall, during the Operations necessary for forming such new Street, or for building therein, take all such Precautions for guarding against Injury to the Passengers along such Street, as may be directed by the Vestry or District Board of the Parish or District within which such Operations are being carried on; and if any Person fail to comply with the Directions of such Vestry or District Board, within such Time as may be limited by them, such Vestry or District Board may do whatever may be necessary for carrying the same into effect, and the Expenses thereby incurred shall be repaid to such Vestry or District Board by the

the Person laying out or opening such new Street, or building therein, as aforesaid, and shall be recoverable by them from such Person in manner provided by this Act.

Vestries and District Boards to appoint Scavengers.

CXXV. It shall be lawful for every Vestry and District Board, and they are hereby required to appoint and employ a sufficient Number of Persons, or to contract with any Company or Persons, for the sweeping and cleansing of the several Streets within their Parish or District, and for collecting and removing all Dirt, Ashes, Rubbish, Ice, Snow, and Filth, and for the cleansing out and emptying of Privies and Cesspools, Sewers and Drains, in or under Houses and Places within their Parish or District; and such Company or Persons are herein-after referred to as Scavengers; and such Scavengers, or their Servants, shall, on such Days and at such Hours and in such Manner as the Vestry or District Board shall from Time to Time appoint, sufficiently execute and perform all such Works and Duties as they respectively are employed or contract to execute or perform; and if any such Company or Person fail in any respect properly to execute and perform such Works and Duties such Company or Person shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for obstructing Scavengers in Performance of their Duty.

CXXVI. Any Occupier of any House or Land or other Person who refuses or does not permit any Soil, Dirt, Ashes, or Filth to be taken away by the Scavengers appointed by, or contracting with any Vestry or Board as aforesaid, or who obstructs the said Scavengers in the Performance of their Duty, shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Refuse collected to be vested in Vestry or District Board, who may dispose of the same.

CXXVII. All Dirt, Dust, Nightsoil, Ashes, and Rubbish collected as aforesaid shall be the Property of such Vestry or Board, and such Vestry or Board shall have full Power to sell and dispose of the same for the Purposes of this Act as they shall think proper, and the Person purchasing the same shall have full Power to take, carry away, and dispose of the same for his own Use, and the Money arising from the Sale thereof shall be applied towards defraying the Expenses of the Execution of this Act, other than the Sewerage Expenses.

Owners, &c. to pay for Removal of Refuse of Trades.

CXXVIII. In case any Scavenger be required by the Owner or Occupier of any House or Land to remove the Refuse of any Trade, Manufacture, or Business, or of any Building Materials, such Owner or Occupier shall pay to the Scavenger a reasonable Sum for such Removal, such Sum, in case of Dispute, to be settled by Two Justices.

Dispute as to what is Refuse of Trade, &c. to be determined by Justices.

CXXIX. If any Dispute or Difference of Opinion arise between the Owner or Occupier of any such House or Land, and the Scavengers required to remove such Refuse, as to what shall be considered as Refuse, it shall be lawful for any Two Justices, upon Application made to them by either of the Parties in difference, to determine whether the Subject Matter of Dispute is or is not Refuse of Trade, Manufacture, or Business, or of any Building Materials, and in every such Case the Decision of such Justices shall be final and conclusive.

Vestries and District Boards to cause Streets to be lighted.

CXXX. Every Vestry and District Board shall cause the several Streets within their Parish or District to be well and sufficiently lighted, and for that Purpose shall maintain, or set up and maintain, a sufficient Number of Lamps in every such Street, and shall cause the same to be lighted with Gas or otherwise, and to continue lighted at and during such Times as such Vestry or Board may think fit, necessary, or proper; and all public Lamps, and the Lamp Posts and Lamp Irons and Fittings thereof, to be provided by any Vestry or District Board, shall vest in such Vestry or Board.

No Slaughter-house to be licensed under the 14th & 15th Vict. c. 61. without Notice to Vestry or District Board.

CXXXI. Before any Licence for the Use of any Place within any Parish mentioned in either of the Schedules (A.) and (B.) to this Act as a Slaughter-house, is granted by any Quarter Sessions of the Peace under the Provisions of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-One, (the Metropolitan Market Act, 1851,) One Month's previous Notice of the Intention to apply for such Licence shall be given to the Vestry or District Board of the Parish or District in which such Place is situate, to the Intent that such Vestry or District Board, if they think fit, may show Cause against the Grant of such Licence.

Vestries and District Boards to appoint Medical Officers of Health.

CXXXII. Every Vestry and District Board shall from Time to Time appoint One or more legally qualified Medical Practitioner or Practitioners of Skill and Experience to inspect and report periodically upon the sanitary Condition of their Parish or District, to ascertain the Existence of Diseases, more especially Epidemics, increasing the Rate of Mortality, and to point out the Existence of any Nuisance or other local Causes which are likely to originate and maintain such Diseases, and injuriously affect the Health of the Inhabitants, and to take cognizance of the Fact of the Existence of any contagious or epidemic Diseases, and to point out the most efficacious Mode of checking or preventing the Spread of such Diseases, and also to point out the most efficient Modes for the Ventilation of Churches, Chapels, Schools, Lodging Houses, and other public Edifices within the Parish or District, and to perform any other Duties of a like Nature which may be required of him or them; and such Persons shall be called "Medical Officers of Health;" and it shall be lawful for the Vestry or Board to pay to every such Officer such Salary as they think fit, and also to remove any such Officer at the Pleasure of such Vestry or Board.

Appointment of Inspectors of Nuisances.

CXXXIII. Every Vestry and District Board shall nominate and appoint such Number of Persons to be Inspectors of Nuisances in their Parish or District, as the Vestry or Board may think fit; and the Inspectors of Nuisances shall superintend and enforce the due Execution of all Duties to be performed by the Scavengers employed or contracted with under this Act, and report to the Vestry or District Board the Existence of any Nuisances; and the Vestry or Board shall require every such Inspector to

provide and keep a Book in which shall be entered all Complaints made by any Inhabitant of the Parish or District of any Infringement of the Provisions of this Act, or of any Byelaws made thereunder, or of Nuisances; and every such Inspector shall forthwith inquire into the Truth or otherwise of such Complaints, and report upon the same to the Vestry or Board at their next Meeting; and such Report, and the Order of the Vestry or Board thereon, shall be entered in a Book, which shall be kept at their Office, and shall be open, at all reasonable Times, to the Inspection of any Inhabitant of the Parish or District; and it shall be the Duty of such Inspector, subject to the Direction of the Vestry or Board, to make Complaints before any Justices, and take legal Proceedings for the Punishment of any Person for any Offence under this Act or any such Byelaws.

Vestries and District Boards to be the Local Authorities to execute the Nuisances Removal Acts.

CXXXIV. Every Vestry and District Board under this Act shall execute, within their respective Parish or District, all the Duties and Powers exerciseable under the Nuisances Removal and Diseases Prevention Act, 1848, and the Nuisances Removal and Diseases Prevention Act, 1849, by any Commissioners or other Body, or any Officers having under any Act Powers of cleansing, and shall be the Local Authority to execute any Act passed or to be passed in the present Session amending or repealing the said Acts or either of them.

Duties and Powers of Metropolitan Board of Works.

Main Sewers vested in the Metropolitan Board of Works, and Power to such Board to make Sewers.

CXXXV. The Sewers mentioned in Schedule (D.) to this Act, being the Main Sewers now vested in the Commissioners of Sewers of the City of *London* and in the Metropolitan Commissioners of Sewers respectively, with the Walls, Defences, Banks, Outlets, Sluices, Flaps, Penstocks, Gullies, Grates, Works, and Things thereunto belonging, and the Materials thereof, with all Rights of Way and Passage used and enjoyed, by such Commissioners respectively, over and to such Sewers, Works, and Things, and all other Rights concerning or incident to such Sewers, Works, and Things, shall be vested in the Metropolitan Board of Works, and such Board shall make such Sewers and Works as they may think necessary for preventing all or any Part of the Sewage within the Metropolis from flowing or passing into the River *Thames* in or near the Metropolis, and shall cause such Sewers and Works to be completed on or before the Thirty-first Day of *December* One thousand eight hundred and sixty; and shall also make all such other Sewers and Works, and such Diversions or Alterations of any existing Sewers or Works vested in them under this Act, as they may from Time to Time think necessary for the effectual Sewerage and Drainage of the Metropolis, and shall discontinue, close up, or destroy such Sewers for the Time being vested in them under this Act, as they may deem unnecessary, and such Board shall from Time to Time repair and maintain the Sewers so vested in them, or such of them as may not be discontinued, closed up, or destroyed as aforesaid; and for the Purposes aforesaid, such Board shall have full Power and Authority to carry any such Sewers or Works through, across, or under any Turnpike Road, or any Street or Place laid out as, or intended for a Street, as well beyond, as within the Limits of the Metropolis, or through or under any Cellar or Vault under the Carriageway or Pavement of any Street, and into, through, or under any Lands whatsoever within or beyond the said Limits, making Compensation for any Damage done thereby as herein-after provided, and all Sewers and Works from Time to Time made by the said Board shall vest in them; and the said Board shall cause the Sewers vested in them to be constructed, covered, and kept so as not to be a Nuisance or injurious to Health, and to be properly cleared, cleansed, and emptied, and for the Purpose of clearing, cleansing, and emptying the same, they may construct and place, either above or under Ground, such Reservoirs, Sluices, Engines, and other Works as may be necessary, and may cause the Sewage and Refuse from such Sewers to be sold or disposed of as they may see fit, but so as not to create a Nuisance, and the Money arising thereby shall be applied towards defraying the Expenses of such Board.

Plans, &c. for intercepting Sewage to be submitted to Commissioners of Works.

CXXXVI. Before the Metropolitan Board of Works commence any Sewers and Works for preventing the Sewage from passing into the *Thames* as aforesaid, the Plan of the intended Sewers and Works for the Purpose aforesaid, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings; and no such Plan shall be carried into effect until the same has been approved by such Commissioners.

Metropolitan Board may declare Sewers to be Main Sewers, and take under their Jurisdiction Sewerage Matters, &c.

CXXXVII. In case it appear to the Metropolitan Board of Works that any Sewers in the Metropolis not herein-before vested in such Board ought to be considered Main Sewers, and to be under their Management, it shall be lawful for such Board, by an Order under their Seal, to declare the same to be Main Sewers, and thereupon the same shall vest in and be under the Management of the said Board; and it shall also be lawful for the said Board, by any such Order, to take under their Jurisdiction and Authority any other Matters in relation to Sewerage and to Drainage, with respect to which, Jurisdiction or Authority is by this Act vested in any Vestry or District Board.

Metropolitan Board to make Orders for controlling Vestries and District Boards in Construction of Sewers, &c.

CXXXVIII. The Metropolitan Board of Works shall from Time to Time, in order to secure the efficient Maintenance of the main and general Sewerage of the Metropolis, make such General or Special Order as to them may seem proper, for the Guidance, Direction, and Control of the Vestries of Parishes and District Boards in the Levels, Construction, Alteration, and Maintenance and cleansing of Sewers in their respective Parishes or Districts, and for securing the proper Connexion and Intercommunication of the Sewers of the several Parishes and Districts, and their Communications with the Main Sewers vested in the said Metropolitan Board, and generally for the Guidance, Direction, and Control of Vestries and District

District Boards in the Exercise of their Powers and Duties in relation to Sewerage; and all such Orders shall be binding upon such Vestries and Boards.

Metropolitan Board may direct Appointments to be made for Two Parishes or Districts jointly.

CXXXIX. The Metropolitan Board of Works, where it appears to them expedient that any Officer or Set of Officers, necessary for any of the Purposes of this Act, should act for a larger Area than is comprised in One Parish or District, or for Parts of different Parishes or Districts, may, with the Consent of the Vestries or Boards of such Parishes or Districts, direct that such Vestries or Boards shall unite in the Appointment and Removal of such Officer or Set of Officers; and the said Metropolitan Board shall in such Case direct the Mode in which the respective Bodies or Committees thereof shall act together for the Purposes of every such Appointment and Removal, and the Proportions in which the Salary or Salaries of such Officer or Officers shall be borne and paid by every such Parish and District respectively.

Or may place a Street in different Parishes under Management of One Vestry, or Part of a Parish under Management of Vestry of adjoining Parish.

CXL. It shall be lawful for the Metropolitan Board of Works, where it appears to them that any Street or Line of Street, being in more than One Parish or District, should be placed under the exclusive Management of One Vestry or District Board for the Purposes of paving, lighting, watering, and cleansing, or any of them, or for the Purposes of Sewerage and Drainage, or for all the Purposes of this Act, to order that the same shall be under the Management of such Vestry or Board accordingly; and it shall also be lawful for the said Metropolitan Board, where it appears to them that any Part of any Parish or District is so detached or situate that it would be convenient for the Purposes of Sewerage or Drainage that the same should be placed under the Management of the Vestry or District Board of any adjoining Parish or District, to order that such Part shall, for such Purposes, be under the Management of such Vestry or District Board.

Metropolitan Board to regulate naming of Streets and numbering of Houses.

CXLI. It shall be lawful for the Metropolitan Board of Works from Time to Time to cause to be painted or affixed on a conspicuous Part of some House or Building at or near each End, Corner, or Entrance of every Street in the Metropolis the Name of such Street, and the Board may, where more than One Street in the Metropolis is called by the same Name, alter the Name of any or all such Streets, except One, to any other Name which to such Board may seem fit, and which may be approved by the Commissioners of Her Majesty's Works and Public Buildings; and before any Name is given to any new Street, Notice of the intended Name shall be given to the said Board, and if there be any Street in the Metropolis called or about to be called by the same Name, the said Board may, by Notice in Writing, stating that there is already a Street in the Metropolis called or about to be called by the same Name, and describing the Locality thereof, given to the Person by whom Notice of such intended Name was given to them at any Time within Fourteen Days after Receipt of such last-mentioned Notice, object to such intended Name; and it shall not be lawful to set up any Name to any new Street in the Metropolis, until the Expiration of Fourteen Days after Notice thereof has been given as aforesaid to the said Board, or to set up any Name objected to as aforesaid; and the Owners or Occupiers of Houses and Buildings in the several Streets in the Metropolis shall mark such Houses or Buildings with such Numbers or Names, for the Purpose of distinguishing the same, as the said Board may direct or approve, and shall renew the Numbers or Names of such Houses or Buildings as often as they are obliterated or defaced; and if any Occupier of any such House or Building neglect, for One Week after Notice from the said Board, to mark such House or Building with such Number or Name as the said Board may direct or approve, or to renew the Number or Name thereof as aforesaid, he shall be liable to a Penalty of not exceeding Forty Shillings, and the said Board may cause such Number or Name to be so marked or renewed, and recover the Expense thereof from the Owner of such House or Building in manner herein-after provided; and if any Person wilfully or maliciously destroy, pull down, obliterate, or deface the Name of any Street in the Metropolis, or the Name or Number of any House or Building in any such Street, or paint, affix, or set up any Name to any Street, or any Name or Number to any House or Building, contrary to this Enactment, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Board to cause such Name or Number so painted, affixed, or set up contrary to their Directions to be obliterated or destroyed.

Register to be kept of Alterations in Names of Streets.

CXLII. The said Metropolitan Board shall keep a Register of all Alterations made by them in the Names of Streets, and such Register shall be kept in such Form as to show the Date of every such Alteration, and the Name of the Street previous to such Alteration as well as the new Name thereof.

Buildings not be brought beyond Line of Street.

CXLIII. No Building shall, without the Consent in Writing of the Metropolitan Board of Works, be erected beyond the regular Line of Buildings in the Street in which the same is situate, in case the Distance of such Line of Buildings from the Highway do not exceed Thirty Feet, or within Thirty Feet of the Highway where the Distance of the Line of Buildings therefrom amounts to or exceeds Thirty Feet, notwithstanding there being Gardens or vacant Spaces between the Line of Buildings and the Highway; and in case any Building be erected contrary to this Enactment, it shall be lawful for the Vestry or District Board in whose Parish or District such Building is situate to cause the same to be demolished or set back (as the Case may require), and to recover the Expenses incurred by them from the Owner of the Premises in manner provided by this Act.

Power to Metropolitan Board to make Improvements.

CXLIV. The Metropolitan Board of Works shall have Power to make, widen, or improve any Streets, Roads, or Ways, for facilitating the Passage and Traffic between different Parts of the Metropolis, or to contribute and join with any Persons in any such Improvements as aforesaid, and to take, by Agreement or by Gift, any Land, Rights in Land, or Property, for the Purposes aforesaid (or otherwise) for the Improvement

Improvement of the Metropolis, on such Terms and Conditions as they may think fit; and such Board, where it appears to them that further Powers are required for the Purpose of any Work for the Improvement of the Metropolis or public Benefit of the Inhabitants thereof, may make Applications to Parliament for that Purpose, and the Expenses of such Application may be defrayed as other Expenses of the said Board: Provided always, that before the Metropolitan Board of Works commence any such Works, the estimated Expense whereof shall exceed Fifty thousand Pounds, the Plan of such Works, together with an Estimate of the Cost of carrying the same into execution, shall be submitted by such Board to the Commissioners of Her Majesty's Works and Public Buildings; and no such Plan shall be carried into effect until the same has been approved by such Commissioners; and no such Works shall be commenced in Cases where the estimated Expense thereof shall exceed the Sum of One hundred thousand Pounds, without the previous Sanction of Parliament.

Determination of Metropolitan Commission of Sewers.

Powers of Metropolitan Commissioners of Sewers to cease. 11 & 12 Vict. c. 112.

CXLV. From and after the Commencement of this Act, all Duties, Powers, and Authorities vested in the Metropolitan Commissioners of Sewers shall cease to be so vested; and in the meantime, and until such Commencement, the Metropolitan Commission of Sewers, and the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, and the Acts amending the same, shall continue in force.

Actions, &c. not to abate, but to continue for or against Metropolitan Board of Works.

CXLVI. No Action, Suit, Prosecution, or other Proceeding whatsoever, commenced or carried on by or against the said Commissioners, shall abate or be discontinued or prejudicially affected by the Determination of the Powers of such Commissioners, but shall continue and take effect in favour of or against the Metropolitan Board of Works in the same Manner in all respects as the same would have continued and taken effect in relation to the said Commissioners if this Act had not been passed, and the Powers of the said Commissioners had continued in full Force; and all Decrees and Orders made, and all Fines, Amerciaments, and Penalties imposed and incurred, respectively, previously to the Commencement of this Act, shall and may be enforced, levied, recovered, and proceeded for, and all administrative Proceedings commenced previously to the Commencement of this Act shall and may be continued, proceeded with, and completed, the Metropolitan Board of Works being, in reference to the Matters aforesaid, in all respects substituted in the Place of the said Commissioners.

Rates made by Metropolitan Commissioners of Sewers to be recoverable under this Act.

CXLVII. All Rates made by the said Commissioners previously to the Commencement of this Act, or so much thereof as may not have been levied and paid, shall be levied by and paid to the Metropolitan Board of Works, and such Board shall have the same Rights and Remedies in all respects in relation thereto, as would have been had and might have been exercised by the said Commissioners; but all such Rates respectively shall, so far as Circumstances admit, be applied to the same Purposes as the same would have been applicable to, in case the Powers of the said Commissioners had continued in force, and shall for the Purposes of such Application (where the Circumstances so require) be paid over by the Metropolitan Board of Works, or by their Order, to the Vestry or District Board having the Management of the Sewers in any Parish or District under this Act, or as such Vestry or Board may direct.

Property vested in Metropolitan Commissioners of Sewers (except Sewers transferred to Vestries and DistrictBoards) transferred to the Metropolitan Board of Works. 11 & 12 Vict. c. 112.

CXLVIII. All Property, Matters, and Things whatsoever vested in the Metropolitan Commissioners of Sewers, except such Sewers as are hereby vested in any Vestry or District Board, and except such Sewers as are not within the Limits of the Parishes and Places mentioned in the Schedules to this Act, shall be vested in the Metropolitan Board of Works; and all Persons who then owe any Money to the said Commissioners of Sewers, or to any Person on behalf of such Commissioners, shall pay the same to the Metropolitan Board of Works, or as they may direct; and all Monies then due and owing by, or recoverable from the said Commissioners shall be paid by, or recoverable from the Metropolitan Board of Works; and all Contracts, Agreements, Bonds, Covenants, and Securities theretofore made or entered into with, or in favour of, or by the said Commissioners, and all Contracts, Agreements, Bonds, Covenants, and Securities made or entered with or in favour of, or by any former or other Commissioners, which, under the said Act of the Eleventh and Twelfth Years of Her Majesty, were to take effect in favour of, against, and with reference to the said Metropolitan Commissioners of Sewers, and are now in force, shall take effect, and may be proceeded on and enforced, as near as Circumstances admit, in favour of, by, against, and with reference to the Metropolitan Board of Works, as the same would have taken effect, and might have been proceeded on and enforced in favour of, by, against, and with reference to the said Metropolitan Commissioners of Sewers, if this Act had not been passed, and the Powers of such Commissioners had continued in full Force; and any Retiring Pension or Allowance granted under Section Twenty-seven of the said Act of the Eleventh and Twelfth Years of Her Majesty shall continue payable on the like Terms by the said Metropolitan Board of Works.

Auxiliary Powers common to the Metropolitan Board of Works and to Vestries and District Boards.

Power to Boards and Vestries to enter into Contracts for carrying Act into execution.

CXLIX. The Metropolitan Board of Works, and every District Board and Vestry, may enter into all such Contracts as they may think necessary for carrying this Act into execution; and every such Contract for Works or Materials, whereof the Value or Amount exceeds Ten Pounds, shall be in Writing or Print, or partly in Writing and partly in Print, sealed with the Seal of the Board or Vestry; and every Contract so entered into, and duly executed by the other Parties thereto, shall be binding on the Board

or Vestry and their Successors, and upon all other Parties thereto: Provided always, that it shall be lawful for any such Board or Vestry to compound with any Contractor or other Person in respect of any Penalty incurred by reason of the Nonperformance of any Contract entered into as aforesaid, whether such Penalty be mentioned in any such Contract, or in any Bond, or otherwise, for such Sum of Money or other Recompence as to the Board or Vestry may seem proper. Power to compound for Penalties in respect of Breach of Contracts.

CL. It shall be lawful for the Metropolitan Board of Works and every District Board and Vestry to purchase, or to take on Lease for such Term as they may think fit, any Land, or any Right or Easement in or over any Land which they may deem necessary or expedient for the Formation or Protection of any Works which they are authorized to execute under this Act, also any Offices and other Buildings, Yards, Stations, or Places for Deposit of Refuse, Materials, and Things, or any Land for the Erection and Formation of such Offices and other Buildings, Yards, Stations, or Places for Deposit; and also to contract for the Purchase, Removal, or Abatement of any Milldam, Pound, Weir, Bank, Wall, Lock, or other Obstruction to the Flow of Water, whereby Sewerage or Drainage is interrupted or impeded, and for the Purchase of any Land, or any Right or Easement in or over any Land, which it may be necessary or expedient to purchase to prevent the Obstruction of Sewerage or Drainage; and also to purchase or take on Lease as aforesaid the whole or any Part of any Streams or Springs of Water, or any Rights therein, which it appears to them necessary to acquire and use for the Purposes of cleansing Sewers and Drains, and the other Purposes of this Act, or any Land which is deemed by them advisable to purchase or take on Lease for the Purpose of drawing or obtaining Water from Springs, or by sinking of Wells, and for making and providing Reservoirs, Tanks, Aqueducts, Watercourses, and other Works, or for any other Purpose connected with the Works for obtaining such Supply of Water as aforesaid: Provided always, that nothing herein contained shall authorize the said Metropolitan Board, or any District Board or Vestry, to use or permit to be used any such Works for the Purpose of carrying Water by Supply Pipes into any House or Factory for domestic, manufacturing, or commercial Purposes. Power to Boards and Vestries to purchase Lands, &c. for the Purposes of this Act.

CLI. For the Purpose of enabling the said Metropolitan Board, and every District Board and Vestry, to obtain any Land, or any Right or Easement in or over any Land, which they respectively may require for the Purposes of this Act, "The Lands Clauses Consolidation Act, 1845," except the Provisions of that Act with respect to the Recovery of Forfeitures, Penalties, and Costs, shall, subject to the Provisions herein contained, be incorporated with this Act; and the Provisions of the said Act so incorporated with this Act which would be applicable in the Case of a Purchase of any Land shall be applicable in the Case of the Purchase of a Right or Easement in or over any Land; and for the Purposes of this Act the Expression "the Promoters of the Undertaking," wherever used in the said Lands Clauses Consolidation Act, shall mean the Metropolitan Board, or the District Board or Vestry, acting under the Provisions of the said Act and this Act, as the Case may be. Certain Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

CLII. Provided always, That the Provisions of the said Lands Clauses Consolidation Act "with respect to the Purchase and taking of Lands otherwise than by Agreement" shall not be incorporated with this Act, save for enabling the Metropolitan Board of Works to take Land, or any Right or Easement in or over Land, for the Purpose of making any Sewers or Works for preventing the Sewage or any Part of the Sewage within the Metropolis from passing into the *Thames* in or near the Metropolis, or otherwise for the Purpose of the Sewerage or Drainage of the Metropolis: Provided also, that no Land, or Right or Easement in or over Land, for the Purposes aforesaid, shall be taken compulsorily by the said Board, without the previous Consent in Writing of One of Her Majesty's Principal Secretaries of State. Lands not to be taken compulsorily except by Metropolitan Board with Consent of Secretary of State.

CLIII. The Metropolitan Board of Works, before applying for the Consent of the Secretary of State for taking Land, or any Right or Easement in or over Land, compulsorily, as aforesaid, shall publish, once at the least in each of Four consecutive Weeks, in One of the daily Newspapers published in the Metropolis, an Advertisement describing the Nature of the Works in respect of which the Land, Right or Easement, is proposed to be taken, naming a Place where a Plan of the proposed Works is open for Inspection at all reasonable Hours, and stating the Quantity of Land, or the Particulars of the Right or Easement that they require for the Purpose of such Works, and shall serve a Notice on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Land intended to be taken, or of the Land, in or over which such Right or Easement is intended to be taken, such Service to be made Four Weeks previously to the Application to such Secretary of State, and such Notice shall state the Particulars of the Land, Right, or Easement so required, and that the Metropolitan Board are willing to treat for the Purchase thereof, and as to the Compensation to be made for the Damage that may be sustained by reason of the proposed Works. Previous Notice to be given.

CLIV. The Metropolitan Board of Works, and any District Board or Vestry, may sell and dispose of any Land purchased by them under this Act, and any Property whatsoever vested in them under this Act, which, it may appear to them, may be properly sold or disposed of; and for completing and carrying any such Sale of any Land into effect, such Board may make and execute a Conveyance of the Land sold and disposed of as aforesaid unto the Purchaser, or as he shall direct, and such Conveyance shall be under the Seal of the said Board or Vestry; and the Word "grant" in such Conveyance shall have the same Operation as by the said Lands Clauses Consolidation Act, 1845, is given to the same Word in a Conveyance of Lands made by the Promoters of the Undertaking; and a Receipt under the Seal of the said Power to dispose of Lands or Property not wanted. 8 & 9 Vict. c. 18.

said Board or Vestry shall be a sufficient Discharge to the Purchaser of any such Land or any other such Property as aforesaid for the Purchase Money in such Receipt expressed to be received; and the Money arising from such Sale of any Land purchased under this Act, and (except as herein-after otherwise provided) of any such Property, shall be applied in aid of the Rate out of which the Expenses of the Purchase of such Land or providing such Property have been or are authorized to be defrayed under this Act; and the Money arising from the Sale of any Property vested in any such Board or Vestry under this Act, and which before becoming so vested, was vested in any Commissioners or other Body, or in any Officer of any Commissioners or other Body, or in any Surveyor of Highways, shall be applied in or towards the Discharge of any Debts or Liabilities, for the Discharge whereof, Rates are by this Act authorized to be raised in the Parish, or Part, to the Commissioners or other Body for the Management of the paving, lighting, or cleansing whereof such Property may have belonged before the Commencement of this Act, and, subject as aforesaid, shall be applied in aid of such Rate to be raised under this Act in such Parish or Part as to the Board or Vestry disposing of such Property may seem just; and any such Board or Vestry may let any Land purchased by or vested in them under this Act, and which for the Time being is not required for the Purposes thereof, in such Manner and on such Terms as such Board or Vestry may see fit.

Owners of Land may on Sale reserve a Right of Pre-emption.

8 & 9 Vict. c. 18. ss. 128, 129, 130.

CLV. Provided always, That where any Land, or any Right or Easement in or over Land is purchased by the said Metropolitan Board, or any District Board or Vestry, under this Act, it shall be lawful for the Owners of, or Parties entitled to sell or convey such Land, Right or Easement to reserve upon the Sale thereof to such Board or Vestry, in and by the Conveyance, such Right of Pre-emption to the Person for the Time being entitled to the Land (if any) from which the Land so purchased was severed, or in or over which such Right or Easement is granted, as is provided by Sections 128, 129, and 130 of the said Lands Clauses Consolidation Act; but, except where such Right of Pre-emption is so reserved, there shall be no such Right, notwithstanding the Incorporation of the said Lands Clauses Consolidation Act with this Act.

Penalty for withholding Property transferred to Metropolitan Board or any Vestry or District Board.

CLVI. In case any Person having the Charge, Control, or Possession of any Property, Matters, or Things vested in the Metropolitan Board of Works, or the Vestry of any Parish, or any District Board, by or under this Act, neglect or refuse to give up the same, on Demand, to such Board or Vestry, or such Person as they respectively may order, every Person so offending shall, upon being convicted thereof before any Two Justices of the Peace, for every such Offence forfeit and pay, over and above the Value of the Property not given up, such Sum not exceeding Five Pounds as the said Justices may think fit.

Regulations as to breaking up Turnpike Roads.

CLVII. The Metropolitan Board of Works, and any Vestry or District Board, may, where necessary for the Purpose of executing any Work authorized by this Act, open and break up any Turnpike Road, under and subject to the Restrictions and Provisions herein-after contained; that is to say, Seven Days previous Notice, with a full Description of any intended Works, shall be left at the Office of the Commissioners or Trustees of the Road; and, except by the Permission of the said Commissioners or Trustees, the Traffic of the Road shall not at One Time be stopped or hindered along more than Half of its Width, nor, if the Half left open be of less than the clear Width of Fourteen Feet, along more than One hundred Yards in Length; and no Alteration shall, except by such Permission as aforesaid, be made in the Inclination of any Part of the Road of more than One Foot in Sixty Feet; and all Work shall be done under the Superintendence of the Surveyor of the said Commissioners or Trustees; and the Party doing the Works shall cause all Openings in the Road to be effectually secured and fenced, and affix and maintain Lights during the Night near to the Place where the Ground is open, so as to prevent Accidents; and the said Commissioners or Trustees are hereby absolved from all Liability in respect of any Accident arising in consequence of such Works; and the Party doing the Works shall restore every Road so opened or broken up to its original State as to Surface and Materials, and, in order to meet the future Expenses consequent on the Subsidence of Materials newly filled in, shall pay to such Commissioners or Trustees, on Demand, such Sum as they shall require for such Purpose, not exceeding One Shilling for every Superficial Square Yard, and, so far as the Works affect the same, shall make good all Drainage, paving of Water Channels, Kerbs of Footpaths, and other Matters and Things connected with the Maintenance of the Road; and in default the Surveyor of the said Commissioners or Trustees may cause the necessary Work to be done; and in all Cases of Expense incurred by any such Surveyor, on the Default of the Party doing the Works, such Party shall pay such Expense to the Commissioners or Trustees, on Demand.

Provisions for defraying Expenses of Vestries and District Boards.

How Sums to be raised by Vestries and District Boards for defraying their Expenses.

CLVIII. Every Vestry and District Board shall from Time to Time, by Order under their Seal, require the Overseers of their Parish, or of the several Parishes in their District, to levy, and to pay over to the Treasurer of such Vestry or Board, or into any Bank in such Order mentioned, and within the Time or Times thereby limited, the Sums which such Vestry or Board may require for defraying the Expenses of the Execution of this Act (and such Orders may be made wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred); and every such Vestry and Board shall distinguish in their Orders Sums required for defraying Expenses of constructing, altering, maintaining, and cleansing the Sewers, or otherwise connected with Sewerage, and also, where the Act of the

the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, or any other Act by virtue whereof Land is rated in respect of Expenses of Lighting at a less Amount in proportion to the annual Value thereof than Houses, or is wholly exempted from being rated in respect of such Expenses, is in force in any Parish, or any Part of any Parish, at the Time of the passing of this Act, distinguish, as regards such Parish, or Part, the Sums required for defraying Expenses of lighting their Parish or District, from Sums required for defraying other Expenses of executing this Act; but every such Vestry and Board may cause to be raised as Expenses connected with Sewerage such Portion of the Expenses incident to the Conduct of their Business in relation to Sewerage, in common with the Conduct of their other Business under this Act, as to such Vestry or Board may seem just; and the Overseers or Collectors, in the Receipts to be given for the Sums levied or collected by them, shall distinguish the Rate in the Pound required for Sewerage Expenses, and the Rate required for the other Expenses of this Act. 3 & 4 W. 4. c. 90.

CLIX. Where it appears to any Vestry or District Board that all or any Part of the Expenses, for defraying which any Sum is by such Vestry or Board ordered to be levied as aforesaid, have or has been incurred for the special Benefit of any particular Part of their Parish or District, or otherwise have or has not been incurred for the equal Benefit of the whole of their Parish or District, such Vestry or Board may, by any such Order, direct the Sum or Sums necessary for defraying such Expenses, or any Part thereof, to be levied in such Part, or exempt any Part of such Parish or District from the Levy, or require a less Rate to be levied thereon, as the Circumstances of the Case may require; and any such Board may refrain, where any entire Parish ought in their Judgment to be so exempt, from issuing an Order for levying any Money thereon, notwithstanding they may issue an Order or Orders for levying Sums upon any other Parish or Parishes in their District. Vestries and Boards may exempt Parts not benefited by Expenditure from Payment.

CLX. Where Part of any Parish is placed, for all or any of the Purposes of this Act, under the Management of the Vestry or District Board of an adjoining Parish or District, the Sums which such Vestry or Board may require for defraying the Expenses of executing this Act by such Vestry or Board in the Part so placed under their Management, shall be from Time to Time paid, upon their Orders, by the Vestry of the Parish whereof such Part is so placed under the Management of such other Vestry or Board, or if such Parish is comprised in a District formed by this Act, then by the District Board of such District; and such Sums shall be raised by the Vestry or Board upon whom such Orders are made, in like Manner as if the Expenses, in respect whereof the same are required, had been incurred by them in executing this Act. Provisions for Cases where Part of Parish is placed under Management of Vestry or Board of adjoining Parish or District.

CLXI. The Overseers of the Poor of every Parish to whom any such Order as aforesaid is issued shall levy the Amount mentioned therein according to the Exigency thereof, and shall for that Purpose make separate equal Pound Rates upon their Parish, or the Part thereof upon which any Sum specified in such Order is required to be levied, in respect of each Sum thereby ordered to be levied; that is to say, a separate Rate in respect of each Sum ordered to be levied for defraying Expenses connected with Sewerage, to be called a Sewers Rate; a separate Rate in respect of each Sum ordered to be levied for defraying Expenses of lighting (where a separate Sum is ordered to be levied for defraying such Expenses), to be called a Lighting Rate; and a separate Rate in respect of each Sum ordered to be levied for defraying other Expenses of executing this Act, to be called a General Rate; and shall make such respective Rates of such Amount in the Pound on the annual Value of the Property rateable, as will, in their Judgment, having regard to all Circumstances, be sufficient to raise the Sums specified in such Order; and such Rates shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in the respective Parishes, and shall be assessed upon the net annual Value of such Property ascertained by the Rate for the Time being for the Relief of the Poor; and the said Overseers shall, for the Purpose of levying such Rates, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor; and all such Rates shall be allowed in the same Manner, and be subject to all the same Provisions, in relation to Appeal, and to excusing Persons from Payment on account of Poverty and otherwise, as the Rate for the Relief of the Poor in the same Parish; and such Overseers shall pay to the Treasurer of the Vestry or Board, or otherwise, as in such Order directed, the Amount mentioned in the Order, within the Time or respective Times specified for that Purpose, and the Excess, if any, which may have been levied beyond such Amount, which Excess shall be placed to the Credit of the Parish or Part in which the same has been levied; and the said Overseers shall, at the Time of making any such Payment, deliver with the Money a Note in Writing signed by them, specifying the Amount so paid, which Note shall be kept as a Voucher for the Receipt of that particular Amount; and the Receipt of the Treasurer of the Vestry or Board, or of any proper Officer or Person of or belonging to any Bank into which such Money is so paid, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount. Overseers to collect the Rate in the same Manner as the Poor Rate.

CLXII. Provided always, That all such Hospitals, public Schools, and other public Buildings, dead Walls, and void Spaces of Ground as are now by Law rateable to any Rate for the Costs and Charges of paving, or repairing the Pavements within any parochial or other District, either separately or jointly with any other Object or Objects, (except only Places of Religious Worship, and Burial Grounds, or Places which have been used for Burial Grounds, and are not used for any other Purpose,) shall be rateable Public Buildings and void Spaces now rateable (except Churches and Burial

Grounds) to continue rateable.

rateable under this Act to the like Extent, and for the like Objects or Purposes as they may now be rated, and the Rates to be made in respect of such Objects or Purposes shall be payable by the Persons now liable to pay the same, and be recoverable in like Manner, as any Rate to which such Buildings and Spaces of Ground are now rateable as aforesaid in respect of the like Objects or Purposes.

Land to be rated to Sewers Rate at One Fourth its annual Value.

CLXIII. Provided also, That any Sewers Rate raised under this Act shall, as regards all Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Orchard, Market Garden, Hop, Herb, Flower, Fruit, or Nursery Ground, be assessed and levied in the Proportion of One Fourth Part only of the net annual Value of such Land.

Existing Exemptions in respect of Sewers Rate to be allowed.

CLXIV. Provided also, That where any Property was at the Time of the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, entitled to Exemption from or to any Reduction or Allowance in respect of the Sewers Rate, such Exemption, Reduction, or Allowance shall be observed and allowed in levying any Sewers Rate under this Act.

Existing Exemptions of Land from Lighting Rates to be allowed. 3 & 4 W. 4. c. 90.

CLXV. Provided also, That in every Parish or Part of a Parish in which, at the Time of the passing of this Act, the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety, is in force, the Owners and Occupiers of Houses, Buildings, and Property, other than Land, shall be rated to every Lighting Rate made under this Act at a Rate in the Pound Three Times greater than that at which the Owners and Occupiers of Land shall be rated in such Lighting Rate; and in every Parish or Part of a Parish in which, under any other Act, Land is now rated, in respect of Expenses of lighting, at a less Amount, in proportion to the annual Value thereof, than Houses, or is now wholly exempted from being rated in respect of such Expenses, such Land shall continue to be rated to every Lighting Rate made under this Act, at such less Amount, or, where such Land is now wholly exempted as aforesaid, shall be wholly exempted from such Rate.

Overseers, on Nonpayment of the Rate, shall be distrained upon.

CLXVI. In case the Amount ordered, by any such Order as aforesaid, to be paid by the Overseers of any Parish, be not paid in manner directed by such Order, and within the Time therein specified for that Purpose, it shall be lawful for any Justice of the Peace, upon the Complaint by the Vestry or Board, or by any Person authorized by them for this Purpose, to issue his Warrant for levying the Amount, or so much thereof as may be in arrear, by Distress and Sale of the Goods of all or any of the said Overseers; and in case the Goods of all the Overseers be not sufficient to pay the same, the Arrears thereof shall be added to the Amount of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Methods.

Arrears may be levied on the Parish.

Provision for Cases where the Vestry of any Parish in Schedule (A.) make the Poor Rate.

CLXVII. Where the Vestry of any Parish mentioned in Schedule (A.) to this Act make the Rate for the Relief of the Poor in such Parish, such Vestry shall from Time to Time raise and levy the Sums required for defraying their Expenses of executing this Act, in like Manner as Overseers are required to do with respect to the Sums for which Orders are made upon them by any Vestry under this Act, and shall, in raising such Sums, act upon the like Principles, and have the like Discretion as any Vestry making Orders upon Overseers under this Act; and where any Parishes maintain their Poor in common by a common Rate, the Orders for levying any Money by this Act directed to be made on the Overseers of such Parishes, shall be made on the Overseers by Law authorized to levy such Rate thereon, and such Sums shall be levied by such Overseers, in manner provided by this Act, as if such Parishes were One Parish.

Special Persons may be appointed to levy Rates in certain Cases.

CLXVIII. Any Vestry or District Board may, in case of any Default or Neglect of any Overseers to pay the Amount required by any such Order as aforesaid, within the Time and in the Manner directed by such Order, and the said Metropolitan Board may, in case of any Default or Neglect of any Vestry or District Board to pay the Amount required by any Precept of the said Metropolitan Board, within such Time, and in such Manner as may be therein mentioned, appoint Persons to levy any Money, required by such Vestry or Board for the Purposes of this Act, in any Parish or District; and such Persons shall proceed in the same Manner, and have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Money, as any Overseers would have had, or been subject to, with reference to levying any such Money in pursuance of an Order of the Vestry or District Board, or, where the same might be levied by the Vestry under this Act, as such Vestry would have had, or been subject to, with reference to levying the same.

Provision for Deduction by Tenants of Sewers Rate.

CLXIX. As between Landlord and Tenant, every Tenant, whether his Tenancy have commenced before or after the passing of this Act, and who, if this Act had not been passed, would have been entitled to deduct against or to be repaid by his Landlord any Sum paid by such Tenant on account of the Sewers Rate, shall in like Manner be entitled to deduct against or to be repaid by his Landlord any Sewers Rate levied on him under this Act.

Provisions for defraying Expenses of Metropolitan Board.

Sums to be assessed upon the City and other Parts of the Metropolis by Metropolitan

CLXX. The Metropolitan Board of Works shall from Time to Time ascertain, and assess upon the City of *London* and the other Parts of the Metropolis the Sums which, in their Judgment, ought to be charged upon the said City, and such other Parts respectively, for defraying the Expenses of the said Board in the Execution of this Act, having regard to the annual Value of the Property in the several Parts of the Metropolis, and having regard, in the Case of Expenditure on Works of Drainage, to the Benefit

Benefit derived from such Expenditure by the several Parts of the Metropolis affected thereby; and any such Sum may be so assessed wholly or in part in respect of Expenses already incurred or of Expenses to be thereafter incurred; and for the Purposes of such Assessment, the annual Value of the Property in such several Parts shall be estimated according to the Estimate or Basis on which the County Rate is assessed, or, where there is no such County Rate, according to a like Estimate. Board for defraying Expenses.

CLXXI. The Clerk of the said Metropolitan Board, or any Person authorized by the said Board in this Behalf, may from Time to Time inspect any Rate made or to be made for any County, any Part of which is within the Metropolis; and any Basis or Standard for the County Rate of any such County, and any Returns concerning all or any of the Parishes and Places, whether parochial or extra-parochial, in the Metropolis, delivered or to be delivered in pursuance of any Act relating to County Rates, and any Rate made by the Commissioners of Sewers of the City of *London*, and any Valuation on which the same is made; and may take Copies or Extracts from any such Rates, Basis or Standard, Returns or Valuation, without Payment of any Fee or Reward; and if any Person having the Custody of any such Rate, Basis or Standard, Return or Valuation, wilfully neglect or refuse to permit any such Clerk or Person, authorized as aforesaid, to inspect the same, or to take Copies or Extracts of or from the same, at all reasonable Times, he shall forfeit for every such Offence any Sum not exceeding Ten Pounds. Power to Metropolitan Board, or any One authorized by them, to inspect Rates made for County or Part of County within the Metropolis.

CLXXII. For obtaining Payment of the Sums so assessed upon the City of *London* and the Parishes mentioned in Schedules (A.) and (B.) to this Act, the said Board shall issue Precepts under their Seal, requiring Payment thereof to their Treasurer, or into any Bank therein mentioned, within such Time as may be therein limited, and every such Precept for any Sum assessed upon the City of *London* shall be directed to the Chamberlain of the said City; and every such Precept for any Sum assessed upon any Parish mentioned in Schedule (A.) to this Act shall be directed to the Vestry thereof; and every such Precept for any Sum assessed upon any District mentioned in Schedule (B.) to this Act, or any Parish comprised therein, shall be directed to the Board of Works for such District; and where any such Sum is assessed upon any Part of any Parish or District, the said Metropolitan Board shall specify in their Precept the Part of such Parish or District upon which such Sum is assessed. Payment to be obtained from the City and from Parishes by Precepts to the Chamberlain of the City and to Vestries and District Boards.

CLXXIII. The Chamberlain of the City of *London* shall, out of any Monies in the Chamber of the said City, pay to the Treasurer of the Metropolitan Board of Works, or otherwise as they may direct, the Sums required by their Precepts, within such Time as may be therein mentioned; and all Payments so made by the said Chamberlain shall be charged by him against, and reimbursed to him out of any Rates which the Commissioners of Sewers of the City of *London* are authorized to direct to be made under any Act relating to the Sewerage of the said City; and such Commissioners shall have full Power to raise every such Sum by any such Rate which they may be authorized to direct to be made as aforesaid, or by any Addition thereto. Payment of Sums assessed upon the City.

CLXXIV. All Sums which any Vestry or District Board may be required to pay by such Precepts as aforesaid, shall be paid by such Vestry and Board respectively within such Time as may be therein mentioned, and shall be raised in like Manner as if the same were required by the said Vestry or Board for defraying the Expenses of such Vestry or Board, in the Execution of their Powers and Duties under this Act, in relation to the Sewerage of their Parish or District. Payment by Vestries, &c. of Sums assessed by Metropolitan Board.

CLXXV. The Sums which may be assessed from Time to Time upon any Place mentioned in Schedule (C.) to this Act, or such Part thereof as may not be comprised within any Parish, or the City of *London*, shall be raised by means of a Rate to be made and levied as herein provided; that is to say, the said Metropolitan Board shall from Time to Time, by Warrant under their Seal, appoint a proper Person to be an Assessor, for the Purpose of assessing the full and fair annual Value of all Property in every such Place, or such Part thereof as aforesaid, which, if the same were not extra-parochial, would be liable to be rated to the Relief of the Poor, and rating the same to a Rate to be levied under this Act; and such Assessor shall, within Forty Days after the Delivery to him of the Warrant of his Appointment, make, sign, and return to the said Board an Assessment for the Place named in such Warrant; and the Assessment shall be fairly written in a Book, and shall specify, in different Columns, the Names of the respective Inhabitants or Occupiers of all Messuages, Lands, Tenements, and Hereditaments, the full and fair annual Value of the same, and the Amount of Rate charged on the Inhabitants or Occupiers thereof, and when the Premises are unoccupied, the full and fair annual Value thereof to let; and every such Assessor shall be allowed for his Trouble and Expenses such Remuneration as the said Board may think fit; and the same shall be paid out of the Amount of the Rate which shall be collected after such Assessment; and the said Rate to be levied as aforesaid shall, for the Purposes of the Provisions of this Act relating to Exemption from and Reduction or Allowance in respect of Sewers Rate, and relating to Deduction and Repayment of Sums paid on account of Sewers Rate, be deemed a Sewers Rate. Provision for assessing and levying Rates in Places where there is no Poor Rate. Mode of making the Assessment. Allowance to Assessors.

CLXXVI. Provided always, That the Places mentioned in Schedule (C.) to this Act which are not now under rating for Sewers shall not be liable to be rated under this Act, except for the Purpose of their contributing to the Expense of carrying into effect any Plan for preventing the Sewage of the Metropolis from flowing into the River *Thames* in or near the Metropolis, so far as such Places respectively shall be benefited. Certain Places in Schedule (C.) to be rated only for intercepting Sewers.

CLXXVII. When such Assessment has been allowed by the said Board, public Notice of such Assessment, and of the Place where the same may be inspected, shall be given by fixing such Notice on the Door When Assessment is made, Notice to be

given; and all Persons assessed to have Liberty to inspect it, &c. Penalty for refusing Inspection.

Door of the Church or Chapel, or some other conspicuous Part of the Place to which such Assessment relates, upon the *Sunday* next or next but one after the same has been so allowed; and any Person in whose Custody such Assessment may be, shall permit every Inhabitant or Owner or Occupier of Property included in such Assessment to inspect the same, and to make any Extracts therefrom, without Payment of any Fee or Reward; and if such Person wilfully neglect or refuse to permit any such Inhabitant, Owner, or Occupier to inspect such Assessment or to make any Extract therefrom, he shall, on Conviction thereof before any Two Justices of the Peace, forfeit, for every such Offence, such Sum, not exceeding Five Pounds, as the Justices think meet.

As to the Collection of the Rate charged in such Assessment.

CLXXVIII. The said Board shall, from Time to Time, nominate One or more Person or Persons for levying the Amount of Rate charged in every such Assessment, who shall proceed in the same Manner, and shall have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties, with reference to the levying of such Rate, as if he or they were an Overseer or Overseers of the Poor in a Place rated to the Relief of the Poor; and shall pay over the Amount of such Rate to the Treasurer of the said Board or otherwise as the said Board may direct, or in default thereof, shall be proceeded against in the same Manner as Overseers are by this Act to be proceeded against for Non-payment.

Appeal against Assessment.

CLXXIX. Provided always, That if any Person, who has paid the Amount of Rate charged upon him by the Assessment made by an Assessor appointed under this Act, think himself aggrieved by such Assessment, on the Ground that such Assessment includes Property for which he is not rateable under this Act, or that it assesses his rateable Property beyond its full and fair annual Value, or that any Person is omitted out of such Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Person so aggrieved may appear to the next Court of General or Quarter Sessions for the County or Franchise in which the Cause of Appeal arises, not less than Twenty-one Days after public Notice of such Assessment has been given as herein-before mentioned; provided that the Person so intending to appeal shall give to the said Board a Notice in Writing of such Appeal, and of the Cause and Matter thereof, Ten clear Days at the least before such Sessions, and shall also, within Three Days after his Notice of Appeal, enter into a Recognizance before some Justice of the Peace of the County or Franchise, with Two sufficient Sureties, conditioned to try such Appeal at the said Sessions, and to abide the Order of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and in case such Person appeal on the Ground that any Person is omitted out of the Assessment, or that the Property of any Person is assessed below its full and fair annual Value, the Party so appealing shall not only give such Notice of Appeal to the said Board, and enter into such Recognizance as aforesaid, but shall also give a like Notice of Appeal to the Person so interested in the event of such Appeal as aforesaid; and the Person so interested shall, if he desire it, be heard upon the Appeal; and the Justices of the Peace at such Sessions or some Adjournment thereof, upon due Proof of the Notice having been given, and of the Recognizance having been entered into as aforesaid, shall hear and determine the Matter of the Appeal in a summary Manner, and shall make such Order therein, with or without Costs to either Party, as the said Justices think proper; and in case the said Justices think the Appellant entitled to Relief, they shall order the Assessment to be amended in such Manner as may be necessary for giving him Relief, and shall also order any Money paid by him, which he was not liable to pay, to be returned to him; and in case he have appealed on the Ground that any Person is omitted out of the Assessment, the said Justices may order the Name of such Person to be inserted in the Assessment, and to be therein rated at such Amount as they deem just; and in case the Appellant have appealed on the Ground that the Property of any Person is assessed below its full and fair annual Value, the said Justices may order the Amount at which such Person is rated in the Assessment to be altered in such Manner as they deem just; and the proper Officer of the Court shall in each of the Cases aforesaid forthwith amend the Assessment accordingly, but the Assessment shall not be quashed or altered with respect to any other Persons named therein; and the Determination of the Justices at any such Sessions or Adjournment shall be final and conclusive.

The Assessment may be amended to relieve the Appellant without altering any other Part of it.

Provisions for discharging existing Liabilities of Boards or Bodies having Powers of paving, &c., and of the Metropolitan Commissioners of Sewers.

Provision for discharging existing Liabilities under Local Acts relating to paving, &c.

CLXXX. All Debts and Liabilities legally charged upon or payable out of any Rates or Assessments authorized to be levied or made under any Act relating to the paving, lighting, watering, cleansing, or improving of any Parish in either of the Schedules (A.) and (B.) to this Act, or any Part of any such Parish, shall be charged upon the Rates (other than those to be raised for defraying Expenses of Sewerage, and (where separate Rates are made under this Act for defraying Expenses of lighting) Expenses of lighting,) to be raised under this Act in such Parish or Part, and the several District Boards and Vestries shall cause the Sums necessary for discharging such Debts and Liabilities to be raised in their respective Districts and Parishes accordingly; and such Boards and Vestries shall, once in every Year, set aside, out of the Rates charged under this Act with such Debts and Liabilities, such Sum as they think proper, not being less than such Per-centage as herein-after mentioned; that is to say, Three Pounds *per Centum* where the Amount of Principal Debt (exclusive of Annuities) does not exceed One Fourth of the rateable Value of the Property rateable for Payment thereof, and in other Cases, Two Pounds *per Centum* on the Amount of the Principal Debt (exclusive of Annuities), for the Purpose of paying off such Principal,

except

except where the Interest only of such Debt is charged upon such Rates or Assessments as aforesaid, and except also where any such Debt was contracted under the Authority of a Local Act, and the Local Act did not require that the Principal of such Debt should be paid off within a limited Time; and the Sums so from Time to Time set aside, and all Monies applied in augmentation thereof, and the Proceeds thereof respectively, shall be applied and dealt with for the Purpose of paying off such Principal as aforesaid, in manner by this Act provided with respect to Sums set aside for the Purpose of providing a Fund for paying off Mortgages granted under this Act: Provided always, that where any Debts or Liabilities are charged on any Rates or Assessments not wholly levied or made in or upon any One Parish mentioned in Schedule (A.) to this Act, or any One District mentioned in Schedule (B.) to this Act, the Metropolitan Board of Works shall apportion such Debts and Liabilities between the respective Parishes and Districts, in or upon which such Rates or Assessments are authorized to be levied or made, and shall certify to the District Board and Vestry respectively of every such District and Parish, the Amount of the apportioned Part of such Debts and Liabilities to be discharged by Rates to be raised in such Parish or District, or any Part thereof, under this Act, and such apportioned Part shall be discharged accordingly: Provided also, that nothing in this Enactment shall affect the Right of any Creditor to require Payment of any such Debt as aforesaid within any less Time than is prescribed by this Enactment for the Payment thereof.

Provision for Payment of Liabilities of Metropolitan Commissioners of Sewers. 11 & 12 Vict. c. 112.

CLXXXI. Notwithstanding the Determination or Expiration of the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, all Mortgages, Annuities, Securities, and other Debts and Liabilities which at or immediately before such Determination or Expiration may be a Charge on, or payable out of all or any of the Rates authorized to be levied thereunder, shall continue in full Force, and be a Charge on the Districts or Parts in which such Rates would have been authorized to be levied in case such Act had continued in force, and all Persons who may be entitled to any such Mortgages, Annuities, or Debts shall have Priority in respect of all Monies advanced before the passing of this Act over any Monies advanced to the Metropolitan Board of Works under this Act, and shall have the like Priority among themselves as they are now entitled to under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, or any Act continuing or amending the same; and the Sums from Time to Time becoming payable under, or required for Payment of the said Mortgages, Annuities, Securities, Debts, and Liabilities, shall be raised by the Metropolitan Board of Works in such Districts or Parts, in like Manner as the Expenses of such Board in the Execution of this Act; and in case any such District or Part be wholly or in part without the Limits of the Metropolis, as defined by this Act, the said Metropolitan Board shall from Time to Time issue Precepts under their Seal to the Overseers of the Parish or Parishes in which any Part without such Limits is comprised, requiring Payment to the Treasurer of the said Board or into any Bank in such Precepts respectively mentioned, within such respective Times as may be therein limited, of such Sums as it may be necessary to raise, in such Part, for the Purposes aforesaid; and the Provisions herein contained respecting the levying and Payment of Money by Overseers, in pursuance of any Order of a Vestry or District Board, shall be applicable, *mutatis mutandis*, to and for the levying and Payment of Money by Overseers in pursuance of any such Precept as aforesaid of the said Metropolitan Board; and the said Board shall once in every Year set aside such Sum as they think proper, not being less than Two Pounds *per Centum* on the Amount of all Principal Monies (exclusive of Annuities) becoming payable by them under this Enactment, for the Purpose of paying off all such Principal Monies; and the Sums so from Time to Time set aside, and all Monies applied in augmentation thereof, and the Proceeds thereof respectively, shall be applied and dealt with, for the Purpose of paying off such Principal Monies as aforesaid, in manner by this Act provided with respect to Sums set aside for the Purpose of providing a Fund for paying off Mortgages granted under this Act, and the Sums to be so set aside shall be raised by such Board in manner aforesaid.

Improvement Rates may be levied for Recovery of certain Expenses, &c.

CLXXXII. Where the Metropolitan Commissioners of Sewers have incurred any Expenses authorized by the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to be paid by an Improvement Rate, or as Charges for Default, it shall be lawful for the Metropolitan Board of Works to levy Improvement Rates or Charges for Default for the Recovery of the whole of such Expenses, or such Portion thereof as shall still remain due and unpaid, in the Manner directed by the said Act, and the said Board shall have all the Rights and Remedies for the Recovery thereof which are now vested in the Metropolitan Commissioners of Sewers in this Behalf.

General Powers to Metropolitan and District Boards and Vestries to borrow.

Power to Boards and Vestries to borrow Money on Mortgage.

CLXXXIII. It shall be lawful for the Metropolitan Board, and every District Board and Vestry, for the Purposes of defraying any Expenses incurred or to be incurred by them in the Execution of this Act, to borrow and take up at Interest, on the Credit of all or any of the Monies or Rates authorized to be raised by them under this Act, any Sums of Money necessary for defraying any such Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as aforesaid, such Board or Vestry may mortgage and assign over to the Persons by or on behalf of whom such Sums are advanced, the respective Monies or Rates upon the Credit of which such Sums are borrowed; and the respective Mortgagees shall be entitled to a Proportion of the Monies or Rates comprised in their respective

No Priority amongst Mortgagees.

respective Mortgages, according to the Sums in such Mortgages mentioned to have been advanced; and each Mortgagee shall be entitled to be repaid the Sums so advanced, with Interest, without any Preference over any other Mortgagee or Mortgagees by reason of any Priority of Advance or the Date of his Mortgage: Provided always, that no Monies shall be so borrowed by any District Board or Vestry without the previous Sanction in Writing of the said Metropolitan Board.

Power to Commissioners acting under 14 & 15 Vict. c. 23. to make Advances.

CLXXXIV. It shall be lawful for the Commissioners acting in the Execution of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Twenty-three, "to "authorize for a further Period the Advance of Money out of the Consolidated Fund to a limited "Amount for carrying on Public Works and Fisheries and Employment of the Poor," and any Act or Acts for amending or continuing the same, to make Advances to any such Board or Vestry upon the Security of all or any of the Monies or Rates to be raised by them under this Act, and without requiring any further or other Security than a Mortgage of such Monies or Rates.

Form of Mortgage.

CLXXXV. Every Mortgage authorized to be made under this Act shall be by Deed duly stamped, truly stating the Date, Consideration, and the Time of Payment, and shall be sealed with the Seal of the Board or Vestry, and may be made according to the Form (E.) contained in the Schedule to this Act annexed, or to the like Effect, or with such Variations or Additions in each Case as the Board or Vestry and the Party advancing the Money intended to be thereby secured may agree to; and there shall be kept, at the Office of the Board or Vestry, a Register of the Mortgages made by them, and within Fourteen Days after the Date of any Mortgage, an Entry shall be made in the Register of the Number and Date thereof, and of the Names and Descriptions of the Parties thereto, as stated in the Deed; and every such Register shall be open to public Inspection during Office Hours at the said Office, without Fee or Reward; and any Clerk or other Person having the Custody of the same, refusing to allow such Inspection, shall be liable to a Penalty not exceeding Five Pounds.

Register of Mortgages.

Repayment of Money borrowed at a Time agreed upon.

CLXXXVI. The Board or Vestry making any such Mortgage may, if they think proper, fix a Time or Times for the Repayment of all or any Principal Monies borrowed under this Act, and the Payment of the Interest thereof respectively, and may provide for the Repayment of such Monies, with Interest, by Instalments or otherwise, as they may think fit; and in case the Board or Vestry fix the Time or Times of Repayment, they shall cause such Time or Times to be inserted in the Mortgage Deed; and at the Time or Times so fixed for Payment thereof, such Principal Monies and Interest respectively shall, on Demand, be paid to the Party entitled to receive the same accordingly; and if no other Place of Payment be inserted in the Mortgage Deed, the Principal and Interest shall be payable at the principal Office of the Board or Vestry, and, unless otherwise provided by any Mortgage, the Interest of the Money borrowed thereupon shall be paid half-yearly; and if no Time be fixed in the Mortgage Deed for the Repayment of the Money so borrowed, the Party entitled to receive such Money may, at the Expiration or at any Time after the Expiration of Twelve Months from the Date of such Deed, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose; and in the like Case the Board or Vestry may at any Time pay off the Money borrowed, on giving the like Notice; and every such Notice shall be in Writing or Print, or both, and, if given by a Mortgagee, shall be given in manner herein provided for Service of Notices on the Board or Vestry, and, if given by the Board or Vestry, shall be given either personally to such Mortgagee or left at his Residence, or if such Mortgagee or his Residence be unknown to them, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the *London Gazette;* and if the Board or Vestry have given Notice of their Intention to pay off any such Mortgage at a Time when the same may lawfully be paid off by them, then, at the Expiration of such Notice, all further Interest shall cease to be payable thereon, unless, on Demand of Payment made pursuant to such Notice, or at any Time thereafter, the Board or Vestry fail to pay the Principal and Interest due at the Expiration of such Notice on such Mortgage.

Interest on Mortgages to be paid half-yearly.

As to Repayment of Money borrowed when no Time has been agreed upon.

Interest to cease on Expiration of Notice to pay off a Mortgage Debt.

Power to borrow to pay off existing Securities.

CLXXXVII. It shall be lawful for the said Metropolitan Board, with respect to any Security granted by the Metropolitan Commissioners of Sewers, or granted by such Board under this Act, and for every District Board and Vestry, with respect to any Security for any existing Debt or Liability which such Board or Vestry are by this Act required to discharge, and any Security granted by such Board or Vestry under this Act, to raise and borrow the Monies necessary for paying off such Security, and to pay off the same; and the Monies borrowed for the Purpose of such Payment shall be secured and repaid in like Manner as if borrowed for defraying the Expenses of the Execution of this Act: Provided always, that nothing herein contained shall extend to authorize the paying off of any Security otherwise than in accordance with the Provisions thereof.

Payment of Principal and Interest may be enforced by the Appointment of a Receiver. 11 & 12 Vict. c. 112.

CLXXXVIII. If at the Expiration of Six Months from the Time when any Principal Money or Interest has become due upon any Mortgage made under this Act, or under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, or any Act continuing or amending the same, and after Demand in Writing, the same be not paid, the Mortgagee may, without Prejudice to any other Mode of Recovery, apply for the Appointment of a Receiver, to Two Justices, who are hereby empowered, after hearing the Parties, to appoint, in Writing under their Hands and Seals, some Person to collect and receive the whole or a competent Part of the Monies or Rates liable to the Payment of the Principal or Interest in respect of which the Application is made, until such Principal or Interest, or

both, as the Case may be, together with the Costs of the Application and the Costs of Collection, are fully paid; and upon such Appointment being made, all such Monies or Rates, or such competent Part thereof as aforesaid, shall be paid to the Person appointed, and when so paid, shall be so much Money received by or to the Use of the Mortgagee or Mortgagees, and shall be rateably apportioned between or among them, but subject and without Prejudice to such Rights of Priority, if any, as shall then be subsisting between the Mortgagees or any of them: Provided always, that no Mortgagee shall be prejudiced, either directly or indirectly, by any Loss which may be occasioned by the Misapplication or Nonapplication of any Monies or Rates received by any Receiver appointed otherwise than upon the Application or with the express Consent of such Mortgagee, or by any Act, Deed, Neglect, or Default on the Part of such Receiver; but such Loss shall be wholly borne by the Mortgagee or Mortgagees upon whose Application, or with whose express Consent such Receiver was appointed: Provided also, that no such Application shall be entertained unless the Sum or Sums due and owing to the Applicant amount to One thousand Pounds, or unless a joint Application be made by Two or more Mortgagees to whom there may be due, after such Lapse of Time, and Demand, as last aforesaid, Monies collectively amounting to that Sum.

Transfer of Mortgages.

CLXXXIX. Any Mortgagee or other Person entitled to any Mortgage under this Act may transfer his Estate and Interest therein to any other Person by Deed duly stamped, truly stating its Date, the Names and Descriptions of the Parties thereto, and the Consideration for the Transfer; and such Transfer may be according to the Form contained in the Schedule (F.) to this Act annexed, or to the like Effect; and there shall be kept at the Office of every Board and Vestry making any Mortgages under this Act, a Register of the Transfers of such Mortgages; and within Thirty Days after the Date of any such Deed of Transfer, if executed within the United Kingdom, or within Thirty Days after its Arrival in the United Kingdom, if executed elsewhere, the same shall be produced to the Clerk of the Board or Vestry making the Mortgage; and such Clerk shall, upon Payment of the Sum of Five Shillings, cause an Entry to be made in such Register of its Date, and of the Names and Description of the Parties thereto, as stated in the Transfer; and upon any Transfer being so registered, the Transferee, his Executors, Administrators, or Assigns, shall be entitled to the full Benefit of the original Mortgage, and the Principal and Interest secured thereby; and every such Transferee may, in like Manner, transfer his Estate and Interest in any such Mortgage; and no Person, except the Person to whom the same has been last transferred, his Executors, Administrators, or Assigns, shall be entitled to release or discharge any such Mortgage, or any Money secured thereby.

Register of Transfers.

Sinking Fund to be formed for paying off Mortgages.

CXC. For the Purpose of providing a Fund for paying off Mortgages granted under this Act, the Board or Vestry granting such Mortgage shall, once in every Year, set aside, out of the Monies or Rates charged thereby, such Sum as they think proper, being not less than Two Pounds *per Centum* on the Amount of the Principal Monies secured thereby; and the Sum so from Time to Time set aside, and all other Monies applied by the Board or Vestry in augmentation of the said Fund, shall be applied, in the Manner herein-after directed, in Payment, so far as the same will extend, of the Principal Money secured by such Mortgages, or the same shall be invested in the Public Funds, or on Government or Real Security, in the Name of the Board or Vestry; and the Dividends and Interest of the Monies so invested, when and as the same become due, shall from Time to Time be received and invested in like Manner, in order that the said Monies so set aside and invested may accumulate at Compound Interest; and when such accumulated Fund amounts to a Sum which, in the Opinion of the Board or Vestry, can be conveniently applied for that Purpose, the Stocks, Funds, or Securities whereon the same is invested shall be sold or otherwise converted into Money, and the Monies arising from any such Sale and Conversion shall be applied, in the Manner herein-after directed, in Payment, so far as the same will extend, of the said Principal Monies, and so from Time to Time until the whole of the said Principal Monies are discharged.

Mode of paying off Mortgages.

CXCI. When and as often as the Board or Vestry are enabled and think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in a similar Form, and put in a Box, and the Clerk of the said Board or Vestry shall, at a Meeting of the Board or Vestry, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn shall be paid off by the Board or Vestry; and, after every such Ballot, the Board or Vestry shall cause a Notice, signed by the Clerk, to be given to the Person entitled to the Money to be paid off, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice; and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid, on Demand, pursuant to such Notice; but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable, on Demand.

Audit of Accounts.

Accounts of Metropolitan Board, District

CXCII. The Metropolitan Board of Works, every District Board, and the Vestry of every Parish mentioned in either of the Schedules (A.) and (B.) to this Act, shall, in the Month of *April* in every Year,

Boards, and Vestries to be balanced up to the End of each Year.

Year, cause their Accounts to be balanced up to the Twenty-fifth Day of *March* next preceding, and shall cause a full Statement and Account to be drawn out, of the Amount of all Contracts entered into, and of all Monies received and expended by them, during the preceding Year, under the several distinct Heads of Receipt and Expenditure, and also of all Arrears of Rates and other Monies then owing to such respective Board or Vestry, and of all Mortgages and other Debts and Liabilities then owing by such Board or Vestry: Provided always, that where by reason of the Time established by or under any Local Act for making and collecting Rates in any Parish, the Time hereby fixed for making up the Accounts is inconvenient, it shall be lawful for the Metropolitan Board of Works to order that the Time of making and collecting such Rates, and the Period for which any such Rate may be made, shall be altered, as to the said Board may appear convenient.

Appointment and Remuneration of Auditor of Accounts of Metropolitan Board.

CXCIII. One of Her Majesty's Principal Secretaries of State shall, in the Month of *April* in every Year, by Order under his Hand, appoint some fit Person to be the Auditor of the Accounts of the said Metropolitan Board for the preceding Year; and every such Auditor shall be paid by such Board not exceeding Five Guineas for every Day he is fully employed on such Audit, and all Expenses he is put to in the auditing of such Accounts; provided always, that such Payment shall not exceed Fifty Guineas.

Auditors to be elected annually by the District Boards.

CXCIV. Every District Board shall, in the Month of *April* in every Year, elect by Ballot from among the Persons acting as Auditors for the Parishes in the District Three Persons, not being Members of such Board, to be Auditors for the current Year of the Accounts of such Board; and in case of the Death of any such Auditor, the Board by whom he was elected shall forthwith elect in a similar Manner some other such Person as aforesaid in his Place, and the Powers hereby given to the said Auditors may be exercised by any Two of them.

As to the Audit of Accounts.

CXCV. The Auditor of the Accounts of the said Metropolitan Board, and the Auditors of the Accounts of every District Board and every such Vestry as aforesaid, shall, in the Month of *May*, on such Day or Days as shall be fixed by him or them for the Audit of such respective Accounts, attend at the Office or principal Office of the Metropolitan Board of Works, or of such District Board or Vestry, (as the Case may require,) for the Purpose of auditing their Accounts; and such respective Boards and every such Vestry shall, by their Clerks, Treasurers, and other Officers, produce and lay before such Auditor or Auditors, at every such Audit, their Accounts for the Year preceding, together with the Statement and Account herein-before mentioned, accompanied by proper Vouchers for the Support of the same, and submit to his or their Inspection all Books, Papers, Instruments, and Writings in their Custody or Control relating thereto; and such Auditor or Auditors, in the Presence of such of the Members of such respective Boards or Vestries, and of the Ratepayers and Creditors on the Rates as desire to attend, shall audit the Accounts herein-before mentioned, and may examine any of the Members of such respective Boards or Vestries or their Officers whom he or they shall deem accountable (and whom he and they is and are hereby empowered to summon, by Writing under his or their Hand or Hands, or under the Hand of any One of them, to appear before him or them for the Purpose of such Examination,) touching the said Accounts; and shall also hear any Complaint which any such Ratepayer or Creditor shall at the Time of such Audit, make touching such Accounts; and such Auditor or Auditors shall have full Power to examine, audit, allow, and disallow the said Accounts and Items therein, and shall charge in such Accounts all Sums (if any) which ought to be accounted for, and are not brought into account; and if such Accounts be found correct, such Auditor or Auditors, or the major Part of them, shall sign the same in token of his or their Allowance thereof, and such Allowance shall be final and conclusive on all Parties.

Abstract of Accounts to be made.

CXCVI. The Auditor or Auditors of the Accounts of the Metropolitan Board of Works, and of every District Board and Vestry, shall, after such Audit of Accounts as aforesaid, cause an Account in abstract to be prepared, showing the Receipt and Expenditure under this Act for the preceding Year, under the several distinct Heads of Receipt and Expenditure, with the Statement of the Allowance of the Auditor or Auditors, if he or they has or have allowed such Accounts, or of the Parts, if any, which he or they have disallowed of such Accounts, and also a summary Statement of all Contracts entered into by such Board or Vestry in such preceding Year, and of the Monies owing to and Debts and Liabilities owing by such Board or Vestry on the Twenty-fifth Day of *March* next preceding.

Accounts of other Parochial Boards to be audited by the Auditors elected under this Act.

CXCVII. In all Parishes mentioned in the Schedules (A.) and (B.) to this Act, in which other Boards have Control over any Part of the Parochial Expenditure, the Auditors of Accounts of the Parish elected under this Act shall have the same Power of examining the Accounts and Officers of the said Boards as of examining the Accounts and Officers of the Vestry, and shall audit the Accounts of the said Boards in the same Manner as they audit the Accounts of the Vestry, and the Accounts of the said Boards shall not be subject to any other Audit: Provided always, that nothing herein contained shall apply to Accounts which, if this Act had not been passed, would have been subject to the Audit of any Auditor already or hereafter appointed under the Authority of the Act of the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-six, or any Act incorporated therewith.

4 & 5 W. 4. c. 76.

Annual Reports.

Annual Reports by Vestries, &c.

CXCVIII. Every such Vestry as aforesaid and District Board shall, in the Month of *June* in every Year, cause to be printed the said Account in abstract and summary Statement for the preceding Year, relating

relating to such Vestry or Board, and also make and cause to be printed therewith a Report of their Proceedings in the Execution of this Act, and of the Works commenced and completed respectively in the preceding Year by such Vestry or Board, and the Works remaining in progress at the Termination of such Year, and also of any Proceedings taken by them or under their Authority in the preceding Year, in pursuance of any Regulations of the General Board of Health for the Time being in force, or otherwise, for the Removal of Nuisances, or the Improvement of the Sanitary Condition of their Parish or District; and to every such Report there shall be appended a Copy of every Report made to such Vestry or Board during the preceding Year by the Officer or Officers of Health for their Parish or District; and every such Vestry and Board shall, in the said Month of *June*, send a Copy of every such Account in abstract, Statement, and Report, together with a printed List of the Names and Addresses of the Members of such Vestry and Board, and of their Officers, to the Metropolitan Board of Works; and every Vestry and District Board shall permit Inspection at their Office of a Copy of any such Account in abstract, Statement, and Report by any Ratepayer in their Parish or District, without Payment, at all reasonable Times, and shall also permit the like Inspection, by the Public generally, of such List of Officers; and Copies of such Account in abstract, Statement, and Report, and List of Officers, shall be delivered to any Person applying for the same, on Payment of such reasonable Sums, not exceeding Twopence for each such Copy, as may be fixed by such Vestry or Board in this Behalf.

Vestry to make out and publish yearly a List of Estates, Charities, and Bequests, &c. with the Application thereof.

CXCIX. Every such Vestry as aforesaid shall cause to be made out, once at least in every Year, a List of the several Freehold, Copyhold, and Leasehold Estates, and of all Charitable Foundations and Bequests, if any, belonging to the Parish, and under the Control of the Vestry; the List to contain a true and detailed Account of the Place where such Estate or Charitable Foundation may be situate, or in what Mode and Security such Bequest may be invested, specifying also the yearly Rental of each, and the particular Appropriation thereof, together with the Names of the Persons partaking of their Benefit (except where such Benefit shall be allotted to the Poor of the Parish generally), and to what Amount in each Case, and also stating the Name and Description of the Persons in whom such Estates are vested, and the Names and Description of the Trustees for each Charity; and such Lists shall be open for the Inspection of the Ratepayers, at the Office of the Vestry Clerk, at the same Time with the Accounts when audited according to the Provisions of this Act.

Annual Report of Metropolitan Board of Works.

CC. The Metropolitan Board of Works shall, in the Month of *June* in every Year, make a Report of their Proceedings in the Execution of this Act, and shall, in the said Month, send a Copy thereof, together with a Copy of the said Account in abstract and summary Statement for the preceding Year relating to such Board, to One of Her Majesty's Principal Secretaries of State, to the Commissioners of Her Majesty's Works and Public Buildings, to the General Board of Health, to the Lord Mayor of the City of *London*, and to each of the Vestries and District Boards in the other Parts of the Metropolis.

Reports, &c. of Metropolitan Board to be laid before Parliament.

CCI. Every such Report, Account in abstract, and Statement to be sent to One of Her Majesty's Principal Secretaries of State as aforesaid, shall be laid before both Houses of Parliament within One Month after the Receipt thereof if Parliament be sitting, or if Parliament be not sitting, then within One Month after the next Meeting of Parliament.

Byelaws.

Power to Metropolitan Board of Works to make Byelaws.

CCII. The Metropolitan Board of Works and every District Board and Vestry respectively may, from Time to Time, make, alter, and repeal Byelaws for all or any of the Purposes following; (that is to say,) for regulating the Business and Proceedings at their Meetings, and of Committees appointed by them, the Appointment and Removal of their Officers and Servants, and the Duties, Conduct, and Remuneration of such Officers and Servants; and the said Metropolitan Board may also, from Time to Time, make, alter, and repeal Byelaws for regulating the Plans, Level, Width, Surface Inclination, and the Material of the Pavement and Roadway of new Streets and Roads, and the Plans and Level of Sites for building, and for regulating the Dimensions, Form, and Mode of Construction, and the keeping, cleansing, and repairing, of the Pipes, Drains, and other Means of communicating with Sewers, and the Traps and Apparatus connected therewith; for the emptying, cleansing, closing, and filling up of Cesspools and Privies; and for other Works of cleansing, and of removing and disposing of Refuse, and for regulating the Form of Appeal and Mode of proceeding thereon; and generally for carrying into effect the Purposes of this Act; and every such Board and Vestry may thereby impose such reasonable Penalties as they think fit, not exceeding Forty Shillings, for each Breach of such Byelaws; and in case of a continuing Offence a further Penalty, not exceeding Twenty Shillings for each Day, after Notice of the Offence from the Board or Vestry: Provided always, that under every such Byelaw, it shall be lawful for the Justices before whom any Penalty imposed thereby is sought to be recovered, to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty: Provided also, that no Byelaws shall be repugnant to the Laws of *England*, or to the Provisions of this Act; and that no Byelaw shall be of any Force or Effect unless and until the same be submitted to and confirmed at a subsequent Meeting of the Board or Vestry: Provided also, that no Penalty shall be imposed by any such Byelaw unless the same be approved by One of Her Majesty's Principal Secretaries of State.

Penalty for Breach of Byelaws.

Power to Justices to remit Penalties.

Publication of Byelaws.

CCIII. All Byelaws made and confirmed as aforesaid in pursuance of this Act, shall be printed, and hung up in the principal Office of the Board or Vestry, and be open to public Inspection without Payment,

Payment, and Copies thereof shall be delivered to any Person applying for the same, on Payment of such Sum, not exceeding Twopence, as the Board or Vestry shall direct; and such Byelaws, when so published, shall be binding upon, and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same; and the Production of a printed Copy of such Byelaws, authenticated by the Seal of the Board or Vestry, shall be Evidence of the Existence, and of the due making, Confirmation, and Publication of such Byelaws, in all Prosecutions under the same, without adducing Proof of such Seal or of the Fact of such Confirmation or Publication of such Byelaws.

Evidence of Byelaws.

Provisions for Protection of Property and Works of Metropolitan and District Boards and Vestries, and preventing Obstruction in Execution of Works.

Buildings not to be made over Sewers without Consent.

CCIV. No Building shall be erected in, over, or under any Sewer vested in the Metropolitan Board of Works, or in any Vestry or District Board, without their Consent first obtained in Writing, and if any Building be erected contrary to this Provision, the Board or Vestry in whom such Sewer is vested may demolish the same, and the Expenses incurred thereby shall be paid by the Person erecting such Building.

Penalty on Persons sweeping Dirt into Sewers.

CCV. No Scavenger or other Person shall sweep, rake, or place any Soil, Rubbish, or Filth, or any other Thing, into or in any Sewer or Drain, or over any Grate communicating with any Sewer or Drain, or into any Dock or Inlet communicating with the Mouth of any Sewer or Drain, or into which any Sewer or Drain may discharge its Contents, or into the River *Thames* contiguous thereto; and every Scavenger or other Person who shall so offend shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for wilfully damaging, &c. Lamps or other Property of Vestries or District Boards, or of the Metropolitan Board.

CCVI. If any Person wilfully take away, break, throw down, or damage any Lamp set up for lighting any of the Streets in any Parish mentioned in either of the Schedules (A.) and (B.) to this Act, or wilfully extinguish the Light within the same, or damage the Iron or other Furniture thereof, or wilfully damage any other Property vested in any Vestry or District Board, or any Property vested in the said Metropolitan Board, it shall be lawful for any Person who sees such Offence committed, to seize, as also for any other Person to assist in seizing, the Offender, and by Authority of this Act, and without any other Warrant, to convey him, or to deliver him into the Custody of a Police Officer in order to be secured and conveyed, before some Justice; and if the Party accused be convicted of such Offence he shall forfeit the Sum of Forty Shillings, and shall also pay to such Vestry or Board the Amount of Damage done.

As to careless or accidental Damage to Lamps, &c.

CCVII. In case any Person carelessly or accidentally break, throw down, or damage any such Lamp, or the Iron or other Furniture thereof, or other such Property as aforesaid, he shall pay the Amount of Damage done.

Penalty on interrupting Workmen, &c. in Execution of Duties.

CCVIII. If any Person at any Time obstruct, hinder, or molest any Surveyor, Inspector, Collector, or other Officer, Workman, or Person whomsoever, employed by virtue of this Act, in the Performance or Execution of his Duty, every such Person so offending shall for the First Offence forfeit and pay the Sum of Five Shillings, for the Second Offence the Sum of Twenty Shillings, and for any subsequent Offence the Sum of Five Pounds.

Penalty upon Occupiers obstructing Execution of Works, or not disclosing Owner's Name.

CCIX. If the Occupier of any Premises prevent the Owner thereof from carrying into effect, with respect to such Premises, any of the Provisions of this Act, or any Order of any Vestry or District Board made in pursuance thereof, he shall be liable to a Penalty not exceeding Five Pounds for every Day during the Continuance of such Refusal or Neglect; and if the Occupier of any Premises, when requested by or on behalf of the Vestry or District Board to state the Name and Description of the Owner of the Premises occupied by him, refuse or wilfully omit to disclose or wilfully mis-state the same, it shall be lawful for any Justice to summon the Party to appear before him or some other Justice at a Time and Place to be appointed in such Summons; and if the Party so summoned neglect or refuse to attend at the Time and Place so appointed, or if he do not show good Cause for such Refusal, or if such wilful Omission or Mis-statement be proved, the Justice before whom the Party is so summoned may impose upon the Offender a Penalty not exceeding Five Pounds.

Savings and Provisions in Local Acts applicable to Commissioners of Sewers to apply to Metropolitan and District Boards, &c.

CCX. All Savings and Provisions in Turnpike, Railway, Waterworks, Improvement, and other Acts, saving and providing for the Rights, Powers, and Authorities of the Commissioners of Sewers for any of the Parts which shall be within the Metropolis as defined by this Act, shall, so far as the same are not inconsistent with the Provisions of this Act, continue and be in force in favour of and with reference to the Metropolitan Board of Works and the several District Boards of Works and Vestries having the Management of Sewers under this Act, and in favour of the Commissioners of Sewers of the City of *London*, so far as such Savings and Provisions respectively are now applicable to them, or to any Officer or Person so continued by the said Board.

Appeals.

Power to appeal against Orders and Acts of Vestries and District Boards in relation to Construction of Works.

CCXI. Any Person who deems himself aggrieved by any Order of any Vestry or District Board in relation to the Level of any Building, or any Order or Act of any Vestry or District Board in relation to the Construction, Repair, Alteration, stopping or filling up, or Demolition of any Building, Sewer, Drain, Watercloset, Privy, Ashpit, or Cesspool, may, within Seven Days after Notice of any such Order to the Occupier of the Premises affected thereby, or after such Act, appeal to the Metropolitan Board of Works against the same; and all such Appeals shall stand referred to the Committee appointed by

by such Board for hearing Appeals as herein provided; and such Committee shall hear and determine all such Appeals, and may order any Costs of such Appeals to be paid to or by the Vestry or District Board by or to the Party appealing, and may, where they see fit, award any Compensation in respect of any Act done by any such Vestry or District Board in relation to the Matters aforesaid; provided that no such Compensation shall be awarded in respect of any such Act which may have been done under any of the Provisions of this Act on any Default to comply with any such Order as aforesaid, unless the Appeal be lodged within Seven Days after Notice of such Order has been given to the Occupier of the Premises to which the same relates.

Metropolitan Board to appoint a Committee for hearing Appeals.

CCXII. The Metropolitan Board of Works shall appoint a Committee for the Purpose of hearing all such Appeals as may be made to the said Board as aforesaid, which Committee shall have Power to hear and decide all such Appeals, and the Metropolitan Board of Works shall from Time to Time fill up any Vacancy in such Committee, and the Chairman of the said Board shall, by virtue of his Office of Chairman, be a Member of the said Committee in addition to the Members appointed by the said Board, and shall preside at all Meetings of such Committee at which he is present; and in case of a Vacancy in the Office of such Chairman, or, in his Absence, some other Member of the Committee shall be chosen to preside, and all the Powers of such Committee may be exercised by any Three of them, and any Member of such Committee may at any Time resign his Office.

Retiring Allowances to Officers of Commissioners of Sewers, and Compensations to other Officers.

Power to grant Retiring Allowances to Persons employed under Metropolitan Commissioners of Sewers. 11 & 12 Vict. c. 112.

CCXIII. The Metropolitan Board of Works may, if they deem it just, order the Payment of Retiring Pensions or Allowances, of such Amounts and upon such Terms as they deem just, to any Officers or Persons who have been employed under the Metropolitan Commissioners of Sewers, and who shall not continue to be employed by the Metropolitan Board of Works, or to any Officer or Person continued by the said Board, having regard in the Case of Persons who have been employed under any of the Commissions determined by the issuing of the First Commission under the said Act of the Eleventh and Twelfth Years of Her Majesty, Chapter One hundred and twelve, to their Employment under any of such Commissions, as well as under the said Metropolitan Commissioners of Sewers, and to pay such Pensions or Allowances out of such Monies raised by the said Metropolitan Board under this Act as to them may seem meet.

Compensation to Officers of Paving Boards.

CCXIV. Every Officer to any Commissioners, Vestry, or other Body whose Powers in relation to paving, lighting, watering, cleansing, or improving, or otherwise in relation to the Regulation, Government, or public Concerns of any of the Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, or any Part of any of such Parishes, are determined by this Act, and any paid Surveyor of Highways of any of such Parishes, shall be entitled within Six Months after the Commencement of this Act to make a Claim for Compensation in respect of any Loss of Emoluments arising from the passing of this Act, such Claim to be made to the Vestry of the Parish in case the Office of the Claimant existed in any Parish mentioned in the said Schedule (A.), and in other Cases to the District Board of the District in which the Office existed; and it shall be lawful for such Vestry or Board respectively to inquire, in such Manner as they think fit, what were the Nature and Tenure of the Office and the Period for which the same has been holden by the Claimant, and what were the lawful Emoluments in respect of which Compensation should be awarded; and the Vestry or District Board shall award a gross or yearly Sum, and, in the Case of a yearly Sum, for such Time as they think just upon consideration of the special Circumstances of each Case; but no such Award shall be final until confirmed by the Metropolitan Board of Works, and One Month before any such Award is taken into consideration by such Board, Notice of such Award shall be given to the Party in whose Favour the same is made, and such Board shall take into consideration any Representations which may in the meantime be made to them by the Party in whose Favour the Award is made, and by the Vestry or District Board making the same, and such further Information or Representations in relation to the Matter of any such Award as the said Metropolitan Board may see fit to require or receive; and such Board may confirm such Award with or without any Alteration therein as to them may seem just; and any Person making any such Claim to Compensation whose Claim is rejected by any Vestry or District Board may, within One Month after Notice to him of the Rejection thereof, appeal against the Determination of such Vestry or District Board, to the Metropolitan Board of Works, and such Board shall consider all the Circumstances of the Case, and may, if it appear to them just, award Compensation to the Claimant in like Manner as the Vestry or District Board are herein empowered to do; and the Determination or Award of the said Metropolitan Board in reference to such Claim shall be final; and all Compensation awarded as aforesaid shall be paid out of the general Rates to be levied under this Act in the Parish or particular Part of any Parish to which the Office, in respect whereof the Compensation is awarded, related, so as to charge such Parish or particular Part therewith in exoneration of other Parishes and Parts: Provided always, that if any Person to whom a yearly Sum is awarded by way of Compensation as aforesaid, be appointed to any Office or Employment under the Vestry of any of the said Parishes, or under any District Board, or the Metropolitan Board of Works, or in the Public Service, the Payment of the Compensation so awarded shall be suspended so long as he continues to hold such Office or Employment, if the Emoluments thereof be equal to or greater than the Amount of the Emoluments of the Office formerly held by him, and in case the Emoluments of the Office

or Employment to which he is appointed be not equal in Amount to those of his former Office, then no more of such Compensation shall be paid to him than will, with the Salary of his new Appointment, be equal to the Emoluments of his former Office.

Miscellaneous Clauses.

Where Two or more Persons are to do any Act or pay any Sum of Money, Vestry may apportion the same.

CCXV. Where, under the Authority of this Act, Two or more Persons are or may be directed by any Vestry or District Board to do or join in doing any Act, or to pay or join in paying any Sum of Money, Costs, or Expenses, or where any Vestry or District Board are authorized or think proper to permit Two or more Persons to join together in doing any Act, or paying any Sum of Money, Costs, or Expenses, it shall be lawful for the Vestry or District Board to apportion the Matter to be done, or the Sum of Money, Costs, or Expenses to be paid, between such Persons, in such Manner as the Vestry or Board consider just and reasonable.

Power to spread Repayment of Expenses over a Period not exceeding 20 Years.

CCXVI. In all Cases where any Vestry or District Board is authorized to order any Costs, Charges, or Expenses to be paid by private Parties, it shall be lawful for such Vestry or District Board to order and accept Payment of such Costs, Charges, Expenses, together with Interest thereon after a Rate not exceeding Five Pounds for the Hundred by the Year, by Instalments, within such Period, not exceeding Twenty Years in each Case, as they may determine, the Amount thereof to be recoverable in the same Manner as other Expenses are to be recovered under this Act.

Occupiers to pay Expenses for which Owners are liable, and to be reimbursed out of Rent.

CCXVII. It shall be lawful for any Vestry or District Board to require the Payment of any Costs or Expenses which the Owner of any Premises may be liable to pay under this Act, from any Person who then or at any Time thereafter occupies such Premises; and the Owner shall allow every such Occupier to deduct all Sums of Money which he so pays, or which are levied by Distress, out of the Rent from Time to Time becoming due in respect of the said Premises, as if the same had been actually paid to such Owner as Part of such Rent.

Occupier not to be required to pay more than the Amount of Rent owing by him.

CCXVIII. Provided always, That no such Occupier shall be required to pay any further Sum than the Amount of Rent for the Time being due from him, or which, after such Demand of such Costs or Expenses from such Occupier, and after Notice not to pay his Landlord any Rent without first deducting the Amount of such Costs or Expenses, becomes payable by such Occupier, unless he refuse, on Application being made to him for that Purpose by or on behalf of the Vestry or District Board, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; but the Burden of Proof that the Sum demanded from any such Occupier is greater than the Rent due by him at the Time of such Notice, or which has since accrued, shall lie upon such Occupier.

Agreements between Landlord and Tenant not to be affected.

CCXIX. Provided also, That nothing herein contained shall be taken to affect any Contract made or to be made between any Owner and Occupier of any House, Building, or other Property whereof it is or may be agreed that the Occupier shall pay and discharge all Rates, Dues, and Sums of Money payable in respect of such House, Building, or other Property, or to affect any Contract whatsoever between Landlord and Tenant.

As to Service of Notices, &c. on Metropolitan and District Boards and Vestries.

CCXX. Any Summons or Notice, or any Writ or other Process at Law or in Equity, or any other Matter or Thing whatsoever, required to be served upon the Metropolitan Board of Works or any District Board or Vestry, may, unless herein otherwise provided, lawfully be served by delivering the same personally to the Clerk of such respective Board or Vestry, or by leaving the same at the principal Office of such Board or Vestry.

As to Service of Notices on Owners and Occupiers and other Persons.

CCXXI. All Notices by this Act required to be given to the Owner or Occupier of any Land or Premises, or other Person, may be served personally on such Owner, Occupier, or Person, or left with some Inmate of his Place of Abode, and any Notice required to be given to any such Owner or Occupier may, if there be no Occupier, be affixed to some conspicuous Part of the Land or Premises, and it shall not be necessary in any Notice to any Owner or Occupier of any Land or Premises to name such Owner or Occupier: Provided always, that where there is no Occupier, and the Owner of any such Land or Premises, and his Place of Abode or that of his Agent is known to the Vestry or Board by or on behalf of whom such Notice is given, or any of their Officers, such Notice shall be served on such Owner personally, or left with some Inmate of his Place of Abode, or transmitted to such Owner through the Post Office, addressed to him at his Place of Abode or last known Place of Abode in the United Kingdom, or served on his Agent as aforesaid.

Authentication of Documents.

CCXXII. Every Notice, Demand, or like Document given by or on behalf of the Metropolitan Board of Works, or any Vestry or District Board, under this Act, may be in Writing or Print, or partly in Writing and partly in Print, and shall be sufficiently authenticated if signed by their Clerk or by the Officer by whom the same is given.

Proof of Debts in Bankruptcy.

CCXXIII. If any Person against whom the Metropolitan Board of Works, or any District Board or Vestry, have any Claim or Demand, become bankrupt, or take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Clerk or Collector, in all Proceedings under the Bankruptcy or Insolvency, to represent such Board or Vestry, and act in their Behalf in all respects as if such Claim or Demand were the Claim or Demand of the Clerk or Collector, and not of such Board or Vestry.

CCXXIV. If

Tender of Amends.

CCXXIV. If any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or any Act incorporated therewith, or by virtue of any Power or Authority given by this Act or such other Act as aforesaid, and if before Action brought in respect thereof, such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action.

Compensation, Damage, and Expenses how to be ascertained and recovered.

CCXXV. In every Case where the Amount of any Damage, Costs, or Expenses is by this Act directed to be ascertained or recovered in a summary Manner, or the Amount of any Damage, Costs, or Expenses is by this Act directed to be paid, and the Method of ascertaining the Amount or enforcing the Payment thereof is not provided for, such Amount shall, in case of Dispute, be ascertained and determined by, and shall be recovered before Two Justices; and the Amount of any Compensation to be made under this Act by the said Metropolitan Board, or any Vestry or District Board, shall, unless herein otherwise provided, be settled, in case of Dispute, by, and shall be recovered before Two Justices, unless the Amount of Compensation claimed exceed Fifty Pounds, in which Case the Amount thereof shall be settled by Arbitration, according to the Provisions contained in the Lands Clauses Consolidation Act, 1845, which are applicable where Questions of disputed Compensation are authorized or required to be settled by Arbitration.

Method of proceeding before Justices in Questions of Damages, &c.

CCXXVI. Where the Amount of any Compensation, or of any Damage, Costs, or Expenses, is to be determined by, or to be recovered before Two Justices, it shall be lawful for any Justice, upon the Application of either Party, to summon the other Party to appear before Two Justices, at a Time and Place to be named in such Summons; and upon the Appearance of such Parties, or, in the Absence of either of them, upon Proof of due Service of the Summons, it shall be lawful for such Two Justices to hear and determine the Matter, and for that Purpose to examine such Parties, or any of them, and their Witnesses, on Oath, and make such Order, as well as to Costs as otherwise, as to them may seem just.

Penalties, &c. to be recovered as provided by 11 & 12 Vict. c. 43.

CCXXVII. Every Penalty or Forfeiture imposed by this Act, or by any Byelaw made in pursuance thereof, the Recovery of which is not otherwise provided for, may be recovered by summary Proceedings before any Justice in manner provided by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, "to facilitate the Performance of the Duties of "Justices of the Peace out of Sessions within *England* and *Wales* with respect to summary Convictions "and Orders."

Damages to be made good in addition to Penalty.

CCXXVIII. If, through any Act, Neglect, or Default on account whereof any Person has incurred any Penalty imposed by this Act, any Damage to the Property of the said Metropolitan Board, or any Vestry or District Board, has been committed by such Person, he shall be liable to make good such Damage, as well as to pay such Penalty; and the Amount of such Damage, in case of Dispute, shall be determined by the Justices by whom the Party incurring such Penalty is convicted, and the Payment of the Amount of such Damage may be enforced in all respects as such Penalty.

Transient Offenders.

CCXXIX. It shall be lawful for any Officer or Servant of the said Metropolitan Board, or any Vestry or District Board, and for any Police Constable, and all Persons called by him to his Assistance, to seize and detain any Person who has committed any Offence against the Provisions of this Act, or any Byelaw made in pursuance thereof, and whose Name and Residence shall be unknown to such Officer or Servant or Police Constable, and convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed, with all convenient Despatch, to the hearing and determining of the Complaint against such Offender.

Proceedings not to be quashed for Want of Form.

CCXXX. No Act, Order, or Proceeding in pursuance of this Act, or in relation to the Execution thereof, shall be quashed or vacated for Want of Form; nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts, except as herein specially provided.

Parties allowed to appeal to Quarter Sessions, on giving Security.

CCXXXI. If any Person feel aggrieved by any Adjudication or Determination of any Justice or Justices with respect to any Penalty or Forfeiture under the Provisions of this Act, such Party may appeal to the General or Quarter Sessions; but no such Appeal shall be entertained unless it be made within Four Months next after the making such Determination or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal is brought, nor unless the Appellant forthwith, after such Notice, enter into Recognizances, with Two Sureties, before Two Justices, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

CCXXXII. At the General or Quarter Sessions for which such Notice is given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid to the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Penalties to be sued for within Three Months.

CCXXXIII. No Person shall be liable to the Payment of any Penalty or Forfeiture under this Act, or any Byelaw made by virtue thereof, for any Offence made cognizable before a Justice, unless the Complaint respecting such Offence have been made before such Justice within Three Months next after the Commission or Discovery of such Offence.

CCXXXIV. If

Application of Penalties.

CCXXXIV. If the Application of any Penalty or Forfeiture be not otherwise provided for, One Half thereof shall go to the Informer, and the Remainder shall go to the Vestry or District Board of the Parish or District in which the Offence was committed, or if such Vestry or Board be the Informers, the whole of the Penalty recovered shall go to them; and all Sums which shall go to, or be recovered by any such Vestry or Board, on account of any such Penalty or Forfeiture, shall be paid to their Treasurer, or otherwise into such Bank, to their Account, as they may direct, and shall be applicable to the general Expenses of the Vestry or Board; provided that in every Case where any Vestry or Board are liable to any Penalty or Forfeiture, the whole of such Penalty or Forfeiture shall go to the Informer.

Special Provisions and Savings.

Provision for joint Action of Vestries, and Elections out of Vestries under Local Acts.

CCXXXV. Where the Vestries of any Parishes mentioned in either of the Schedules (A.) and (B.) to this Act, now act jointly or in union, or exercise any Powers or Privileges jointly or in union, or elect Guardians, Directors, Trustees, or other Persons whomsoever, whose Offices are not expressed to be determined by this Act for any joint Purposes, the Vestries of such Parishes elected under this Act may act jointly or in union, and shall have the like Powers and Privileges jointly or in union, and elect for such joint Purposes in like Manner and with the like Effect; and where in any of the said Parishes, any Guardians, Directors, Trustees, or other Persons whosoever whose Offices are not expressed to be determined by this Act, are now by Law elected out of the Vestry of any such Parish, such Guardians, Directors, Trustees, or other Persons as aforesaid may be elected out of, or from the Vestrymen and Persons who under this Act are eligible as Vestrymen for the same Parish; and the Office of no such Guardian, Director, Trustee, or other Person shall be determined by reason of his ceasing to be a Vestryman in consequence of the passing of this Act; but every such Guardian, Director, Trustee, or other Person shall continue in Office until such Time as he would otherwise have ceased to hold his Office.

Agreement between the London and North-western Railway Company and certain Paving Commissioners confirmed.

CCXXXVI. 'And whereas by an Agreement, made on the Tenth Day of *August* One thousand eight 'hundred and fifty-four, between the *London and North-western* Railway Company of the one Part, 'and Five of the Commissioners acting under certain Acts of Parliament relating to the paving and 'improving of certain Streets in the Parish of *Saint Pancras* in the County of *Middlesex* of the other 'Part, it was agreed that the Commissioners acting under the said Acts should, in consideration of the 'Payment of the Sums of Three thousand Pounds and Five hundred Pounds to the said Commissioners 'by the said Company, put into good and complete State of Repair and Condition certain Roads therein 'particularly mentioned, and (except in the event therein mentioned of an Act not being obtained during 'the then next Session to authorize the Transfer to the said Commissioners of the Management of the 'said Roads) would maintain the said Roads at their own Charge and Expense: And whereas the said 'Sums have been paid to the said Commissioners, and it is expedient that the said Agreement should be 'confirmed, as herein-after mentioned:'

The said Agreement shall be confirmed so far as the same relates to the Repair and Maintenance of the said Roads; and the Maintenance thereof shall be vested in the Vestry of the said Parish of *Saint Pancras* in like Manner as if the said Commissioners had been by Act of Parliament liable to maintain and repair the said Roads at the Time of the Commencement of this Act; and the Sums paid to the said Commissioners as aforesaid, or such Part thereof as may not have been already applied for the Purpose of putting the said Roads into good and complete Repair, shall be paid over to the Vestry of the Parish of *Saint Pancras*, and be applied for the general Benefit of such Parish in aid of any Rates to be raised in such Parish to defray Expenses of paving, anything in this Act or in any Act relating to the said Company to the contrary notwithstanding.

Special Provision as to Powers of Commissioners acting under 5 & 6 Vict. c. xlviii. as to paving Ely Place, &c.

CCXXXVII. This Act shall not divest the Commissioners under an Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Forty-eight (Local), "For paving, lighting, watching, cleansing, and improving *Ely Place* and *Ely Mews*, *Holborn*, in the County of *Middlesex*," of any of the Powers or Property vested in them under that Act, nor shall any of the Provisions of this Act in relation to the paving, lighting, watering, and cleansing of Streets apply to the Parts within the Limits of the said Local Act, nor shall such Parts be assessed or rated under this Act for defraying any Expenses incurred by the District Board for the *Holborn* District in relation to paving, lighting, watering, and cleansing; but such Parts shall be subject to all the Provisions of this Act relating to Sewerage and House Drainage, and to be assessed or rated for Sewerage Expenses incurred by the said District Board, and for Expenses incurred by the Metropolitan Board of Works, and towards any Sums required to be raised by such Board under this Act, in like Manner as other Parts within the said District.

Special Provision as to Parish of Woolwich.

CCXXXVIII. Notwithstanding anything in this Act contained to the contrary, the Provisions of this Act shall extend and apply to the Parish of *Woolwich* only to the Extent and in manner herein-after mentioned; (that is to say,)

A Member of the Metropolitan Board of Works shall be from Time to Time elected by the Local Board of Health of *Woolwich*, at a Meeting of such Board, as by this Act directed with respect to the Vestry of each of the Parishes mentioned in the said Schedule (A.):

The said Metropolitan Board shall have and perform, within and in relation to the said Parish, all the Powers and Duties vested in them under this Act, in like Manner as within and in relation to other Parishes mentioned in the said Schedule (A.), save that the said Local Board shall be subject to all Orders

Orders of the said Metropolitan Board in relation to Sewerage and otherwise, and to all Precepts requiring Payment of Money, in all respects as the Vestries of other Parishes in the said Schedule (A.) are subject to the same, in lieu of the Vestry of the said Parish; and all Sums required to be paid by such Precepts shall be defrayed out of any Moneys carried to the District Fund Account, or by means of a General District Rate to be levied on the whole of the Parish of *Woolwich*, or such Part thereof as may be specified in the Precept of the said Metropolitan Board.

Special Provisions as to enclosed Gardens in Squares, &c.

CCXXXIX. Where any enclosed Garden or ornamental Ground is vested in or under the Maintenance or Management of any Commissioners or other Body, for the Use of the Inhabitants of any Square, Crescent, Circus, Street, or Place, surrounding or adjoining such Garden or Ground, and the Powers of such Commissioners or other Body do not extend beyond such Garden or Ground, and such Square, Crescent, Circus, Street, or Place, or any adjoining Street, Way, or Passage, so far as the same may abut upon any Part of any House, Shop, Building, or Tenement situate in or fronting any such Square, Crescent, Circus, Street, or Place, nothing in this Act shall divest such Commissioners or Body of any Property in such Garden or Ground, or in any Railing or Footway bounding the same, or of any Duties, Powers, or Authorities now or hereafter vested in any such Commissioners or other Body, for or in relation to the paving, watering, cleansing, improving, or regulating of such enclosed Garden or ornamental Ground, or in relation to the Railing or Footway bounding the same, or to levy Rates for defraying any Expenses incurred in the Execution of such Duties or Powers; and where the Maintenance or Management of any enclosed Garden or ornamental Ground is vested in any Commissioners or other Body, for the Use or Benefit of the Inhabitants of any Square, Crescent, Circus, Street, or Place surrounding or adjoining the same, who are liable to be assessed for the Maintenance thereof, and the Powers of such Commissioners or other Body extend beyond such enclosed Garden or ornamental Ground, and such Square, Crescent, Circus, Street, or Place, or such adjoining Street, Way, or Passage as aforesaid, the Maintenance and Management of such enclosed Garden or ornamental Ground shall be vested in a Committee, consisting of not more than Nine nor fewer than Three of such Inhabitants, and such Committee shall be appointed annually in the First Week in *June* by such Inhabitants; and the Vestry or Board shall, from Time to Time, cause to be raised the Sums required by such Committee for defraying the Expenses of the Maintenance and Management of such enclosed Garden or ornamental Ground, or of such Part thereof as is situate within their Parish or District, by an Addition to the General Rate to be assessed on the Occupiers of the Houses or Buildings, the Occupiers whereof are now liable to be assessed for the same Purpose: Provided always, that where any such Rate which may now be levied for such Purpose is limited in Amount, the Rate to be levied under this Provision shall be subject to the like Limit.

Saving of Powers and Property of Commissioners under 14 & 15 Vict. c. 95.

CCXL. This Act shall not divest the Commissioners for carrying into execution "The Crown Estate Paving Act, 1851," and the subsisting Provisions of the Acts therein recited, or the Commissioners of Her Majesty's Works and Public Buildings, of any of the Powers, Duties, Authorities, or Property vested in them respectively under the said Acts; and nothing in this Act shall extend to authorize or empower any Vestry or District Board to exercise any Power or Control whatsoever in respect of paving, maintaining, lighting, watering, cleansing, and regulating any Streets or Places in the Neighbourhood of the Houses of Parliament, delineated on a Plan marked E., referred to by "The Crown Estate Paving Act, 1851," or any Portion of the District now under the Management of the Commissioners for carrying into execution the said Crown Estate Paving Act, and the subsisting Provisions aforesaid, or to exercise any Power or Control whatsoever in or over any of the Gardens or Pleasure Grounds, the Management whereof is now, or may for the Time being be vested in such last-mentioned Commissioners; nor shall any such Street or Place, or any Portion of such District, as aforesaid, be assessed or rated under this Act, for defraying any Expenses incurred by any Vestry or District Board in relation to paving, lighting, watering, or cleansing, but such Streets, Places, and District shall be subject to all the Provisions of this Act relating to Sewerage and House Drainage, and to be assessed or rated for Sewerage Expenses incurred by any such Vestry or Board, and for Expenses incurred by the Metropolitan Board of Works, and towards any Sums required to be raised by such Board under this Act as by this Act provided.

Saving of the Rights of the Commissioners of Works.

CCXLI. Nothing in this Act shall divest the Commissioners for the Time being of Her Majesty's Works and Public Buildings of any Power or Property now or which for the Time being may be vested in them; and nothing in this Act shall extend to authorize or empower any Vestry or District Board to exercise any Power or Control whatsoever in or over any of the Royal or Public Parks, Gardens, or Pleasure Grounds, the Management whereof is now, or may be for the Time being vested in such Commissioners; and nothing in this Act shall abridge, alter, or affect any Right, Power, Exemption, or Remedy of the Queen's most Excellent Majesty, Her Heirs or Successors, or the said Commissioners, in, over, or in relation to the Possessions of the Crown or of the Public.

Saving Powers of City Commissioners of Sewers, &c.

CCXLII. Nothing in this Act shall divest the Commissioners of Sewers of the City of *London* of any Powers or Property vested in them in relation to such Parts of any of the Parishes mentioned in Schedule (B.) to this Act as are within the City of *London*, nor shall such Parts be subject to be rated or assessed by any District Board, but shall be subject to all the Powers of the Metropolitan Board of Works as other Places in the City of *London*.

CCXLIII. Nothing

Saving Rights of Metropolitan Sewage Manure Company acting under 9 & 10 Vict. c. cccxcviii. and 10 & 11 Vict. c. cxxxviii.

CCXLIII. Nothing in this Act shall extend to, or affect any of the Rights, Privileges, Powers, or Authorities vested in the Metropolitan Sewage Manure Company by an Act of the Session holden in the Ninth and Tenth Years of Her Majesty, intituled *An Act to incorporate a Company by the Name of the Metropolitan Sewage Manure Company*, or an Act of the Session then next following, intituled *An Act for enabling the Metropolitan Sewage Manure Company to alter the Line of their Works, and for other Purposes:* Provided always, that all Rights, Powers, and Authorities by either of the said Acts vested in the Commissioners of Sewers, for the Time being, for the City and Liberty of *Westminster* and Part of the County of *Middlesex* shall be vested in the Metropolitan Board of Works, and the Provisions of the said Acts shall be construed as applying to such Board in lieu of such Commissioners, but any Order or Act which might have been made or done by the said Commissioners at a Court of Sewers, may be made or done by the said Metropolitan Board at any Meeting of such Board.

Saving Rights of Commissioners or Trustees of Turnpike Roads.

CCXLIV. Nothing in this Act shall divest the Commissioners or Trustees of any Turnpike Road of any Powers or Property vested in them as such Commissioners or Trustees, save as herein expressly provided with respect to Turnpike Roads; and save that the Footpaths of any such Road shall be under the Care and Management of the Vestries and District Boards of the Parishes or Districts in which the same are situate, in like Manner as other Footpaths in such Parishes and Districts: Provided always, that the Provisions of this Act transferring to Vestries and District Boards Powers and Property vested in any Commissioner or other Body in relation to the paving, lighting, watering, cleansing, and improving of their Parishes and Districts, and all other Provisions of this Act incident to or consequent upon such Transfer, shall apply to all Powers and Property vested in the Trustees of the *Commercial Road*, so far as regards any Streets or Highways other than such Road, and also so far as regards the Footpaths of such Road.

Saving for Metropolitan Police Commissioners.

CCXLV. Nothing in this Act shall interfere with the Powers given by Law to the Commissioners of the Police of the Metropolis.

Saving as to Battersea and Penge.

CCXLVI. Nothing in this Act shall be construed to prejudice or affect any Question as to whether the Hamlet of *Penge* is or is not a Part of the Parish of *Battersea*.

Repeal of Acts inconsistent with this Act.

CCXLVII. All Acts of Parliament in force in any Parish or Place to which this Act extends, or in any Part of such Parish or Place, shall, so far as the same are inconsistent with the Provisions of this Act, be repealed as regards such Parish or Place, or such Part thereof, notwithstanding any Provisions of this Act continuing and transferring respectively to Vestries of Parishes, and transferring to District Boards any Duties, Powers, or Authorities now vested in Vestries, Commissioners, or other Bodies.

In case of Conflict with the Provisions of this Act, Provisions of Local Acts may be varied by Order in Council, on Petition of Boards or Vestries.

CCXLVIII. Upon the Petition of the Metropolitan Board of Works, or of any District Board or Vestry, representing to Her Majesty in Council that by reason of the Provisions of any Local Act of Parliament relating to any District or Parish, or any Part thereof respectively, Difficulties have arisen in the Execution of this Act and of such Local Act, or either of them, and praying for a Suspension or Alteration of all or any of the Provisions of such Local Act, or for the Establishment of other Provisions in lieu thereof under this Enactment, it shall be lawful for Her Majesty, by Order in Council, to suspend or alter all or any of the Provisions of such Local Act, and to make other Provisions in relation to the Matters thereof, as Her Majesty, with the Advice of Her Privy Council, may think necessary under the Circumstances of the Case; and every such Order in Council shall be laid before both Houses of Parliament within One Month after the making thereof, if Parliament be then sitting, or, if Parliament be not sitting, then within One Month after the next Meeting of Parliament, and shall be published in the *London Gazette:* Provided always, that no such Order in Council shall remain in force beyond the Term of One Year from the making thereof.

Power to extend Act to adjoining Parishes.

Act may be extended by Order in Council to Parishes adjoining the Metropolis not having less than 750 Ratepayers.

CCXLIX. In case, and when, and so often as it is made to appear to Her Majesty in Council, upon the Representation of the Metropolitan Board of Works, that the Provisions of this Act should be extended to any Parish adjoining the Metropolis, and in which there are not less than Seven hundred and fifty Inhabitants rated to the Relief of the Poor, it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that the Provisions of this Act shall extend to such Parish, from and after a Day to be mentioned in this Behalf in the Order in Council, and that such Parish shall join with any Parish or Parishes or District in such Order named, in the Election, from Time to Time, of the Member or Members of the Metropolitan Board of Works by this Act directed to be elected for such Parish or Parishes or District; and to make such Provision as to the Mode in which every such joint Election shall take place, and otherwise in relation thereto, as to Her Majesty in Council may seem necessary and proper; and every such Order shall be published in the *London Gazette;* and from and after the Time mentioned in such Order for the Extension of the Provisions of this Act to any Parish as aforesaid, the Provisions of this Act shall extend to and be in force therein, in like Manner, so far as Circumstances will admit, as such Provisions apply to any Parish mentioned in Schedule (A.) of this Act, subject, nevertheless, to the Provisions in such Order contained in relation to the Election, by such Parish jointly as aforesaid, of a Member or Members of the said Metropolitan Board: Provided always, that Notice of every such Representation, and of the Time when it shall please Her Majesty to order that

that the same be taken into consideration by Her Privy Council, shall be published in the *London Gazette* One Month at least before such Representation is so considered.

Interpretation and Commencement of Act.

CCL. In the Construction of this Act "the Metropolis" shall be deemed to include the City of *London*, and the Parishes and Places mentioned in the Schedules (A.), (B.), and (C.) to this Act; "the City of *London*" shall be deemed to include all Parts now within the Jurisdiction of the Commissioners of Sewers for the City of *London;* and the Word "Parish" shall include any Place mentioned in Schedule (A.) to this Act, and any Place or Combination of Places mentioned in Schedule (B.) to this Act, for which One or more Member or Members is or are to be elected to any District Board; the Expression "the Overseers of the Poor" shall include any Persons authorized to make and collect or cause to be collected the Rate for the Relief of the Poor in any Parish; any Expression referring to any Rate or Rates raised under this Act by the Metropolitan Board of Works, or any Vestry or District Board, shall mean the Sums and Rates authorized to be raised by the said Metropolitan Board, and the Sums authorized to be raised by any Vestry and District Board respectively; the Word "Owner" shall, except for the Purpose of the Provision of this Act requiring Notice to be served on Owners or reputed Owners of Land, before Application to One of Her Majesty's Principal Secretaries of State for his Consent to exercise Powers of taking Land, or any Right or Easement in or over Land, compulsorily, mean the Person for the Time being receiving the Rackrent of the Lands or Premises, in connexion with which the said Word is used, whether on his own Account, or as Agent or Trustee for any other Person, or who would so receive the same if such Lands or Premises were let at a Rackrent; the Word "Street" shall apply to and include any Highway (except the Carriageway of any Turnpike Road), and any Road, Bridge (not being a County Bridge), Lane, Footway, Square, Court, Alley, Passage, whether a Thoroughfare or not, and a Part of any such Highway, Road, Bridge, Lane, Footway, Square, Court, Alley, or Passage; the Word "Drain" shall mean and include any Drain of, and used for the Drainage of One Building only, or Premises within the same Curtilage, and made merely for the Purpose of communicating with a Cesspool or other like Receptacle for Drainage, or with a Sewer into which the Drainage of Two or more Buildings or Premises occupied by different Persons is conveyed, and shall also include any Drain for draining any Group or Block of Houses, by a combined Operation, under the Order of any Vestry or District Board; and the Word "Sewer" shall mean and include Sewers and Drains of every Description, except Drains to which the Word "Drain," interpreted as aforesaid, applies; and the Word "Ashpit" shall include "Dustbin." Interpretation of Terms.

CCLI. This Act shall commence and come into operation, save as herein otherwise provided, on the First Day of *January* One thousand eight hundred and fifty-six. Commencement of Act.

SCHEDULE (A.)

PART I.

Parishes each electing Two Members of the Metropolitan Board of Works.

Saint Marylebone.
Saint Pancras.
Lambeth.
Saint George Hanover Square.
Islington, Saint Mary.
Shoreditch, Saint Leonard.

PART II.

Parishes each electing One Member of the Metropolitan Board of Works.

Paddington.
Saint Matthew Bethnal Green.
Saint Mary Newington, Surrey.
Camberwell.
Saint James Westminster.
Saint James and Saint John Clerkenwell to be considered as One Parish.
Chelsea.
Kensington, Saint Mary Abbot.
Saint Luke Middlesex.
Saint George the Martyr Southwark.
Bermondsey.
Saint George in the East.
Saint Martin in the Fields.
Hamlet of Mile End Old Town.
Woolwich.
Rotherhithe.
Saint John Hampstead.

SCHEDULE (B.)

PARISHES UNITED INTO DISTRICTS FOR THE PURPOSES OF THE ACT.

PART I.

Districts each electing One Member of the Metropolitan Board of Works.

Name of District.	Parishes.	Number of Members to be elected to District Board.
Whitechapel District	Saint Mary Whitechapel	27
	Christchurch Spitalfields	12
	Saint Botolph without Aldgate, in the County of Middlesex	6
	Holy Trinity, Minories	1
	Saint Katherine, Precinct of	1
	Mile End New Town, Hamlet of	6
	Liberty of Norton Folgate	3
	Old Artillery Ground	1
	Tower, District of	1
	TOTAL	58
Westminster District	Saint Margaret	30
	Saint John the Evangelist	27
	TOTAL	57
Greenwich District	Saint Paul Deptford, including Hatcham	21
	Saint Nicholas Deptford	6
	Greenwich	30
	TOTAL	57
Wandsworth District	Clapham	18
	Tooting Graveney	3
	Streatham	9
	Saint Mary Battersea, excluding Penge	12
	Wandsworth	9
	Putney, including Roehampton	6
	TOTAL	57
Hackney District	Hackney	51
	Saint Mary Stoke Newington	6
	TOTAL	57
Saint Giles District	Saint Giles in the Fields	27
	Saint George Bloomsbury	21
	TOTAL	48
Holborn District	Saint Andrew Holborn above Bars	24
	Saint George the Martyr	9
	Saint Sepulchre, in the County of Middlesex	6
	Saffron Hill, Hatton Garden, Ely Rents, and Ely Place	9
	The Liberty of Glasshouse Yard	1
	TOTAL	49

Metropolis Local Management.

Name of District.	Parishes.	Number of Members to be elected to District Board.
Strand District	Saint Anne Soho	18
	Saint Paul Covent Garden	9
	Saint John the Baptist Savoy, or Precinct of the Savoy	1
	Saint Mary-le-Strand	3
	Saint Clement Danes	15
	Liberty of the Rolls	3
	TOTAL	49
Fulham District	Saint Peter and Saint Paul Hammersmith	24
	Fulham	15
	TOTAL	39
Limehouse District	Saint Anne Limehouse	15
	Saint John Wapping	3
	Saint Paul Shadwell	6
	Ratcliffe, Hamlet of	12
	TOTAL	36
Poplar District	All Saints Poplar	24
	Saint Mary Stratford-le-Bow	9
	Saint Leonard Bromley	15
	TOTAL	48
Saint Saviour's District	Christchurch	15
	Saint Saviour (including the Liberty of the Clink)	24
	TOTAL	39

PART II.

Districts united for electing One Member of the Metropolitan Board of Works.

Plumstead District	Charlton next Woolwich	9
	Plumstead	12
	Eltham	6
	Lee	9
united with	Kidbrooke	1
	TOTAL	37
Lewisham District	Lewisham, including Sydenham Chapelry	24
	Hamlet of Penge	3
	TOTAL	27

PART III.

Parish and District united for electing One Member of the Metropolitan Board of Works.

The Parish of Rotherhithe, united with Saint Olave District	Saint Olave	12
	Saint Thomas Southwark	1
	Saint John Horsleydown	15
	TOTAL	28

SCHEDULE (C.)

The Close of the Collegiate Church of Saint Peter.
The Charter House.
Inner Temple.
Middle Temple.
Lincoln's Inn.
Gray's Inn.
Staple Inn.
Furnival's Inn.

SCHEDULE (D.)

MAIN SEWERS OF THE METROPOLIS.

NORTH SIDE OF THE THAMES.

Stamford Brook (West Branch.)

Commences at an Angle in the Boundary between the Parishes of Hammersmith and Acton, on the South of the Uxbridge and London Road, and tangent to a Footpath running South from East Acton Lane, extending thence in a South-easterly Direction to Paddenswick Green, when it joins the East Arm of the said Brook.

Stamford Brook (East Branch).

Commences at a Point on the Boundary between the Parishes of Hammersmith, Willesden, and Acton, about 100 Feet North-east of the Old Oak Bridge over the North-western Railway, extending thence in a Southerly Direction to Paddenswick Green.

The united Streams of the above Two Branches discharge into Hammersmith Creek.

Brook Green Sewer.

Commences in Wood Lane, at the Keeper's Lodge, on the South Side of Wormwood Scrubs, and discharges into the River Thames by Two Outlets, viz., Bridge Road and Queen Street, on the East Side of Hammersmith Suspension Bridge.

A Branch from the above commences in New Road, at the North End of the Grove, and joins the Main Sewer at Broadway Hammersmith.

Fulham Sewer.

Commences at a Sluice in the Moat surrounding the Bishop of London's Palace, on the West Side of the Junction of High Street, Fulham, with the Fulham Road, and discharges into the Thames under the Toll House of Fulham Bridge.

Eel Brook Sewer.

Commences at a Point in North End Road, about 80 Feet North-west of Walham Green Church, and discharges into Kensington Canal on the South-east Side of the Imperial Gasworks.

Counters Creek Sewer (Main Line).

Commences at a Point in the Harrow Road, about 200 Feet West of Kensal Green Cemetery Gate, and discharges into the Thames at the Outlet now forming on the South-west Side of Cremorne Gardens.

Counters Creek Sewer (West Branch).

Commences at a Culvert under the Grand Junction Canal, on the Boundary between the Parishes of Kensington and Hammersmith, at the South-west Corner of Kensal Green Cemetery, and joins the above Main Line in Latimer Road at its Junction with Bromley Road.

Counters Creek Sewer (East Branch).

Drains the whole of Kensal New Town, situate in a detached Portion of the Parish of St. Luke Chelsea, and Part of the Parish of St. Mary Paddington, and passes under the Great Western Railway at a Bridge leading to Portobello Lane, on the South-east Side of the Western Gasworks, and joins the Main Sewer at a Point about a Quarter of a Mile North-west of Notting Barn Farm.

Counters Creek Sewer (Kensington Branch).

Commences in Victoria Grove at about 50 Feet to the North of Uxbridge Road, and joins the Main Line at the Junction of Pembroke and Warwick Roads.

Sewer to the Metropolitan Sewage Manure Works.

Commences at Knightsbridge at its Junction with the Ranelagh Sewer, and extends thence in a South-westerly Direction to the Works at Stanley Bridge.

Millman's Row Sewer.

Commences in Fulham Road, at about 780 Feet West, and at about 230 Feet East of the Junction of Park Walk with Fulham Road, and discharges into the River Thames opposite to Millman's Row.

Church

Church Street Sewer.

Commences in Gloucester Road at its Junction with Canning Place, at about 750 Feet South of Hogmore Lane Gate, and discharges into the Thames on the South Side of Chelsea Old Church.

Queen Street Sewer.

Commences between Gloucester Road and Hyde Park Gate South, on the South of Kensington Road, and about 300 Feet South of Kensington Gate runs through Old Brompton, and discharges into the River Thames on the East Side of Chelsea Free Dock.

Smith Street Sewer.

Commences in the Kensington Road at a Point about 750 Feet West of Prince of Wales Gate, and extends thence by Rutland Gate, Rutland Street, and Fulham Road, on the West of Brompton Crescent, and along College and Markham Streets, and discharges into the Thames on the West Side of Chelsea Royal Hospital.

Ranelagh Sewer.

The Branch Sewers from Edgeware Road, Finchley Road, and Kilburn Vale unite at Kilburn Bridge, and for the Main Line, which, running in a Southerly Direction, discharges into the River Thames on the South-east Side of Chelsea Royal Hospital.

This Sewer has several Branches, the chief of which commences in Grove End Road, at about 900 Feet West of St. John's Wood Road, extending thence by Lisson Grove, New Road, Grand Junction Road, and Albion Street, to a Tumbling Bay, where it joins the Main Sewer in Uxbridge Road.

King's Scholars Pond Sewer.

Commences in the Finchley Road, at about 1500 Feet above Junction Road Toll Gate, and discharges into the River Thames at the Equitable Gasworks, about 700 Feet above Vauxhall Bridge.

King's Scholars Pond Sewer (Pall Mall Branch).

Commences at Waterloo Place, and joins the Main Line opposite the Entrance of Buckingham Palace.

Grosvenor Ditch.

Commences in Page Street, at about 150 Feet East of the Junction with Regent Street, Vauxhall Bridge Road, and discharges into the River Thames at the Northern Extremity of Millbank Road.

Horseferry Road Sewer.

Commences in Grey Coat Place, and discharges into the River Thames at the Horseferry Stairs.

Wood Street Sewer.

Commences in Grey Coat Place, and discharges into the River Thames in the Prolongation of Wood Street.

Victoria Street Sewer.

Commences at Shaftesbury Terrace, Pimlico, and discharges into the Thames at Percy Wharf.

Regent Street Sewer (Western Branch).

Commences in the outer Circle of the Regent's Park, at about 200 Feet North-west of Hanover Gate Entrance, and joins the Eastern Branch in the New Road, opposite to the Prolongation of Portland Place.

Regent Street Sewer (Eastern Branch).

Commences in Upper Albany Street, at about 200 Feet South of Collateral Cut Bridge over the Regent's Canal, and joins the Western Branch at the aforesaid Point in the New Road.

The Main Sewer proceeds thence along Regent Street, and discharges into the River Thames at Percy Wharf.

Northumberland Street Sewer (Western Branch).

Commences in Warren Street, on the North of Fitzroy Square, and proceeds in a Southerly Direction along Cleveland, Newman, Wardour, Princes, and Panton Streets, Haymarket, to Charing Cross, opposite the District Post Office.

Northumberland Street Sewer (Eastern Branch).

Commences in New Road, at about 170 Feet West of the Junction with Hampstead Road, and proceeds along Tottenham Court Road, High Street, Seven Dials, and St. Martin's Lane, to Charing Cross, when it joins the Western Branch.

The Main Line proceeds along Northumberland Street, and discharges into the Thames at Northumberland Wharf.

Metropolis Local Management.

Savoy Street Sewer.

Commences in Stanhope Street, Regent's Park Basin, at a Point at about 160 Feet North of the Junction with Edward Street, and proceeds along Robert, George, Gower, Charlotte, Bloomsbury, Endell, Bow, Wellington, and Savoy Streets, and discharges into the Thames at a Point about 100 Feet above Waterloo Bridge.

Norfolk Street Sewer.

Commences at the Junction of Drury Lane and Long Acre, and passes by the Olympic Theatre, and along Newcastle Street and Strand, and discharges into the River Thames opposite Norfolk Street.

Essex Street Sewer (Western Branch).

Commences in Russell Square, opposite Montague Place, and proceeds along Montague, Russell, and Museum Streets, Drury Lane, Great Wild Street, and Vere Street, to the Junction of the Eastern Branch at the Intersection of Sheffield and Gilbert Streets, Clare Market.

Essex Street Sewer (Eastern Branch).

Commences at the Corner of Tottenham Court Road, and proceeds along New Oxford Street, Newton Street, and Cross Lane, Parker and Great Queen Streets, West Side of Lincoln's Inn Fields, to the Junction with the Western Arm above described.

The Main Sewer proceeds thence along Gilbert Street, Clement's Lane, Pickett Street, and Essex Street, and discharges into the River Thames at Temple Pier.

Fleet Sewer.

Commences in High Street, Hampstead, at the Junction of High Street with Flask Walk, extending thence through South End Green, Gordon House Lane, Victoria Road, Great College Street, Old St. Pancras Road, Bagnigge Wells Road, West of Middlesex House of Correction, and by Farringdon Street to Blackfriars Bridge, where it discharges into the River Thames.

This Sewer has numerous Tributaries running into other Districts, the chief of which are Camden Road, Caledonian Road, Pentonville Hill, River Street, St. John's Road, Holborn Hill, and Guildford Street.

Goswell Street Sewer.

Commences in Sydney Street, at the Junction of Sydney Grove, and discharges into the Thames at Walbrook.

London Bridge Sewer (City Road Branch).

Commences at Duncan Terrace, on the West Side of the New River, and joins the Main Line at the North End of Finsbury Pavement.

Another Branch commences in Lonsdale Square, Islington, and, extending thence through Barnsbury Street, Richmond Grove, passes under the New River at New North Road Bridge, thence along Portland Place, King Street, under the Regent's Canal, by Sturt's Lock, Walbrook Street, and Critchill Place, where it joins another Branch at St. John's Church, Hoxton.

London Bridge Sewer (Balls Pond Branch).

Commences on the Boundary between St. Mary Islington and St. John Hackney, at Cock and Castle Lane, Dalston, and passes by Balls Pond and Rosemary Branch Bridge to the Junction at St. John's Church, above described. The United Sewers then discharge into the River Thames at London Bridge.

London Bridge Sewer (Shoreditch Branch).

Commences in Queen's Road, at the Junction with Laurel Street, Dalston, and extending thence along Queen's Road, Great Cambridge Street, Hackney Road, Shoreditch, and Bishopsgate, joins the Main Line at King William's Statue.

Irongate Sewer.

Commences in the City, and proceeds along the South-west Side of Houndsditch, West Side of Minories, and by the Precincts of Old Tower Without, and discharges into the River Thames at Irongate Stairs, on the East of the Tower.

Nightingale Lane Sewer.

Commences in Union Street, Old Artillery Ground, and Booth Street, Spitalfields, and extends thence along Commercial, Leonard, Wells, and Parson Streets, and Nightingale Lane, and discharges into the Thames on the Western Side of the Entrance into Hermitage Basin.

Hermitage Street Sewer.

Commences in Redmead Lane, on the Boundary between the Parishes of St. John Wapping and St. George in the East, and extends thence along Great Hermitage Street, and discharges into the River Thames at about 50 Feet East of Union Stairs.

Old Gravel Lane Sewer.

Commences at the Boundary between the Parishes of St. George in the East and St. John Wapping, in Old Gravel Lane, and discharges into the River Thames at a Point about 110 Feet West of the Thames Tunnel.

Wapping Wall Sewer.

Commences in Green Bank, at the Junction of Upper Well Alley, and passes through King Street, and discharges into the River Thames at about 120 Feet on the North-east Side of New Crane Dock.

Shadwell Basin Sewer.

Commences on the North Side of the Eastern Dock, at the Termination of West Gardens, and extends thence between the Warehouses and New Gravel Lane, on the North Side of Shadwell Basin, and along Shadwell Dock Street, and discharges into the River Thames at the Eastern Pier of the Shadwell Entrance to the London Docks.

Pennington Street Sewer.

Commences at the Boundary between the Parishes of St. George in the East and St. John Wapping, in St. George Street, and extends thence along Pennington Street, Old Gravel Lane, West Gardens, Cow Lane, Little Spring Street, Labour-in-Vain Street, and Lower Shadwell, and discharges into the River Thames at Shadwell Dock Stairs.

Ratcliffe Highway Sewer (Western Branch).

Commences at the Junction of Sherwood Place with Meed Street, at about 900 Feet South-east of Shoreditch Church, and extends along Turvile, Thomas, and High Streets, and Whitechapel Road, to the Junction of New Road with Whitechapel Road.

Ratcliffe Highway Sewer (Eastern Branch).

Commences at the Junction of Hague Street with Bethnal Green Road, and extends along Hague Street, Wellington and Charles Streets, to the Junction of New Road with Whitechapel Road, above described.

Ratcliffe Highway Sewer (North-eastern Branch).

Commences from the Rear of Shoreditch Church, and proceeds along Old Castle Street, Virginia Row, Wellington Row, Old Bethnal Green Road, Cambridge Road, Cleveland Street, King Street, Jamaica Street, Havering Street, and Love Lane, to Ratcliffe Highway.

The Main Sewer proceeds along New Road, Cannon Street Road, St. George's Street, High Street, Shadwell, and Broad Street, and discharges into the River Thames at Ratcliff Cross Stairs.

Limekiln Dock Sewer.

Commences at the Junction of Victoria Road with Bishop's Road on the South-western Side of Bonner's Hall Bridge, leading into Victoria Park, and extends along Victoria Road, East Side of Bethnal Green, Globe Road, White Horse Lane, and Rhodeswell Road, and passes under the Regent's Canal at Rhodeswell Wharf, thence along the Black Ditch, Upper North Street, and North Street, and discharges into the River Thames at Limekiln Dock.

Great Sluice and Drunken Dock Sluice.

These Sluices are situated on the Eastern Side of the Isle of Dogs, and drain the whole of that Part of the Isle South of the West India Dock Basin. They have Four inlet Sluices for Purposes of flushing.

Blackwall Sluice.

Commences at Batson's Inlet, near Limehouse Entrance to the West India Dock, and discharges into the Thames on the North Side of the Blackwall Entrance to the West India Dock.

Eastern Counties Railway Sewer.

Commences at Mile End Bridge, over the Regent's Canal in Bow Road, proceeds along Bow Road, Tredegar Square, and by the Railway, and discharges into the River Lea, where the Viaduct of the said Railway crosses that River.

Hackney Brook Sewer (Main Line).

Commences in the High Road opppsite to St. John's Church Upper Holloway, and extends thence in a South-east Direction along Holloway Road to a Point about 450 Feet South of Tollington Road, thence in an Easterly Direction by the North of Abney Park Cemetery, Hackney Downs, and Hackney Wick, and discharges into the River Lea, immediately to the North of Old Ford Wharf.

Hackney Brook Sewer (Wick Lane Branch).

Commences in Old Ford Road, on the East Side of Old Ford Bridge, crossing the Regent's Canal, and extends along Grove Road, Wick Lane, and joins the Main Sewer at Hackney Wick.

SOUTH SIDE OF THE THAMES.

Beverley Brook.

Commences on the Boundary between the Parishes of Putney and Wimbledon, at a Point about 1,800 Feet South of Beverley Bridge, on the Kingston Road, and discharges into the River Thames about Half a Mile above Putney Town.

Sewer between Parishes of Putney and Wandsworth.

Commences on the Road from Kingston to Wandsworth, and discharges into the River Thames at a Point about 1,500 Feet below Fulham Bridge.

Wandle River.

Commences at a Point where the Parishes of Streatham and Tooting intersect the River, and discharges into the River Thames at the Town of Wandsworth.

Falcon Brook.

Commences at Tooting Co mon, and discharges into the River Thames at Battersea Creek.

Lord Spencer's Sewer.

Commences in the Town of Battersea, and extends in an Easterly Direction through Battersea Park, and discharges into the River Thames at about 400 Feet below Battersea New Bridge.

Heath Wall Sewer (Main Line).

Commences at the Falcon Brook at a Sluice about 300 Feet North of the South-western Railway, and extending along the South Margin of Battersea Fields, discharges into the Thames at Heath Wall Mill.

Heath Wall Sewer (Clapham Rise Branch).

Commences on the Boundary between the Parishes of Clapham and Lambeth at the Intersection of New Road with Clapham Rise, and extends along the East Side of Clifton Street, and joins the Main Sewer at a Point about 100 Feet North-east of New Road, Battersea Fields.

Effra Sewer.

Commences at the Boundary between the Parishes of St. Mary Lambeth and Croydon, in Westow Hill Road, immediately opposite to the Convent of "Our Lady," and discharges into the River Thames at Vauxhall Creek, on the South Side of the Phœnix Gasworks, and near to Vauxhall Bridge.

Effra Sewer (Upper Norwood Branch).

Commences in Westow Hill Road on the Boundary between the Parishes of Lambeth and Croydon, at about 200 Feet West of the Crystal Palace Hotel, and proceeds Northward along the Boundary between the Parishes of St. Mary Lambeth and St. Giles Camberwell, and joins the Main Sewer at a Point about 230 Feet West of Croxted Lane.

Duffield and Battle Bridge Sewers.

These Sewers drain the most densely inhabited Portions of the South Side. The Inlets for flushing Purposes are at Kennington, Vauxhall, Lambeth Church, and Stangate. The Outlets are by the following Sluices, viz., the Arnold and Dover Sluices, near Waterloo Bridge; Pudding Mill, near Blackfriars Bridge; the Boar's Head, Welch Troopers, Black Lion, and Bear Sluices, near Southwark Bridge; the Bridge Yard, Battle Bridge; and Green Bank, in St. Olave Southwark; Freeman's Lane, St. John Jerusalem; and Great St. John, in Horsleydown; and the Salisbury and Duffield Sluices, in Bermondsey.

Limekiln Sluice.

Drains the open Fields of Part of the Parish of Rotherhithe, and proceeds along Swan Lane, and discharges into the River Thames at about 300 Feet East of the Thames Tunnel.

Globe Stairs Sewer.

Drains the Northern Basin of the Commercial Dock Company, and extends along the Eastern Side of St. Paul's Church, Rotherhithe, and Part of Rotherhithe Street, and discharges into the River Thames at Globe Stairs.

Sewer at Durand's Wharf (Rotherhithe).

Commences to the South-east of Bull-Head Dock, Rotherhithe, and pursues an Easterly Course by Rotherhithe and Lower Queen Street, and discharges into the River Thames at a "10 Footway," opposite to Cow Lane.

Rotherhithe Pier Sewer.

Commences in Trinity Street, at a Point about 400 Feet South of Cow Lane, and proceeds along Trinity Street, and discharges into the River Thames at Rotherhithe Boat Pier.

Earl Sewer (Main Line).

Commences in Cold Harbour Lane, at a Point about 1,100 Feet North-east of its Junction with Loughborough Road, and proceeds along High Street, Camberwell, Camberwell Road, Boundary Lane, and Eastward along the Boundaries of several Parishes, and discharges into the River Thames on the Boundary between the Counties of Surrey and Kent, near to the Royal Dock Yard, Deptford.

Earl Sewer (Wyndham Road Branch).

Commences on the East Side of Kennington Park, and proceeds along New Row, and Southward on the East of Thomas Street, Eastward along Wyndham Road, and joins the Main Sewer at a Point about 100 Feet South of Southampton Street, Camberwell.

Earl Sewer (White Post Lane Branch).

Commences in Victoria Road, at the Junction with Choumert Place and Cutthroat Lane, near Peckham Rye, and proceeds along Victoria Road, Hanover Street, Rye Lane, High Street, Meeting-house Lane, Halfway House Lane, and White Post Lane, and joins the Main Sewer at the Junction of the Parishes of Rotherhithe, St. Paul's Deptford, and St. Giles Camberwell.

Royal Dock Yard Sewer.

Commences on the East of Black Horse Bridge, and extends Eastward on the South Side of the Mast Pond, and discharges into the River Thames opposite to the Royal Victualling Yard.

Ravensbourne and Sydenham Sewer.

Commences at Bell Green, and extends along and by Catsford Hill Road, Lewisham, and Bromley Road, Silver Street, Loam Pit Vale, and Mill Lane, and discharges into Deptford Creek at Parish Wharf, near Kingsford Mill.

Ravensbourne and Lee Green Sewer.

Commences in the Eltham Road, about 300 Feet East of Lee Green, and proceeds along Lee Road, Lewisham Road, Bath Place, Egerton Road, and North Pole Lane, to a pumping Station, where it discharges into Deptford Creek, at a Point about 400 Feet North of the London and Greenwich Railway.

Horseferry Road (Greenwich).

Commences in Caroline Street and Roan Street, and proceeds along Union and Bridge Streets, and discharges into the River Thames at Horseferry.

SCHEDULE (E.)

Form of Mortgage of Rates.

Mortgage Number ( )

By virtue of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], the Metropolitan Board of Works, *or* the Board of Works for the District of *or* the Vestry of the Parish of (*as the Case may be*), in consideration of the Sum of paid to by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, all [*here describe the Monies or Rates to be mortgaged*], to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from the Day of the Date hereof until the said Sum of with Interest at the Rate of per Centum per Annum for the same, shall be fully paid and satisfied; and it is hereby declared that the said Principal Sum shall be repaid on the Day of and that in the meantime the Interest thereof shall be paid on the Day of and the Day of in every Year.

In witness whereof the Metropolitan Board of Works, *or* the said District Board, *or* the said Vestry, (*as the Case may be,*) have hereunto set their Seal, this Day of One thousand eight hundred and .

SCHEDULE (F.)

Form of Transfer of Mortgage.

I *A.B.* of in consideration of the Sum of Pounds paid to me by *C.D.* of do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number , bearing Date the Day of and made by the Metropolitan Board of Works, *or* the Board of Works for the District of *or* the Vestry of the Parish of for securing the Sum of and Interest [*or, if such Transfer be by Indorsement on the Mortgage, insert, instead of the Words after "Assigns," the within Security*], and all my Property, Right, and Interest in and to the Money thereby secured, and in and to the Monies thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and . *A.B.* (L.S.)

CAP. CXXI.

An Act to consolidate and amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849. [14th *August* 1855.]

11 & 12 Vict. c. 123. 12 & 13 Vict. c. 111.

'WHEREAS the Provisions of "The Nuisances Removal and Diseases Prevention Act, 1848," 'as amended by "The Nuisances Removal and Diseases Prevention Amendment Act, 1849," are 'defective, and it is expedient to repeal the said Acts as far as relates to *England*, and to substitute 'other Provisions more effectual in that Behalf:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts repealed as far as relates to England, &c.

I. From and after the passing of this Act, the said Acts are by this Section repealed, as far as relates to *England:* Provided always, that all Proceedings commenced or taken under the said Acts, and not yet completed, may be proceeded with under the said Acts; and all Contracts or Works undertaken by virtue of the said Acts shall continue and be as effectual as if the said Acts had not been repealed.

Interpretation of certain Terms used in this Act.

II. In this Act the following Words and Expressions have the Meanings by this Section herein-after assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,) the Word "Place" includes any City, Borough, District under the Public Health Act, Parish, Township, or Hamlet, or Part of any such City, Borough, District, Town, Parish, Township, or Hamlet; the Word "Guardians" includes the Directors, Wardens, Overseers, Governors, or other like Officers having the Management of the Poor for any Parish or Place where the Matter or any Part of the Matter requiring the Cognizance of any such Officer arises; the Word "Borough," and the Expressions "Mayor, Aldermen, and Burgesses," "Council," and "Borough Fund," have respectively the same Meaning as in the Acts for the Regulation of Municipal Corporations, and shall also respectively mean, include, and apply to any Royal Borough, Royal Town, or other Town having a Warden, High Bailiff, Borough Reeve, or other Chief Officer, and Burgesses or Inhabitants, however designated, associated with him in the Government or Management thereof, or any Town or Place having a Governing Body therein, in the Nature of a Corporation or otherwise, and to the Chief Officers and Governing Bodies of such Boroughs, Towns, and Places, and to the Funds and Property under the Management of or at the Disposal of such Chief Officers and Governing Bodies; the Expression "Improvement Act" means an Act for regulating and managing the Police of, and for draining, cleansing, paving, lighting, watching, and improving a Place, and an Act for any of those Purposes; the Word "Owner" includes any Person receiving the Rents of the Property in respect of which that Word is used, from the Occupier of such Property on his own Account, or as Trustee or Agent for any other Person, or as Receiver or Sequestrator appointed by the Court of Chancery or under any Order thereof, or who would receive the same if such Property were let to a Tenant; the Word "Premises" extends to all Messuages, Lands, or Tenements, whether open or inclosed, whether built on or not, and whether public or private; the Word "Parish" includes every Township or Place separately maintaining its Poor, or separately maintaining its own Highways; the Expression "Quarter Sessions" means the Court of General or Quarter Sessions of the Peace for a County, Riding, or Division of a County, City, or Borough; the Word "Person," and Words applying to any Person or Individual, apply to and include Corporations, whether aggregate or sole; and the Expression "Two Justices" shall, in addition to its ordinary Signification, mean One Stipendiary or Police Magistrate acting in any Police Court for the District.

PART I.

PART I. *Constitution of Local Authority, Expenses, Description of Nuisances, and Powers of Entry.*

And with respect to the Constitution of the Local Authority for the Execution of this Act, the Expenses of its Execution, the Description of Nuisances that may be dealt with under it, and the Powers of Entry for the Purposes of the Act, be it enacted thus:

The Local Authority to execute this Act in Places as herein stated.

III. The following Bodies shall respectively be the Local Authority to execute this Act in the Districts hereunder stated in *England:*

In any Place within which the Public Health Act is or shall be in force, the Local Board of Health:

In any other Place wherein a Council exists or shall exist, the Mayor, Aldermen, and Burgesses by the Council, except in the City of *London* and the Liberties thereof, where the Local Authority shall be the Commissioners of Sewers for the Time being; and except in the City of *Oxford* and Borough of *Cambridge*, where the Local Authority shall be the Commissioners acting in execution of the Local Improvement Acts in force respectively in the said City and Borough:

In any Place in which there is no Local Board of Health or Council, and where there are or shall be Trustees or Commissioners under an Improvement Act, such Trustees or Commissioners:

In any Place within which there is no such Local Board of Health nor Council, Body of Trustees, or Commissioners, and where there is or shall be a Board for the Repair of the Highways of such Place, that Board:

In any Place where there is no such Local Board of Health, Council, Body of Trustees, or Commissioners, nor Highway Board, a Committee for carrying this Act into execution, by the Name of "The Nuisances Removal Committee," of which the Surveyor or Surveyors of Highways for the Time

Time being of such Place shall be *ex officio* a Member or Members, may be annually chosen by the Vestry on the same Day as the Overseers or Surveyors of Highways, and the first of such Committees may be chosen at a Vestry to be specially held for that Purpose; and such Committee may consist of such Number of Members as the Vestry shall determine, not being more than Twelve, exclusive of such Surveyor or Surveyors, and of such Committee Three shall be a Quorum:

In any Place wherein there is no such Local Board of Health, Council, Body of Trustees or Commissioners, Highway Board or Committee appointed as aforesaid, and wherein there is or shall be a Board of Inspectors for Lighting and Watching under the Act 3 & 4 W. 4. c. 90., that Board with the Surveyors of Highways:

In any Place in which there is no such Local Board of Health, Council, Body of Trustees, or Commissioners, nor Highway Board, nor Committee appointed as aforesaid, nor Board of Inspectors for Lighting and Watching, the Guardians and Overseers of the Poor and the Surveyors of the Highways in and for such Place.

As to filling up Vacancies.

IV. On any Vacancy in such Nuisances Removal Committee arising from Death, Change of Residence or otherwise, Notice shall be given by the Committee to the Churchwardens, who shall forthwith summon a Meeting of the Vestry, and fill up such Vacancy by Election; and until such Vacancy is filled up, the remaining Members of the Committee may act in all respects as if their Number was complete.

Power to Local Authority to appoint Committees.

V. The Local Authority may appoint any Committee of their own Body to receive Notices, take Proceedings, and in all or certain specified respects execute this Act, whereof Two shall be a Quorum; and such Local Authority, or their Committee, may, in each particular Case, by Order in Writing under the Hand of the Chairman of such Body or Committee, empower any Officer or Person to make Complaints and take Proceedings on their Behalf.

As to the Execution of this Act in Extra-parochial Places.

VI. In Extra-parochial Places not comprised within the Jurisdiction of any of the Local Authorities aforesaid, and having a Population of not less than Two hundred Persons, the Local Authority for the Execution of this Act shall be a Nuisances Removal Committee, elected annually by the Householders within the Extra-parochial Place:

The First Election of such Committee shall take place at a Meeting of such Householders summoned for that Purpose by the Churchwardens of the adjacent Place having the largest common Boundary with such Extra-parochial Place; and

Subsequent Elections shall be held annually on some Day in *Easter* Week at Meetings summoned by the Chairman of the Local Authority for the Year preceding:

Extra-parochial Places not so comprised as aforesaid, and having a Population of less than Two hundred Persons, shall, for the Purpose of this Act, be attached to and form Part of the adjacent Place having the largest common Boundary with the Extra-parochial Place, and Notice of Vestry Meetings for the Election of a Local Authority under and for the Purposes of this Act shall be given in such Extra-parochial Places, and the Householders within such Places may attend such Vestry Meetings, and vote on such Elections.

As to defraying Expenses of executing this Act.

VII. All Charges and Expenses incurred by the Local Authority in executing this Act, and not recovered, as by this Act provided, may be defrayed as follows; to wit,

Out of General District Rates, where the Local Authority is a Local Board of Health;

Out of the Borough Fund or Borough Rate, where the Local Authority is the Mayor, Aldermen, and Burgesses by the Council, or if there be an Improvement Act for the Borough administered by the Council, then out of Rates levied thereunder applicable to the Purposes of such Improvement Act; or in the City of *London* and the Liberties thereof, any Rates or Funds administered by the Commissioners of Sewers for the said City and Liberties;

Provided always, that in the City of *Oxford* and Borough of *Cambridge* such Expenses shall be deemed annual Charges and Expenses of cleansing the Streets of the said City and Borough respectively, and shall be so payable;

Out of the Rates levied for Purposes of Improvement under any Improvement Act, where the Local Authority is a Body of Trustees or Commissioners acting in execution of the Powers of such an Act;

Out of Highway Rates, or any Fund applicable in aid or in lieu thereof, where the Local Authority is a Highway Board, or a Nuisances Removal Committee;

Out of the Rates for Lighting and Watching, where the Local Authority is a Board of Inspectors appointed for Lighting and Watching;

And if there be no such Rates or Funds, or if the Local Authority be the Guardians and Surveyors of Highways, then out of the Rates or Funds applicable to the Relief of the Poor of the Parish or Place wherein such Rates or Funds are collected or arise, if such Parish or Place be co-extensive with the District within which the Charges and Expenses are incurred, but if such Parish or Place be now or hereafter shall be partly comprised within and partly without the Limits of a Place where a Local Authority, other than a Highway Board, Nuisance Removal Committee, Inspectors of Watching and Lighting, and Surveyors or Guardians and Surveyors, exists or shall exist, all the Charges and Expenses incurred in the District comprising that Part of the Parish or Place which is excluded from such Limits shall be defrayed out of any Highway Rate or Rates, or any Funds

PART I. *Constitution of Local Authority, Expenses, Description of Nuisances, and Powers of Entry.*

applicable in lieu thereof, collected or raised within the Part so excluded; and if there be more than One Highway Rate collected within such District, the Local Authority shall settle the Proportion in which the respective Parties or Places liable thereto shall bear such Charges and Expenses; and if any Portion of such excluded Part be exempt from such Highway Rate or Rates, then all the Charges and Expenses incurred in the whole of such excluded Part shall be defrayed out of any District Police Rate or other Rate which may by the Act 12 & 13 Vict. Cap. 65. be raised and assessed upon such excluded Part:

And when the Local Authority has not Control of such Rates or Funds, the Officer or Person having the Custody or Control thereof shall pay over the Amount to the Local Authority, on the Order of Two Justices, directed to such Officer or Person; and on Neglect or Refusal to pay the Sum specified in such Order for Six Days after the Service thereof, the same may, by Warrant under the Hands of the same or any Two Justices, be levied by Distress and Sale of the Goods and Chattels of the Officer or Person in default, and such Levy shall include the Costs of such Distress and Sale:

In Extra-parochial Places having a Population of not less than Two hundred Persons, out of a Rate assessed by the Local Authoriy on all such Property in the Place as would be assessable to Highway Rate if such Rate were levied therein:

In Extra-parochial Places having a Population of less than Two hundred Persons, out of a similar Rate assessed by the Surveyor of Highways of the adjacent Place having the largest common Boundary with such Extra-parochial Place:

And the Local Authority in the First Case, and the Surveyor of Highways in the Second, may levy and collect the Sums so assessed, in the same Manner, and with the same Remedies in case of any Default in Payment thereof, and with the same Right of Appeal against the Amount of such Assessment reserved to the Person assessed, as are provided by the Law in force for the Time being with regard to Rates for the Repair of Highways.

What are deemed Nuisances under this Act.

VIII. The Word "Nuisances" under this Act shall include—

Any Premises in such a State as to be a Nuisance or injurious to Health:

Any Pool, Ditch, Gutter, Watercourse, Privy, Urinal, Cesspool, Drain, or Ashpit so foul as to be a Nuisance or injurious to Health:

Any Animal so kept as to be a Nuisance or injurious to Health:

Any Accumulation or Deposit which is a Nuisance or injurious to Health:

Provided always, that no such Accumulation or Deposit as shall be necessary for the effectual carrying on of any Business or Manufacture shall be punishable as a Nuisance under this Section, when it is proved to the Satisfaction of the Justices that the Accumulation or Deposit has not been kept longer than is necessary for the Purposes of such Business or Manufacture, and that the best available Means have been taken for protecting the Public from Injury to Health thereby.

Power to Local Authority to appoint a Sanitary Inspector, and allow him a proper Salary.

IX. The Local Authority shall, for the Purposes of this Act, appoint or employ, or join with other Local Authorities in appointing or employing, a Sanitary Inspector or Inspectors, and may appoint a convenient Place for his or their Office, and may allow to every such Person, on account of his Employment, a proper Salary or Allowance; and where Local Authorities join in such Appointment or Employment they may apportion among themselves the Payment of such Salary or Allowance: Provided always, that where the Local Authority has already appointed an Officer who executes the Duties of such Inspector under any Improvement Act, it shall not be necessary to appoint any other Inspector under this Act, but the Inspector acting in execution of the Improvement Act shall have all the Powers, Authorities, and Privileges granted to any Inspector appointed under this Act.

Notice of Nuisances to be given to Local Authority, &c. to ground Proceedings.

X. Notice of Nuisance may be given to the Local Authority by any Person aggrieved thereby, or by any of the following Persons; the Sanitary Inspector or any paid Officer under the said Local Authority; Two or more Inhabitant Householders of the Parish or Place to which the Notice relates; the Relieving Officer of the Union or Parish; any Constable or any Officer of the Constabulary or Police Force of the District or Place; and in case the Premises be a Common Lodging House, any Person appointed for the Inspection of Common Lodging Houses; and the Local Authority may take Cognizance of any such Nuisance after Entry made as herein-after provided, or in conformity with any Improvement Act under which the Inspector has been appointed.

Power of Entry to Local Authority or their Officer.

XI. The Local Authority shall have Power of Entry for the following Purposes of this Act, and under the following Conditions:—

1. To ground Proceedings.

For this Purpose, when they or any of their Officers have reasonable Grounds for believing that a Nuisance exists on any private Premises, Demand may be made by them or their Officer, on any Person having Custody of the Premises, of Admission to inspect the same, at any Hour between Nine in the Morning and Six in the Evening; and if Admission be not granted, any Justice having Jurisdiction in the Place may, on Oath made before him of Belief in the Existence of the Nuisance, and after reasonable Notice of the intended Application to such Justice being given in Writing to the Party on whose Premises the Nuisance is believed to exist, by Order under his Hand, require the Person having the Custody of the Premises to admit the Local Authority or their Officer; and if no Person having Custody of the Premises can be discovered, any such Justice may and shall, on Oath made before him

of

of Belief in the Existence of such Nuisance, and of the Fact that no Person having Custody of the Premises can be discovered, by Order under his Hand authorize the Local Authority or their Officers to enter the Premises between the Hours aforesaid.

2. To examine Premises where Nuisances exist, to ascertain the Course of Drains, and to execute or inspect Works ordered by Justices to be done under this Act.

For these Purposes, whenever, under the Provisions of this Act, a Nuisance has been ascertained to exist, or when an Order of Abatement or Prohibition under this Act has been made, or when it becomes necessary to ascertain the Course of a Drain, the Local Authority may enter on the Premises, by themselves or their Officers, between the Hours aforesaid, until the Nuisance shall have been abated, or the Course of the Drain shall have been ascertained, or the Works ordered to be done shall have been completed, as the Case may be.

3. To remove or abate a Nuisance in case of Noncompliance with or Infringement of the Order of Justices, or to inspect or examine any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour, under the Powers and for the Purposes of this Act.

For this Purpose the Local Authority or their Officer may from Time to Time enter the Premises where the Nuisance exists, or the Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is found, at all reasonable Hours, or at all Hours during which Business is carried on on such Premises, without Notice.

PART II.

PART II. *With regard to Removal of Nuisances.*

With regard to the Removal of Nuisances, be it enacted thus:

Proceedings by Local Authority before Justices in the Case of Nuisances likely to recur, &c.

XII. In any Case where a Nuisance is so ascertained by the Local Authority to exist, or where the Nuisance in their Opinion did exist at the Time when the Notice was given, and, although the same may have been since removed or discontinued, is in their Opinion likely to recur, or to be repeated on the same Premises or any Part thereof, they shall cause Complaint thereof to be made before a Justice of the Peace; and such Justice shall thereupon issue a Summons requiring the Person by whose Act, Default, Permission, or Sufferance the Nuisance arises or continues, or if such Person cannot be found or ascertained, the Owner or Occupier of the Premises on which the Nuisance arises, to appear before any Two Justices, in Petty Sessions assembled, at their usual Place of Meeting, who shall proceed to inquire into the said Complaint; and if it be proved to their Satisfaction that the Nuisance exists, or did exist at the Time when the Notice was given, or, if removed or discontinued since the Notice was given, that it is likely to recur or to be repeated, the Justices shall make an Order in Writing under their Hands and Seals on such Person, Owner, or Occupier for the Abatement or Discontinuance and Prohibition of the Nuisance as herein-after mentioned, and shall also make an Order for the Payment of all Costs incurred up to the Time of hearing or making the Order for Abatement or Discontinuance or Prohibition of the Nuisance.

If proved to Justices that Nuisance exists, &c., they shall issue Order for Abatement, &c.

Justices Order for Abatement.

XIII. By their Order the Justices may require the Person on whom it is made, to provide sufficient Privy Accommodation, Means of Drainage or Ventilation, or to make safe and habitable, or to pave, cleanse, whitewash, disinfect, or purify the Premises which are a Nuisance or injurious to Health, or such Part thereof as the Justices may direct in their Order, or to drain, empty, cleanse, fill up, amend, or remove the injurious Pool, Ditch, Gutter, Watercourse, Privy, Urinal, Cesspool, Drain, or Ashpit which is a Nuisance or injurious to Health, or to provide a Substitute for that complained of, or to carry away the Accumulation or Deposit which is a Nuisance or injurious to Health, or to provide for the cleanly and wholesome keeping of the Animal kept so as to be a Nuisance or injurious to Health, or if it be proved to the Justices to be impossible so to provide, then to remove the Animal, or any or all of these Things (according to the Nature of the Nuisance), or to do such other Works or Acts as are necessary to abate the Nuisance complained of, in such Manner and within such Time as in such Order shall be specified; and if the Justices are of opinion that such or the like Nuisance is likely to recur, the Justices may further prohibit the Recurrence of it, and direct the Works necessary to prevent such Recurrence, as the Case may in the Judgment of such Justices require; and if the Nuisance proved to exist be such as to render a House or Building, in the Judgment of the Justices, unfit for Human Habitation, they may prohibit the using thereof for that Purpose until it is rendered fit for that Purpose in the Judgment of the Justices, and on their being satisfied that it has been rendered fit for such Purpose, they may determine their previous Order by another declaring such House habitable, from the Date of which other Order such House may be let or inhabited.

Prohibitive Order against future Nuisance.

XIV. Any Person not obeying the said Order for Abatement shall, if he fail to satisfy the Justices that he has used all due Diligence to carry out such Order, be liable for every such Offence to a Penalty of not more than Ten Shillings *per* Day during his Default; and any Person knowingly and wilfully acting contrary to the said Order of Prohibition shall be liable for every such Offence to a Penalty not exceeding Twenty Shillings *per* Day during such contrary Action; and the Local Authority may, under the Powers of Entry given by this Act, enter the Premises to which the Order relates, and remove or abate the Nuisance condemned or prohibited, and do whatever may be necessary in execution of such Order, and charge the Cost to the Person on whom the Order is made as herein-after provided.

Penalty for Contravention of Order of Abatement, &c.

Local Authority may enter and remove or abate Nuisance.

XV. Any such Order of Prohibition may be appealed against as provided in this Act.

Appeal against Order of Prohibition.

XVI. When

PART II. *With regard to Removal of Nuisances.*

Appeal against Order of Abatement when structural Works are required.

XVI. When it shall appear to the Justices that the Execution of structural Works is required for the Abatement of a Nuisance, they may direct such Works to be carried out under the Direction or with the Consent or Approval of any Public Board, Trustees, or Commissioners having Jurisdiction in the Place in respect of such Works; and if within Seven Days from the Date of the Order the Person on whom it is made shall have given Notice to the Local Authority of his Intention to appeal against it as provided in this Act, and shall have entered into Recognizances to try such Appeal as provided by this Act, and shall appeal accordingly, no Liability to Penalty shall arise, nor shall any Work be done nor Proceedings taken under such Order, until after the Determination of such Appeal, unless such Appeal cease to be prosecuted.

If Person cannot be found, Local Authority to execute Order.

XVII. Whenever it appears to the Satisfaction of the Justices that the Person by whose Act or Default the Nuisance arises, or the Owner or Occupier of the Premises, is not known or cannot be found, then such Order may be addressed to and executed by such Local Authority, and the Cost defrayed out of the Rates or Funds applicable to the Execution of this Act.

Manure, &c. to be sold.

XVIII. Any Matter or Thing removed by the Local Authority in pursuance of this Enactment may be sold by Public Auction, after not less than Five Days Notice by Posting Bills distributed in the Locality, unless in Cases where the Delay would be prejudicial to Health, when the Justices may direct the immediate Removal, Destruction, or Sale of the Matter or Thing; and the Money arising from the Sale, retained by the Local Authority, and applied in Payment of all Expenses incurred under this Act with reference to such Nuisance, and the Surplus, if any, shall be paid, on Demand, by the Local Authority, to the Owner of such Matter or Thing.

Costs and Expenses of Works to be paid by Person on whom Order is made, or Owner or Occupier.

XIX. All reasonable Costs and Expenses from Time to Time incurred in making a Complaint, or giving Notice or in obtaining an Order of Justices under this Act, or in carrying the same into effect under this Act, shall be deemed to be Money paid for the Use and at the Request of the Person on whom the Order is made; or if the Order be made on the Local Authority, or if no Order be made, but the Nuisance be proved to have existed when the Complaint was made or the Notice given, then of the Person by whose Act or Default the Nuisance was caused; and in case of Nuisances caused by the Act or Default of the Owner of Premises, the said Premises shall be and continue chargeable with such Costs and Expenses, and also with the Amount of any Penalties incurred under this Act, until the same be fully discharged, provided that such Costs and Expenses shall not exceed in the whole One Year's Rack-rent of the Premises; and such Costs and Expenses and Penalties, together with the Charges of suing for the same, may be recovered in any County or Superior Court, or, if the Local Authority think fit, before any Two Justices of the Peace; and the said Justices shall have Power to divide such Costs, Expenses, and Penalties between the Persons by whose Act or Default the Nuisance arises, in such Manner as they shall consider reasonable; and if it appear to them that a Complaint made under this Act is frivolous or unfounded, they may order the Payment by the Local Authority or Person making the Complaint of the Costs incurred by the Person against whom the Complaint is made, or any Part thereof.

Proceedings before Justices to recover Expenses.

XX. Where any Costs, Expenses, or Penalties are due under or in consequence of any Order of Justices made in pursuance of this Act as aforesaid, any Justice of the Peace, upon the Application of the Local Authority, shall issue a Summons requiring the Person from whom they are due, to appear before Two Justices at a Time and Place to be named therein; and upon Proof, to the Satisfaction of the Justices present, that any such Costs, Expenses, or Penalties are so due, such Justices, unless they think fit to excuse the Party summoned upon the Ground of Poverty or other special Circumstances, shall, by Order in Writing under their Hands and Seals, order him to pay the Amount to the Local Authority at once, or by such Instalments as the Justices think fit, together with the Charges attending such Application and the Proceedings thereon; and if the Amount of such Order, or any Instalment thereof, be not paid within Fourteen Days after the same is due, the same may, by Warrant of the said or other Justices, be levied by Distress and Sale.

Surveyors of Highways to cleanse Ditches, &c., paying Owners, &c. for Damages.

XXI. All Surveyors and District Surveyors may make, scour, cleanse, and keep open all Ditches, Gutters, Drains, or Watercourses in and through any Lands or Grounds adjoining or lying near to any Highway, upon paying the Owner or Occupier of such Lands or Grounds, provided they are not Waste or Common, for the Damages which he shall thereby sustain, to be settled and paid in such Manner as the Damages for getting Materials in inclosed Lands or Grounds are directed to be settled and paid by the Law in force for the Time being with regard to Highways.

Power to Local Authority to cover and improve open Ditches, &c.

XXII. Whenever any Ditch, Gutter, Drain, or Watercourse used or partly used for the Conveyance of any Water, Filth, Sewage, or other Matter from any House, Buildings, or Premises is a Nuisance within the Meaning of this Act, and cannot, in the Opinion of the Local Authority, be rendered innocuous, without the laying down of a Sewer, or of some other Structure along the same or Part thereof, or instead thereof, such Local Authority shall and they are hereby required to lay down such Sewer or other Structure, and to keep the same in good and serviceable Repair, and they are hereby declared to have the same Powers as to entering Lands for the Purposes thereof, and to be entitled to recover the same Penalties in case of Interference, as are contained in the Sixty-seventh and Sixty-eighth Sections of the Act passed in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Highways in* England; and such Local Authority

5 & 6 W. 4. c. 50. ss. 67, 68.

rity are hereby authorized and empowered to assess every House, Building, or Premises then or at any Time thereafter using, for the Purposes aforesaid, the said Ditch, Gutter, Drain, Watercourse, Sewer, or other Structure, to such Payment, either immediate or annual, or distributed over a Term of Years, as they shall think just and reasonable, and, after Fourteen Days Notice at the least, left on the Premises so assessed, to levy and collect the Sum and Sums so assessed in the same Manner, and with the same Remedies in case of Default in Payment thereof, as Highway Rates are by the Law in force, for the Time being, leviable and collectable, and with the same Right and Power of Appeal against the Amount of such Assessment reserved to the Person or Persons so assessed, as by the Law for the Time being in force, shall be given against any Rate made for the Repair of the Highways; and the Provisions contained in this Section shall be deemed to be Part of the Law relating to Highways in *England:* Provided always, that where such Ditch, Gutter, Drain, or Watercourse shall, as to Parts thereof, be within the Jurisdiction of different Local Authorities, this Enactment shall apply to each Local Authority only as to so much of the Works hereby required, and the Expenses thereof, as is included within the respective Jurisdiction of that Authority: Provided also, that such Assessment shall in no Case exceed a Shilling in the Pound on the Assessment to the Highway Rate, if any.

Penalty for causing Water to be corrupted by Gas Washings.

XXIII. Any Person or Company engaged in the Manufacture of Gas who shall at any Time cause or suffer to be brought or to flow into any Stream, Reservoir, or Aqueduct, Pond or Place for Water, or into any Drain communicating therewith, any Washing or other Substance produced in making or supplying Gas, or shall wilfully do any Act connected with the making or supplying of Gas whereby the Water in any such Stream, Reservoir, Aqueduct, Pond or Place for Water shall be fouled, shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for in Superior Courts within Six Months.

XXIV. Such Penalty may be recovered, with full Costs of Suit, in any of the Superior Courts, by the Person into whose Water such Washing or other Substance shall be conveyed or shall flow, or whose Water shall be fouled by any such Act as aforesaid, or if there be no such Person, or in default of Proceedings by such Person, after Notice to him, from the Local Authority, of their Intention to proceed for such Penalty, by the Local Authority; but such Penalty shall not be recoverable unless it be sued for during the Continuance of the Offence, or within Six Months after it shall have ceased.

Daily Penalty during the Continuance of the Offence.

XXV. In addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not), the Person or Company so offending shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day during which such Washing or other Substance shall be brought or shall flow as aforesaid, or during which the Act by which such Water shall be fouled shall continue, after the Expiration of Twenty-four Hours from the Time when Notice of the Offence shall have been served on such Person or Company by the Local Authority, or the Person into whose Water such Washing or other Substance shall be brought or flow, or whose Water shall be fouled thereby, and such Penalty shall be paid to the Parties from whom such Notice shall proceed; and all Monies recovered by a Local Authority under this or the preceding Section shall, after Payment of any Damage caused by the Act for which the Penalty is imposed, be applied towards defraying the Expenses of executing this Act.

Penalty on Sale of unwholesome Meat, &c.

XXVI. The Sanitary Inspector may at all reasonable Times inspect and examine any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour exposed for Sale, or in the course of, or on their Way to slaughtering, dressing, or Preparation for Sale or Use, or landed from any Ship or Vessel in any Port in *England;* and in case any such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour appear to him to be unfit for such Food the same may be seized; and if it appear to a Justice that any such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour is unfit for the Food of Man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for Sale or used for such Food; and the Person to whom such Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, Vegetables, Corn, Bread, or Flour belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding Ten Pounds for every Carcase, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, or for the Parcel of Fruit, Vegetables, Corn, Bread, or Flour so found.

As to Nuisances arising in Cases of noxious Trades, Businesses, Processes, or Manufactures.

XXVII. If any Candle House, Melting House, Melting Place, or Soaphouse, or any Slaughter-house, or any Building or Place for boiling Offal or Blood, or for boiling, burning, or crushing Bones, or any Manufactory, Building, or Place used for any Trade, Business, Process, or Manufacture causing Effluvia, be at any Time certified to the Local Authority by any Medical Officer, or any Two legally qualified Medical Practitioners, to be a Nuisance or injurious to the Health of the Inhabitants of the Neighbourhood, the Local Authority shall direct Complaint to be made before any Justice, who may summon before any Two Justices in Petty Sessions assembled at their usual Place of Meeting, the Person by or in whose Behalf the Work so complained of is carried on, and such Justices shall inquire into such Complaint, and if it shall appear to such Justices that the Trade or Business carried on by the Person complained against is a Nuisance, or causes any Effluvia injurious to the Health of the Inhabitants of the Neighbourhood, and that such Person shall not have used the best practicable Means for abating such Nuisance or preventing or counteracting such Effluvia, the Person so offending (being the Owner or Occupier of the Premises, or being a Foreman or other Person employed by such Owner or Occupier,) shall, upon a summary Conviction for such Offence, forfeit and pay a Sum of not more than Five Pounds nor less than

PART II. *With regard to Removal of Nuisances.*

than Forty Shillings, and upon a Second Conviction for such Offence the Sum of Ten Pounds, and for each subsequent Conviction a Sum double the Amount of the Penalty imposed for the last preceding Conviction, but the highest Amount of such Penalty shall not in any Case exceed the Sum of Two hundred Pounds: Provided always, that the Justices may suspend their final Determination in any such Case, upon Condition that the Person so complained against shall undertake to adopt, within a reasonable Time, such Means as the said Justices shall judge to be practicable and order to be carried into effect for abating such Nuisance, or mitigating or preventing the injurious Effects of such Effluvia, or shall give Notice of Appeal in the Manner provided by this Act, and shall enter into Recognizances to try such Appeal, and shall appeal accordingly: Provided always, that the Provisions herein-before contained shall not extend or be applicable to any Place without the Limits of any City, Town, or populous District.

Reference to Superior Court at the Option of the Party complained against.

XXVIII. Provided also, That if, upon his Appearance before such Justices, the Party complained against object to have the Matter determined by such Justices, and enter into Recognizances, with sufficient Sureties, to be approved by the Justices, to abide the Event of any Proceedings at Law or in Equity that may be had against him on account of the Subject Matter of Complaint, the Local Authority shall thereupon abandon all Proceedings before the Justices, and shall forthwith take Proceedings at Law or in Equity in Her Majesty's Superior Courts for preventing or abating the Nuisance complained of.

On Certificate of Medical Officer that House is overcrowded, Proceedings may be taken, &c.

XXIX. Whenever the Medical Officer of Health, if there be One, or if none, whenever Two qualified Medical Practitioners, shall certify to the Local Authority that any House is so overcrowded as to be dangerous or prejudicial to the Health of the Inhabitants, and the Inhabitants shall consist of more than One Family, the Local Authority shall cause Proceedings to be taken before the Justices to abate such overcrowding, and the Justices shall thereupon make such Order as they may think fit, and the Person permitting such overcrowding shall forfeit a Sum not exceeding Forty Shillings.

Local Authority to order Costs of Prosecutions to be paid out of the Rates.

XXX. The Local Authority may, within the Area of their Jurisdiction, direct any Proceedings to be taken at Law or in Equity in Cases coming within the Purview of this Act, and may order Proceedings to be taken for the Recovery of any Penalties, and for the Punishment of any Persons offending against the Provisions of this Act, or in relation to Appeals under this Act, and may order the Expenses of all such Proceedings to be paid out of the Rates or Funds administered by them under this Act.

PART III.

PART III. *As to Procedure under this Act.*

And with regard to Procedure under this Act, be it enacted, That

Service of Notices, Summonses, and Orders.

XXXI. Notices, Summonses, and Orders under this Act may be served by delivering the same to or at the Residence of the Persons to whom they are respectively addressed, and where addressed to the Owner or Occupier of Premises, they may also be served by delivering the same, or a true Copy thereof to some Person upon the Premises, or if there be no Person upon the Premises who can be so served, by fixing the same upon some conspicuous Part of the Premises, or if the Person shall reside at a Distance of more than Five Miles from the Office of the Inspector, then by a registered Letter through the Post.

Proof of Resolutions of Local Authority.

XXXII. Copies of any Orders or Resolutions of the Local Authority or their Committee, purporting to be signed by the Chairman of such Body or Committee, shall, unless the contrary be shown, be received as Evidence thereof, without Proof of their meeting, or of the official Character or Signature of the Person signing the same.

As to Proceedings taken against several Persons for the same Offence.

XXXIII. Where Proceedings under this Act are to be taken against several Persons in respect of One Nuisance caused by the joint Act or Default of such Persons, it shall be lawful for the Local Authority to include such Persons in One Complaint, and for the Justices to include such Persons in One Summons, and any Order made in such a Case, may be made upon all or any Number of the Persons included in the Summons, and the Costs may be distributed as to the Justices may appear fair and reasonable.

One or more joint Owners or Occupiers may be proceeded against alone.

XXXIV. In case of any Demand or Complaint under this Act to which Two or more Persons, being Owners or Occupiers of Premises, or partly the one, or partly the other, may be answerable jointly or in common or severally, it shall be sufficient to proceed against any one or more of them without proceeding against the others or other of them; but nothing herein contained shall prevent the Parties so proceeded against from recovering Contribution in any Case in which they would now be entitled to Contribution by Law.

Designation of "Owner" or "Occupier."

XXXV. Whenever, in any Proceeding under this Act, whether written or otherwise, it shall become necessary to mention or refer to the Owner or Occupier of any Premises, it shall be sufficient to designate him as the "Owner" or "Occupier" of such Premises, without Name or further Description.

Penalty for obstructing Execution of this Act.

XXXVI. Whoever refuses to obey an Order of Justices under this Act for Admission on Premises of the Local Authority or their Officers, or wilfully obstructs any Person acting under the Authority or employed in the Execution of this Act, shall be liable for every such Offence to a Penalty not exceeding Five Pounds.

Penalty on Occupier obstructing Owner.

XXXVII. If the Occupier of any Premises prevent the Owner thereof from obeying or carrying into effect the Provisions of this Act, any Justice, to whom Application is made in this Behalf, shall by Order in Writing require such Occupier to desist from such Prevention, or to permit the Execution of the Works required to be executed, provided that such Works appear to such Justice to be necessary for the

the Purpose of obeying or carrying into effect the Provisions of this Act; and if within Twenty-four Hours after the Service of such Order the Occupier against whom it is made do not comply therewith, he shall be liable to a Penalty not exceeding Five Pounds for every Day afterwards during the Continuance of such Non-compliance.

Penalties and Expenses recoverable under 11 & 12 Vict. c. 43.

XXXVIII. Penalties imposed by this Act for Offences committed, and Sums of Money ordered to be paid under this Act may be recovered by Persons thereto competent in *England* according to the Provisions of the Act of the Eleventh and Twelfth Years of the present Reign, Chapter Forty-three; and all Penalties recovered by the Local Authority under this Act shall be paid to them, to be by them applied in aid of their Expenses under this Act.

Proceedings not to be quashed for Want of Form.

XXXIX. No Order, nor any other Proceeding, Matter, or Thing done or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside for Want of Form, nor shall any Order, nor any other Proceeding, Matter, or Thing done or transacted in relation to the Execution of this Act, be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of the Superior Courts; and Proceedings under this Act against several Persons included in One Complaint shall not abate by reason of the Death of any among the Persons so included, but all such Proceedings may be carried on as if the deceased Person had not been originally so included.

Appeals under this Act to be to Quarter Sessions.

XL. Appeals under this Act shall be to the Court of Quarter Sessions held next after the making of the Order appealed against; but the Appellant shall not be heard in support of the Appeal unless, within Fourteen Days after the making of the Order appealed against, he give to the Local Authority Notice in Writing stating his Intention to bring such Appeal, together with a Statement in Writing of the Grounds of Appeal, and shall, within Two Days of giving such Notice, enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the said Court, and to abide the Order of, and pay such Costs as shall be awarded by the Justices at such Court or any Adjournment thereof; and the said Court, upon hearing and finally determining the Matter of the Appeal, may, according to its Discretion, award such Costs to the Party appealing or appealed against as they shall think proper; and its Determination in or concerning the Premises shall be conclusive and binding on all Persons to all Intents or Purposes whatsoever: Provided always, that if there be not Time to give such Notice and enter into such Recognizance as aforesaid, then such Appeal may be made to, and such Notice, Statement, and Recognizance be given and entered into for, the next Sessions at which the Appeal can be heard; provided also, that on the Hearing of the Appeal, no Grounds of Appeal shall be gone into or entertained other than those set forth in such Statement as aforesaid; provided also, that in any Case of Appeal the Court of Quarter Sessions may, if they think fit, state the Facts specially for the Determination of Her Majesty's Court of Queen's Bench, in which Case it shall be lawful to remove the Proceedings, by Writ of Certiorari or otherwise, into the said Court of Queen's Bench.

Forms to be used as in Schedule.

XLI. The Forms contained in the Schedule to this Act annexed, or any Forms to the like Effect, varied as Circumstances may require, may be used for Instruments under this Act, and shall be sufficient for the Purpose intended.

As to Protection of Local Authority and its Officers.

XLII. The Local Authority, and any Officer or Person acting under the Authority, and in execution or intended Execution of this Act, shall be entitled to such Protection and Privilege in Actions and Suits, and such Exemption from personal Liability, as are granted to Local Boards of Health and their Officers by the Law in force for the Time being.

Act not to impair Jurisdiction of Sewers Commissioners, or Common Law Remedies for Nuisance, or Jurisdiction of Local Authority as to the Nuisances referred to in this Act.

XLIII. Nothing in this Act shall be construed to affect the Provisions of any Local Act as to Matters included in this Act, nor to impair, abridge, or take away any Power, Jurisdiction, or Authority which may at any Time be vested in any Commissioners of Sewers or of Drainage, or to take away or interfere with any Course of Proceedings which might be resorted to or adopted by such Commissioners if this Act had not passed, nor to impair any Power of abating Nuisances at Common Law, nor any Jurisdiction in respect of Nuisances that may be possessed by any Authority under the Act intituled *An Act to abate the Nuisances arising from the Smoke of Furnaces in the Metropolis, and from Steam Vessels above* London Bridge, or the Common Lodging Houses Acts, the Act for the Regulation of Municipal Corporations, the Public Health Act, or any Improvement Act respectively, or any Acts incorporated with such Acts, and Authorities may respectively proceed for the Abatement of Nuisances, or in respect of any other Matter or Thing herein-before provided or referred to, either under the Acts mentioned in this Section or any other Act conferring Jurisdiction in respect of the Nuisances referred to in this Act, or any Byelaws framed under any such Act, as they may think fit; and the Local Authorities constituted under and for the Purposes of the Common Lodging House Acts, 1851 and 1853, shall for the Purposes of those Acts have all the Powers of Local Authorities under this Act.

Act not to affect Navigation of Rivers or Canals.

XLIV. Nothing herein contained shall enable any Local Authority, Surveyor of Highways, or other Person, either with or without any Order of Justices, to injuriously affect the Navigation of any River or Canal, or to divert or diminish any Supply of Water of Right belonging to any such River or Canal; and the Provisions of this Act shall not extend or be construed to extend to Mines of different Descriptions, so as to interfere with or obstruct the efficient working of the same, or to the smelting of Ores and Minerals, or to the manufacturing of the Produce of such Ores and Minerals.

Saving as to Rights of Millowners, &c.

XLV. No Power given by this Act shall be exercised in such Manner as to injuriously affect the Supply, Quality, or Fall of Water contained in any Reservoir or Stream, or any Feeders of such Reservoir

PART III. *As to Procedure under this Act.*

voir or Stream, belonging to or supplying any Waterwork established by Act of Parliament, or in Cases where any Company or Individual are entitled for their own Benefit to the Use of such Reservoir or Stream, or to the Supply of Water contained in such Feeders, without the Consent in Writing of the Company or Corporation in whom such Waterworks may be vested, or of the Parties so entitled to the Use of such Reservoirs, Streams, and Feeders, and also of the Owners thereof in Cases where the Owners and Parties so entitled are not the same Person.

Short Title.

XLVI. In citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to use the Words "The Nuisances Removal Act for *England*, 1855."

SCHEDULE OF FORMS.

FORM (A.)

Order of Justices for Admission of Officer of Local Authority to inspect private Premises.

WHEREAS [*describe the Local Authority*] have by their Officer [*naming him*] made Application to me *A.B.*, One of Her Majesty's Justices of the Peace having Jurisdiction in and for [*describe the Place*], and the said Officer has made Oath to me of his Belief that a Nuisance, within the Meaning of the Nuisances Removal Act for England, 1855, viz. [*describe Nuisance*], exists on private Premises at [*describe Situation of Premises so as to identify them*], within my Jurisdiction, and Demand of Admission to such Premises for the Inspection thereof has been duly made under the said Act, and refused:

Now, therefore, I the said *A.B.* do hereby require you to admit the said [*name the Local Authority*], [*or* the Officer of the said (*Local Authority*)], for the Purpose of inspecting the said Premises.

Dated this Day of 18 .

A.B.

FORM (B.)

Notice of Nuisance.

To the Local Authority (*describing it*).

I [*or* We], the Person aggrieved by the Nuisance herein-after described [*or* the undersigned and described Inhabitant Householders, Sanitary Inspector, *or other Officer* (*describing him*)], do hereby give you Notice, That there exists in or upon the [Dwelling House, Yard, *etc., as the Case may be*], situate at [*giving such Description as may be sufficient to identify the Premises*], in the Parish of in your District, under the Nuisances Removal Act, 1855, the following Nuisance, videlicet, [*describing the Nuisance, as the Case may be; for instance,* a Dwelling House or Building a Nuisance or injurious to Health for Want of a Privy *or* Drain *or* sufficient Means of Ventilation, *or* so dilapidated *or* so filthy as to be a Nuisance or injurious to Health, *or, for further instance,* a Ditch *or* Drain so foul as to be a Nuisance or injurious to Health, *or* an Accumulation of a Nuisance or injurious to Health, *&c., or* Swine so kept as to be a Nuisance or injurious to Health]; and that such Nuisance is caused by [*naming the Person by whose Act or Default the Nuisance is caused, or* by some Person unknown].

Dated this Day of in the Year of our Lord One thousand eight hundred and .

[*Signed by Complainant under Section* 10.]

FORM (C.)

Notice to Owner or Occupier of Entry for Examination.

To the Owner [*or* Occupier, *as the Case may be,*] of [*describe the Premises*] situate at [*insert a Description sufficient to identify the Premises*].

TAKE notice, That, under the Nuisances Removal Act for England, 1855, the [*Local Authority, naming it,*] in whose District under the said Act the above Premises are situate, have received a Notice from [*name Complainant*], stating that in or upon the said Premises [*insert the Cause of Nuisance as set forth in the Notice*].

And further take notice, That after the Expiration of Twenty-four Hours from the Service of this Notice the [*Local Authority*] will cause the said Premises to be entered and examined under the Provisions of the said Act, and if the Cause of Nuisance aforesaid be found still existing, or, though removed or discontinued, be likely to be repeated, a Summons will be issued requiring your Attendance to answer a Complaint which will be made to the Justices for enforcing the Removal of the same, and prohibiting a Repetition thereof, and for recovering the Costs and Penalties that may be incurred thereby.

Dated this Day of in the Year of our Lord One thousand eight hundred and .

A.B.,
The Officer appointed by the [*Local Authority*] to take Proceedings under the Nuisances Removal Act for England, 1855.

FORM

FORM (D.)

Summons.

To the Owner *or* Occupier of [*describe Premises*] situate at [*insert such a Description as may be sufficient to identify the Premises*], *or* to *A.B.* of .

County of / [*or* Borough of / *&c. or* District of / *or as the Case may be*] to wit.

YOU are required to appear before Two of Her Majesty's Justices of the Peace [*or* One of the Magistrates of the Police Courts of the Metropolis, *or* the Stipendiary Magistrate] of the County [*or other Jurisdiction*] of at the Petty Sessions [*or* Court] holden at on the Day of next, at the Hour of in the noon, to answer the Complaint this Day made to me by [*or* by on behalf of] [*naming the Local Authority, as the Case may be*], that in or upon the Premises above mentioned [*or* in or upon certain Premises situate at No. in the Street in the Parish of *or such other Description or Reference as may be sufficient to identify the Premises*], in their District, under the Nuisances Removal Act for England, 1855, the following Nuisance exists [*describing it, as the Case may be*], and that the said Nuisance is caused by the Act or Default of the Occupier [*or* Owner] of the said Premises, *or* by you *A.B.* [*or in case the Nuisance be discontinued, but likely to be repeated, say,* there existed recently, to wit, on or about the Day of on the Premises, the following Nuisance [*describe the Nuisance*], and that the said Nuisance was caused [*&c.*], and although the same has since the said last-mentioned Day been removed or discontinued, there is reasonable Ground to consider that the same or the like Nuisance is likely to recur on the said Premises].

Given under the Hand of me, *J.P.*, Esquire, One of Her Majesty's Justices of the Peace acting in and for the [*Jurisdiction*] stated in the Margin, *or* One of the Magistrates of the Police Courts of the Metropolis, *or* Stipendiary Magistrate of Day of in the Year of our Lord One thousand eight hundred and .

FORM (E.)

Order of Justices for Removal of Nuisances by Owner, &c.

To the Owner [*or* Occupier] of [*describe the Premises*] situate [*give such Description as may be sufficient to identify the Premises*], *or* to *A.B.* of *or* to [*giving Name of the Local Authority*], or to their Servants or Agents, and to all whom it may concern.

County of / [*or* Borough, *&c.* of / *or* / District of / *or as the Case may be.*]

WHEREAS on the Day of Complaint was made before Esquire, One of Her Majesty's Justices of the Peace acting in and for the County [*or other Jurisdiction*] stated in the Margin, [*or* before the undersigned, One of the Magistrates of the Police Courts of the Metropolis, *or as the Case may be,*] by [*or* by on behalf of] [*the Local Authority, naming it, as the Case may be*], that in or upon certain Premises situate at in the District under the Nuisances Removal Act for England, 1855, of the Complainants above named, the following Nuisance then existed [*describing it*]; and that the said Nuisance was caused by the Act or Default of the Owner [*or* Occupier] of the said Premises [*or* was caused by *A.B.*] (*If the Nuisance have been removed say,* the following Nuisance existed on or about [*the Day the Nuisance was ascertained to exist*], and that the said Nuisance was caused, *&c.*, and although the same is now removed, the same or the like Nuisance is likely to recur on the same Premises.)

And whereas the Owner [*or* Occupier] within the Meaning of the said Nuisances Removal Act, 1855, [*or* the said *A.B.*,] hath this Day appeared before us Justices, being Two of Her Majesty's Justices in and for , sitting in Petty Sessions at their usual Place of Meeting [*or* before me, the said Magistrate of the Police Courts of the Metropolis, *or as the Case may be*], to answer the Matter of the said Complaint [*Or in case the Party charged do not appear, say,* And whereas it hath been this Day proved to our [*or* my] Satisfaction that a true Copy of a Summons requiring the Owner [*or* Occupier] of the said Premises [*or* the said *A.B.*] to appear this Day before us [*or* me] hath been duly served according to the said Act:]

Now upon Proof here had before us [*or* me] that the Nuisance so complained of doth exist on the said Premises, and that the same is caused by the Act or Default of the Owner [*or* Occupier] of the said Premises [*or* by the said *A.B.*,] we [*or* I], in pursuance of the said Act, do order the said Owner [*or* Occupier, *or A.B.*] within [*specify the Time*] from the Service of this Order or a true Copy thereof according to the said Act [*hereby specify the Works to be done, as, for instance,* to cleanse, whitewash, purify, and disinfect the said Dwelling House; *or, for further instance,* to construct a Privy *or* Drain, *&c.; or, for further instance,* to cleanse *or* to cover *or* to fill up the said Cesspool, *&c.*], so that the same shall no longer be a Nuisance or injurious to Health as aforesaid.

[*And if it appear to the Justices that the Nuisance is likely to recur on the Premises say* [And we] [*or* I] being satisfied that, notwithstanding the said Cause or Causes of Nuisances may be removed under this Order, the same is or are likely to recur, do therefore prohibit the said Owner [*or* Occupier, *or*

A.B.,] from [*here insert the Matter of the Prohibition, as, for instance,* from using the said House or Building for Human Habitation until the same, in our Judgment, is rendered fit for that Purpose].

And if the above Order for Abatement be not complied with, [*or* if the above Order of Prohibition be infringed,] then we [*or* I] do authorize and require you the said [*Local Authority, naming it*], from Time to Time to enter upon the said Premises, and to do all such Works, Matters, and Things as may be necessary for carrying this Order into full Execution according to the Act aforesaid.

In case the Nuisance were removed before Complaint, say, [Now, upon Proof here had before us that at or recently before the Time of making the said Complaint, to wit, on as aforesaid, the Cause of Nuisance complained of did exist on the said Premises, but that the same hath since been removed, yet, notwithstanding such Removal, we [*or* I] being satisfied that it is likely that the same or the like Nuisance will recur on the said Premises, do hereby prohibit, [*Order of Prohibition*]; and if this Order of Prohibition be infringed, then we [*or* I] [*Order on Local Authority to do Works*].

Given under the Hands and Seals of us, Two of Her Majesty's Justices of the Peace in and for [*or* the Hand and Seal of me, One of the Magistrates of the Police Courts of the Metropolis, *or as the Case may be*], this Day of in the Year of our Lord One thousand eight hundred and .

FORM (F.)

Order of Justices for Removal of Nuisance by Local Authority.

To the Town Council, *&c., as the Case may be.*

County, *&c.* to wit. } WHEREAS [*recite Complaint of Nuisance as in last Form*].

And whereas it hath been now proved to our [*or* my] Satisfaction that such Nuisance exists, but that no Owner or Occupier of the Premises, or Person causing the Nuisance, is known *or* can be found [*as the Case may be*]: Now we [*or* I], in pursuance of the said Act, do order the said [*Local Authority, naming it,*] forthwith to [*here specify the Works to be done*].

Given, *&c.*

FORM (G.)

Order to permit Execution of Works by Owners.

County of [*or* Borough of *or* Metropolitan Police District, *or as the Case may be,*] to wit. } WHEREAS Complaint hath been made to me, *E.F.*, Esquire, One of Her Majesty's Justices of the Peace in and for the County [*or* Borough, *&c.*] of [*or* One of the Magistrates of the Police Courts of the Metropolis, *or as the Case may be, or* One of Her Majesty's Justices of the Peace, *as the Case may be,* of the County of], by *A.B.*, Owner within the Meaning of the "Nuisances Removal Act for England, 1855," of certain Premises, to wit, a Dwelling House [*or* Building, *or as the Case may be*], situate at [*insert such a Description of the Premises as may be sufficient to identify them*], in the Parish of in the said County [*or* Borough, *&c.*], that *C.D.*, the Occupier of the said Premises, doth prevent the said *A.B.* from obeying and carrying into effect the Provisions of the said Act, in this, to wit, that he the said *C.D.* [*here describe the Act of Prevention generally according to the Circumstances; for instance thus,* doth refuse to quit the said House, the same having by the Order of Justices been declared unfit for Human Habitation, *or* doth prevent the said *A.B.* from cleansing *or* whitewashing *or* purifying the said Dwelling House, *or* erecting a Privy *or* Drain, *or* breaking an Aperture for Ventilation, *or* cleansing a Drain, Ditch, Gutter, Watercourse, Privy, Urinal, Cesspool, *or* Ashpit which is a Nuisance or injurious to Health]: And whereas the said *C.D.* has been summoned to answer the said Complaint, and has not shown sufficient Cause against the same, and it appears to me that [*describe the Act or Works to be done*] is necessary for the Purpose of enabling the said *A.B.* to obey and carry into effect the Provisions of the said Act, I do hereby order that the said *C.D.* do permit the said *A.B.* [*describe the Act or Works to be done*] in the Manner required by the said Act.

Given under my Hand and Seal, this Day of in the Year of our Lord One thousand eight hundred and .

E.F. (L.S.)

FORM (H.)

Summons for Nonpayment of Costs, Expenses, or Penalties. Sec. 20.

To [*describe the Person from whom the Costs, Expenses, and Penalties are due*].

County of *or* Borough of *or* District of to wit. } YOU are required to appear before Two of Her Majesty's Justices of the Peace, [*or* One of the Magistrates of the Police Courts of the Metropolis, *or* the Stipendiary Magistrates] of the County [*or other Jurisdiction*] of at the Petty Sessions [*or* Court] holden at on the Day of next, at the Hour of in the noon, to answer the Complaint this Day made to me by [*or* by on behalf of] [*naming the Local*

Local Authority], that the Sum of Pounds, being Costs and Expenses incurred by you under and in relation to a certain Complaint touching [*describe the Nuisance*], and an Order of [*describe the Person making the Order*] duly made in pursuance of the Nuisances Removal Act for England, 1855, [*if Penalties are due, add* and also the Sum of being the Amount of Penalties payable by you for Disobedience of the said Order,] remains unpaid and due from you.

Given under the Hand of me, *J.P.*, Esquire, One of Her Majesty's Justices of the Peace acting in and for the [*Jurisdiction stated in the Margin*] [*or* One of the Magistrates of the Police Courts of the Metropolis, *or* Stipendiary Magistrate of] the Day of in the Year of our Lord One thousand eight hundred and

FORM (I.)

Order for Payment of Costs, Expenses, and Penalties. Sec. 20.

To [*name the Person on whom the Order is made*].

County, &c. to wit. } WHEREAS Complaint has been made before us [*or* me] for that [*recite Cause of Complaint.*] And whereas the said [*naming the Person against whom the Complaint is made*] has this Day appeared before us the said Justices [*or* before me the said Magistrate of the Police Courts of the Metropolis, *or as the Case may be,*] to answer this Matter of the said Complaint: [*Or, in case the Party charged do not appear, say*],

And whereas it has been this Day satisfactorily proved to us [*or* me] that a true Copy of the Summons requiring the said [*naming Person charged*] to appear before us [*or* me] this Day hath been duly served according to the said Act: Now, having heard the Matter of the said Complaint, we [*or* I] do adjudge the said [*naming the Person charged*] to pay forthwith [*or* by Instalments of payable respectively on or before the] to the said [*naming the Person or Local Authority to whom the Costs adjudged are payable*], the Sum of for Costs in this Behalf, and to [*naming the Person or Authority to whom the Expenses are payable*] the Sum of for Expenses in this Behalf, [*if Penalties are due, add,* and the Sum of for Penalties incurred in relation to the Premises,] together with the Sum of being the Charges attending the Application for this Order and Proceedings thereon; and if the said several Sums, amounting in the whole to [*or* if any One of the said Instalments] be not paid within Fourteen Days after the same is due as aforesaid, we [*or* I] hereby order that the same be levied by Distress and Sale of the Goods and Chattels of the said , and in default of sufficient Distress in that Behalf adjudge the said to be imprisoned in the Common Gaol [*or* House of Correction, *as the Case may be,*] at in the said County [*or as the Case may be,*] for the Space of such Time, not exceeding Three Calendar Months, as the Justices may think fit, unless the said several Sums [*or* Sum], and all Costs and Charges of the said Distress [and of the Commitment and carrying of the said to the said House of Correction *or* Common Gaol, *or as the Case may be,*] shall be sooner paid.

Given under our [*or* my] Hands, this Day of in the Year of our Lord One thousand eight hundred and at in the [County, *or as the Case may be,*] aforesaid.

FORM (K.)

Warrant of Distress. Sec. 20.

To the Constable of and to all other Peace Officers in the said County [*or as the Case may be.*]

WHEREAS on last past Complaint was made before the undersigned, Two of Her Majesty's Justices of the Peace in and for the said County of [*or as the Case may be*] [*or* a Magistrate of the Police Courts of the Metropolis, *or* Stipendiary Magistrate, *as the Case may be*] for that [*&c. as in the Order*]; and thereupon having considered the Matter of the said Complaint, we [*or* I] adjudged the said [*set out from Form K. the Adjudication of Payment, and the Order for Distress and for Imprisonment in default of Distress*]: And whereas the Time in and by the said Order appointed for the Payment of the said several Sums of and hath elapsed, but the said hath not paid the same or any Part thereof within Fourteen Days after the Date fixed by the Order for such Payment, but therein hath made Default: These are therefore to command you in Her Majesty's Name forthwith to make Distress of the Goods and Chattels of the said *A.B.*; and if within the Space of Days after the making of such Distress the said last-mentioned Sums, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and do pay the Money arising from such Sale over to the Clerk of the Justices of the Peace for the Division of in the said [County, *or as the Case may be*], that he may pay and apply the same as by Law directed, and may render the Overplus, if any, on Demand, to the said ; and if no such Distress can be found, then that you certify the same unto me, to the end that such Proceedings may be had therein as to the Law doth appertain.

Given under our [*or* my] Hands and Seal, this Day of in the Year of our Lord One thousand eight hundred and at in the [County] aforesaid.

A.B.

(L.S.) *C.D.*

FORM

FORM (L.)

Return of Proceedings under Nuisances Removal Act, 1855, by the [name the Local Authority at length]. *From 25th March 1855 to 25th March 1856.*

Date of Notice.	By whom given.	Nature of Nuisance.	Proceedings taken.	Remarks: — With any special Work done under the Acts, without any Notice.
16 April -	The Inspector -	Foul Drainage from House.	Owner put down good Drain, on Summons, without Justices Order.	Several Houses being in a like Position, the Highway Surveyor laid down a Sewer in the old Watercourse, and each House was charged a proportionate Sum for the same, of which the highest Sum was 10*s*.
18 April -	Two Neighbours	Offensive Cesspool	Abated by Local Authority.	Renewed once; but Penalty recovered, and no subsequent Renewal attempted.

Dated this 26th Day of March 1856. [*To be signed by the Chairman of the Local Authority.*]

CAP. CXXII.

An Act to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood. [14th *August* 1855.]

'WHEREAS it is expedient that the Laws relating to Buildings in the Metropolis and its Neighbourhood should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

PRELIMINARY.

Short Title.

I. This Act may be cited for all Purposes as "The Metropolitan Building Act, 1855."

Commencement of Act.

II. This Act shall, except in Cases where it is otherwise expressly provided, come into operation on the First Day of *January* One thousand eight hundred and fifty-six.

Interpretation of certain Terms in this Act.

III. In the Construction of this Act (if not inconsistent with the Context) the following Terms shall have the respective Meanings herein-after assigned to them; (that is to say,)

"The Treasury" shall mean the Commissioners of Her Majesty's Treasury:

"Public Building" shall mean every Building used as a Church, Chapel, or other Place of Public Worship; also every Building used for Purposes of public Instruction; also every Building used as a College, public Hall, Hospital, Theatre, public Concert Room, public Ball Room, public Lecture Room, public Exhibition Room, or for any other public Purposes:

"External Wall" shall apply to every outer Wall or vertical Enclosure of any Building not being a Party Wall:

"Party Wall" shall apply to every Wall used or built in order to be used as a Separation of any Building from any other Building, with a view to the same being occupied by different Persons:

"Cross Wall" shall apply to every Wall used or built in order to be used as a Separation of one Part of any Building from another Part of the same Building, such Building being wholly in One Occupation:

"Party Structure" shall include Party Walls, and also Partitions, Arches, Floors, and other Structures separating Buildings, Stories or Rooms which belong to different Owners, or which are approached by distinct Staircases or separate Entrances from without:

The "Area" of every Building shall be deemed to be the Superficies of a horizontal Section of such Building made at the Point of its greatest Surface, including the External Walls and such Portion of the Party Walls as belong to the Building, but excluding any attached Building the Height of which does not exceed the Height of the Ground Story:

"The Base of the Wall" shall mean the Course immediately above the Footings:

"Owner" shall apply to every Person in possession or receipt either of the whole or of any Part of the Rents or Profits of any Land or Tenement, or in the Occupation of such Land or Tenement other than as a Tenant from Year to Year or for any less Term, or as a Tenant at Will:

"Builder" shall apply to and include the Master Builder or other Person employed to execute or who actually executes any Work upon any Building:

"District

"District Surveyor" shall mean every such Surveyor who is appointed in pursuance of this Act, or whose Appointment is hereby confirmed, and shall include any Deputy or Assistant Surveyor appointed under this Act:

In all Cases in which the Name of an Officer having local Jurisdiction in respect of his Office is referred to without Mention of the Locality to which the Jurisdiction extends, such Reference is to be understood to indicate the Officer having Jurisdiction in that Place within which is situate the Building or other Subject Matter or any Part thereof to which such Reference applies:

"Person" shall include "a Body Corporate."

LIMITS OF ACT.

Act to extend to all Places within Limits defined by 18 & 19 Vict. c. 120.

IV. This Act shall extend to all Places within the Limits of the Metropolis as defined by an Act passed in the present Session of Parliament, intituled *An Act for the better local Management of the Metropolis*, and to all other Places to which such last-mentioned Act may be extended, unless such Places are, in making such Extension, expressly excepted from the Operation of this Act; but nothing herein contained shall affect the Exercise of any Powers vested by any Act of Parliament in the Commissioners of Sewers of the City of *London* for the Time being.

Division of Act.

V. This Act shall be divided into Five Parts:

(1.) The First Part relating to the Regulation and Supervision of Buildings:

(2.) The Second Part relating to Dangerous Structures:

(3.) The Third Part relating to Party Structures:

(4.) The Fourth Part relating to Miscellaneous Provisions:

(5.) The Fifth Part relating to the Repeal of former Acts, and to temporary Provisions.

PART I.

REGULATION AND SUPERVISION OF BUILDINGS.

PART I. *Regulation and Supervision of Buildings.*

Buildings, &c. herein named exempt from Operation of Part I. of this Act.

VI. The following Buildings and Works shall be exempt from the Operation of the First Part of this Act:

Bridges, Piers, Jetties, Embankment Walls, Retaining Walls, and Wharf or Quay Walls:

Her Majesty's Royal Palaces, and any Building in the Possession of Her Majesty, Her Heirs and Successors, or employed for Her Majesty's Use or Service:

Common Gaols, Prisons, Houses of Correction, and Places of Confinement under the Inspection of the Inspectors of Prisons, and *Bethlehem Hospital*, and the House of Occupations adjoining:

The Mansion House, Guildhall, and Royal Exchange of the City of *London:*

The Offices and Buildings of the Governor and Company of the Bank of *England* already erected, and which now form the Edifice called "The Bank of *England*," and any Offices and Buildings hereafter to be erected for the Use of the said Governor and Company, either on the Site of or in addition to and in connexion with the said Edifice:

The Buildings of the *British Museum:*

The Offices and Buildings of the Honourable *East India* Company already erected, and any Offices or Buildings hereafter to be erected, for the Use of the said Company, on the Site of or in addition to such existing Offices and Buildings:

Greenwich Hospital and the Buildings in the Parish of *Greenwich* vested in the Commissioners of *Greenwich Hospital* for the Purposes of the said Hospital:

All County Lunatic Asylums, Sessions Houses, and other public Buildings belonging to or occupied by the Justices of the Peace of the County or City in which the same are situated:

The Erections and Buildings authorized by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for the Purposes of a Market in *Covent Garden:*

The Cattle Market, with its Appurtenances, erected in pursuance of the Metropolitan Cattle Market Act, 1851:

The Buildings belonging to any Canal, Dock, or Railway Company, and used for the Purposes of such Canal, Dock, or Railway, under the Provisions of any Act of Parliament:

All Buildings, not exceeding in Height Thirty Feet, as measured from the Footings of the Walls, and not exceeding in Extent One hundred and twenty-five thousand Cubic Feet, and not being Public Buildings, wholly in One Occupation, and distant at least Eight Feet from the nearest Street or Alley, whether public or private, and at the least Thirty Feet from the nearest Buildings and from the Ground of any adjoining Owner:

All Buildings not exceeding in Extent Two hundred and sixteen thousand Cubic Feet, and not being Public Buildings, and distant at least Thirty Feet from the nearest Street or Alley, whether public or private, and at the least Sixty Feet from the nearest Buildings and from the Ground of an adjoining Owner:

All Party Fence Walls and Greenhouses so far as regards the necessary Woodwork of the Sashes, Doors, and Frames:

Openings

Openings made into Walls or Flues for the Purpose of inserting therein ventilating Valves of a superficial Extent not greater than Forty Square Inches, if such Valves are not nearer than Twelve Inches to any Timber or other combustible Material.

Application of Act, except Exemptions before mentioned.

VII. With the Exemptions herein-before mentioned, this Act shall apply to all new Buildings; and whenever Mention is herein made of any Building, it shall, unless the contrary appears from the Context, be deemed to imply a new Building.

Building, when deemed to be new.

VIII. A Building shall be deemed to be new whenever the enclosing Walls thereof have not been carried higher than the Footings previously to the said First Day of *January* One thousand eight hundred and fifty-six: Any other Building shall be deemed to be an old Building.

Alterations of and Additions to old Buildings.

IX. Any Alteration, Addition, or other Work made or done for any Purpose, except that of necessary Repair not affecting the Construction of any External or Party Wall, in, to, or upon any old Building, or in, to, or upon any new Building after the Roof has been covered in, shall, to the Extent of such Alteration, Addition, or Work, be subject to the Regulations of this Act; and whenever Mention is herein-after made of any Alteration, Addition, or Work in, to, or upon any Building, it shall, unless the contrary appears from the Context, be deemed to imply an Alteration, Addition, or Work to which this Act applies.

Rebuilding old Buildings.

X. Whenever any old Building has been taken down to an Extent exceeding One Half of such Building, such Half to be measured in Cubic Feet, the rebuilding thereof shall be deemed to be the Erection of a new Building; and every Portion of such old Building that is not in conformity with the Regulations of this Act shall be forthwith taken down.

Division of old Buildings separated by irregular Partitions.

XI. Whenever any old Buildings are separated by Timber or other Partitions not in conformity with this Act, then, if such Partitions are removed to the Extent of One Half thereof, such Building shall as respects the Separation thereof be deemed to be new Buildings, and be forthwith divided from each other in the Manner directed by this Act.

WALLS.

Structure and Thickness of Walls.

XII. Walls shall be constructed of such Substances and of such Thickness and in such Manner as are mentioned in the First Schedule annexed hereto.

RECESSES AND OPENINGS.

Rules as to Recesses and Openings.

XIII. The following Rules shall be observed with respect to Recesses and Openings in Walls:

Recesses and Openings may be made in External Walls, provided,

1. That the Backs of such Recesses are not of less Thickness than Eight and a Half Inches; and,
2. That the Area of such Recesses and Openings do not, taken together, exceed One Half of the whole Area of the Wall in which they are made:

Recesses may be made in Party Walls, provided that,

1. The Backs of such Recesses are not of less Thickness than Thirteen Inches; and,
2. That every Recess so formed is arched over, and that the Area of such Recesses do not, taken altogether, exceed One Half of the whole Area of the Wall of the Story in which they are made; and,
3. That such Recesses do not come within One Foot of the inner Face of the External Walls;

But no Opening shall be made in any Party Wall except in accordance with the Rules of this Act:

The Word Area, as used in this Section, shall mean the Area of the vertical Face, or Elevation, of the Wall, Pier, or Recess to which it refers.

MISCELLANEOUS.

As to Timber in External Walls.

XIV. Loophole Frames may be fixed within One Inch and a Half of the Face of any External Wall; but all other Woodwork fixed in any External Wall, except Bressummers and Story Posts under the same, and Frames of Doors and Windows of Shops on the Ground Story of any Building, shall be set back Four Inches at the least from the external Face of such Wall.

Rules as to Bressummers.

XV. The following Rules shall be observed with respect to Bressummers and Timbers:

1. Every Bressummer must have a Bearing in the Direction of its Length, of Four Inches at the least at each End, upon a sufficient Pier of Brick or Stone, or upon a Timber or Iron Story Post fixed on a solid Foundation, in addition to its Bearing upon any Party Wall; and the Ends of such Bressummer shall not be placed nearer to the Centre Line of the Party Walls than Four and a Half Inches:
2. No Bond Timber or Wood Plate shall be built into any Party Wall, and the Ends of any Beam or Joist bearing on such Walls shall be at the least Four and a Half Inches distant from the Centre Line of the Party Walls:
3. Every Bressummer bearing upon any Party Wall must be borne by a Templet or Corbel of Stone or Iron tailed through at least Half the Thickness of such Wall, and of the full Breadth of the Bressummer.

Height and Thickness of Parapets to External Walls.

XVI. If any Gutter, any Part of which is formed of combustible Materials, adjoins an External Wall, then such Wall must be carried up so as to form a Parapet One Foot at the least above the highest Part of such Gutter, and the Thickness of the Parapet so carried up must be at the least Eight and a Half Inches, reckoned from the Level of the under Side of the Gutter Plate.

XVII. Every

Height of Party Walls above Roof.

XVII. Every Party Wall shall be carried up above the Roof Flat or Gutter of the highest Building adjoining thereto, to such Height as will give a Distance of Fifteen Inches measured at Right Angles to the Slope of the Roof, or Fifteen Inches above the highest Part of any Flat or Gutter, as the Case may be; and every Party Wall shall be carried up above any Turret, Dormer, Lantern Light, or other Erection of combustible Materials fixed upon the Roof or Flat of any Building within Four Feet from such Party Wall, and shall extend at the least Twelve Inches higher and wider on each Side than such Erection; and every Party Wall shall be carried up above any Part of any Roof opposite thereto, and within Four Feet from such Party Wall.

As to Chases in Party Walls.

XVIII. In a Party Wall no Chase shall be made wider than Fourteen Inches, nor more than Four and a Half Inches deep from the Face of the Wall, nor so as to leave less than Eight and a Half Inches in Thickness at the Back or opposite Side thereof, and no Chase may be made within a Distance of Seven Feet from any other Chase on the same Side of the Wall.

As to Construction of Roofs.

XIX. The Roofs of Buildings shall be constructed as follows; that is to say,

1. The Flat, Gutter, and Roof of every Building, and every Turret, Dormer, Lantern Light, Skylight, or other Erection placed on the Flat or Roof thereof, shall be externally covered with Slates, Tiles, Metal, or other incombustible Materials, except the Doors, Door Frames, Windows, and Window Frames of such Dormers, Turrets, Lantern Lights, Skylights, or other Erections:
2. The Plane of the Surface of the Roof of a Warehouse or other Building used either wholly or in part for Purposes of Trade or Manufacture shall not incline from the External or Party Walls upwards at a greater Angle than Forty-seven Degrees with the Horizon.

Rules as to Chimnies and Flues.

XX. The following Rules shall be observed as to Chimnies and Flues:—

1. Chimnies built on Corbels of Brick, Stone, or other incombustible Materials may be introduced above the Level of the Ceiling of the Ground Story if the Work so corbelled out does not project from the Wall more than the Thickness of the Wall, but all other Chimnies shall be built on solid Foundations, and with Footings similar to the Footings of the Wall against which they are built:
2. Chimnies and Flues having proper Doors of not less than Six Inches square may be constructed at any Angle, but in every other Chimney or Flue the Angles shall be constructed of an Obtuseness of not less than One hundred and thirty Degrees, and shall be properly rounded:
3. An Arch of Brick or Stone or a Bar of Wrought Iron must be built over the Opening of every Chimney to support the Breast thereof, and if the Breast projects more than Four and a Half Inches from the Face of the Wall, and the Jamb on either Side is of less Width than Seventeen and a Half Inches, the Abutments must be tied in by an Iron Bar or Bars turned up and down at the Ends, and built into the Jambs for at least Eight and a Half Inches on each Side:
4. The Inside of every Flue, and the Back or Outside, unless forming Part of the outer Face of an External Wall, must be rendered, pargeted, or lined with Fire-proof Piping:
5. The Jambs of every Chimney must at the least be Eight and a Half Inches wide on each Side of the Opening thereof:
6. The Breast of every Chimney, and the Front, Withe, Partition, and Back of every Flue, must at the least be Four Inches in Thickness:
7. The Back of every Chimney Opening, from the Hearth up to the Height of Twelve Inches above the Mantel, must at the least be Eight and a Half Inches thick if in a Party Wall, or Four and a Half Inches thick if not in a Party Wall:
8. The Thickness of the upper Side of every Flue, when its Course makes, with the Horizon, an Angle of less than Forty-five Degrees, must be at the least Eight and a Half Inches:
9. Every Chimney Shaft shall be carried up in Brick or Stone Work all round, at the least Four Inches thick, to a Height of not less than Three Feet above the Roof, Flat, or Gutter adjoining thereto, measured at the highest Point in the Line of Junction with such Roof, Flat, or Gutter:
10. The Brickwork or Stonework of any Chimney Shaft, excepting that of the Furnace of any Steam Engine, Brewery, Distillery, or Manufactory, shall not be built higher above the Roof, Flat, or Gutter adjoining thereto, measured from the highest Point in the Line of Junction with such Roof, Flat, or Gutter, than a Height equal to Six Times the least Width of such Chimney Shaft at the Level of such highest Point in the Line of Junction, unless such Chimney Shaft is built with and bonded to another Chimney Shaft not in the same Line with the first, or otherwise rendered secure:
11. There shall be laid, level with the Floor of every Story, before the Opening of every Chimney, a Slab of Stone, Slate, or other incombustible Substance, at the least Twelve Inches longer than the Width of such Opening, and at the least Eighteen Inches wide in front of the Breast thereof:
12. On every Floor, except the lowest Floor, such Slab shall be laid wholly upon Stone or Iron Bearers, or upon Brick Trimmers; but on the lowest Floor it may be bedded on the solid Ground:

PART I. *Regulation and Supervision of Buildings.*

13. The Hearth or Slab of every Chimney shall be bedded wholly on Brick, Stone, or other incombustible Substance, and shall be solid for a Thickness of Seven Inches at the least beneath the upper Surface of such Hearth or Slab:

14. No Flue shall be built against any Party Structure, unless a Withe is properly secured thereto, at the least Four Inches in Thickness:

15. No Chimney Breast or Shaft built with or in any Party Wall shall be cut away unless the District Surveyor certifies that it can be done without injuriously affecting the Stability of any Building:

16. No Chimney Shaft, Jamb, Breast, or Flue shall be cut into, except for the Purpose of Repair, or doing some One or more of the following Things:

Of letting in or removing or altering Flues, Pipes, or Funnels for the Conveyance of Smoke, hot Air, or Steam, or of letting in, removing, or altering Smoke Jacks:

Of forming Openings for Soot Doors, such Openings to be fitted with a close Iron Door and Frame:

Of making Openings for the Insertion of ventilating Valves, subject to the following Restriction, That no Opening shall be made nearer than Twelve Inches to any Timber or combustible Substance:

17. No Timber or Woodwork shall be placed,

In any Wall or Chimney Breast nearer than Twelve Inches to the Inside of any Flue or Chimney Opening;

Under any Chimney Opening within Eighteen Inches from the upper Surface of the Hearth of such Chimney Opening;

Within Two Inches from the Face of the Brickwork or Stonework about any Chimney or Flue, where the Substance of such Brickwork or Stonework is less than Eight and a Half Inches thick, unless the Face of such Brickwork or Stonework is rendered;

And no Wooden Plugs shall be driven nearer than Six Inches to the Inside of any Flue or Chimney Opening, nor any Iron Holdfast or other Iron Fastening nearer than Two Inches thereto.

Rules as to close Fires and Pipes for conveying Vapour, &c.

XXI. The following Rules shall be observed as to close Fires, and Pipes for conveying heated Vapour or Water; that is to say,

1. The Floor under every Oven or Stove used for the Purpose of Trade or Manufacture, and the Floor around the same for a Space of Eighteen Inches, shall be formed of Materials of an incombustible and non-conducting Nature:

2. No Pipe for conveying Smoke, heated Air, Steam, or hot Water shall be fixed against any Building on the Face next to any Street, Alley, Mews, or public Way:

3. No Pipe for conveying heated Air or Steam shall be fixed nearer than Six Inches to any combustible Materials:

4. No Pipe for conveying hot Water shall be placed nearer than Three Inches to any combustible Materials:

5. No Pipe for conveying Smoke or other Products of Combustion shall be fixed nearer than Nine Inches to any combustible Material:

And if any Person fails in complying with the Rules of this Section, he shall for each Offence incur a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace.

Rules as to Accesses and Stairs in certain Buildings.

XXII. The following Rules shall be observed with respect to Accesses and Stairs:

In every Public Building, and in every other Building containing more than One hundred and twenty-five thousand Cubic Feet, and used as a Dwelling House for separate Families, the Floors of the Lobbies, Corridors, Passages, and Landings, and also the Flights of Stairs, shall be of Stone or other Fire-proof Material, and carried by Supports of a Fire-proof Material.

Rules as to habitable Rooms.

XXIII. The following Rules shall be observed with respect to habitable Rooms in any Building; that is to say,

1. Every habitable Room hereafter constructed in any Building, except Rooms in the Roof thereof, and Cellars and underground Rooms, shall be in every Part at the least Seven Feet in Height from the Floor to the Ceiling:

2. Every habitable Room hereafter constructed in the Roof of every Building shall be at the least Seven Feet in Height from the Floor to the Ceiling throughout not less than One Half the Area of such Room:

3. Cellars and underground Rooms shall be constructed in manner directed by the said Act for the better Local Management of the Metropolis:

And whosoever knowingly suffers any Room that is not constructed in conformity with this Section to be inhabited, shall, in addition to any other Liabilities he may be subject to under this Act, incur a Penalty not exceeding Twenty Shillings for every Day during which such Room is inhabited; and any Room in which any Person passes the Night shall be deemed to be inhabited within the Meaning of this Act.

As to Party Arches over public Ways.

XXIV. Every Party Arch, and every Arch or Floor over any public Way, or any Passage leading to Premises in other Occupation, shall be formed of Brick, Stone, or other incombustible Materials: If an

Arch

Arch of Brick or Stone is used, it shall, in Cases where its Span does not exceed Nine Feet, be of the Thickness of Four and a Half Inches at the least, but when its Span exceeds Nine Feet, be of the Thickness of Eight and a Half Inches at the least: If an Arch or Floor of Iron or other incombustible Material is used, it shall be constructed in such Manner as may be approved by the District Surveyor.

As to Arches under public Ways.

XXV. Every Arch under any public Way shall be formed of Brick, Stone, or other incombustible Materials: If an Arch of Brick or Stone is used, it shall, in Cases where its Span does not exceed Ten Feet, be of the Thickness of Eight and a Half Inches at the least; where its Span does not exceed Fifteen Feet, it shall be of the Thickness of Thirteen Inches at least; and where its Span exceed Fifteen Feet, it shall be of such Thickness as may be approved by the District Surveyor: If an Arch or other Construction of Iron or other incombustible Material is used, it shall be constructed in such Manner as may be approved by the District Surveyor.

Rules as to Projections.

XXVI. The following Rules shall be observed as to Projections:

1. Every Coping, Cornice, Facia, Window Dressing, Portico, Balcony, Verandah, Balustrade, and architectural Projection or Decoration whatsoever, and also the Eaves or Cornices to any overhanging Roof, except the Cornices and Dressings to the Window Fronts of Shops, and except the Eaves and Cornices to detached and semi-detached Dwelling Houses distant at least Fifteen Feet from any other Building, and from the Ground of any adjoining Owner, shall, unless the Metropolitan Board otherwise permit, be of Brick, Tile, Stone, artificial Stone, Slate, Cement, or other Fire-proof Material:
2. In Streets or Alleys of a less Width than Thirty Feet, any Shop Front may project beyond the External Wall of the Building to which it belongs for Five Inches and no more, and any Cornice of any such Shop Front may project Thirteen Inches and no more; and in any Street or Alley of a Width greater than Thirty Feet, any Shop Front may project Ten Inches and no more, and the Cornice may project for Eighteen Inches from the External Walls, but no more:
3. No Part of the Woodwork of any Shop Front shall be fixed nearer than Four and a Half Inches from the Line of Junction of any adjoining Premises, unless a Pier or Corbel of Stone, Brick, or other Fire-proof Material, Four and a Half Inches wide at the least, is built or fixed next to such adjoining Premises as high as such Woodwork is fixed, and projects an Inch at the least in front of the Face thereof:
4. The Roof, Flat, or Gutter of every Building, and every Balcony, Verandah, Shop Front, or other Projection, must be so arranged and constructed, and so supplied with Gutters and Pipes, as to prevent the Water therefrom from dropping upon or running over any public Way:
5. Except in so far as is permitted by this Section in the Case of Shop Fronts, and with the Exception of Water Pipes and their Appurtenances, Copings, Cornices, Facias, Window Dressings, and other like architectural Decorations, no Projection from any Building shall extend beyond the general Line of Fronts in any Street, except with the Permission of the Metropolitan Board of Works herein-after mentioned.

Rules as to the Separation of Buildings, and Limitation of their Areas.

XXVII. The following Rules shall be observed as to the Separation of Buildings, and Limitation of their Areas:

1. Every Building shall be separated by External or Party Walls from any adjoining Building:
2. Separate Sets of Chambers or Rooms tenanted by different Persons shall, if contained in a Building exceeding Three thousand six hundred Square Feet in Area, be deemed to be separate Buildings, and be divided accordingly, so far as they adjoin vertically by Party Walls, and so far as they adjoin horizontally by Party Arches or Fire-proof Floors:
3. If any Building in One Occupation is divided into Two or more Tenements, each having a separate entrance and Staircase, or a separate Entrance from without, every such Tenement shall be deemed to be a separate Building for the Purposes of this Act:
4. Every Warehouse, or other Building used either wholly or in part for the Purposes of Trade or Manufacture, containing more than Two hundred and sixteen thousand Cubic Feet, shall be divided by Party Walls in such Manner that the Contents of each Division thereof shall not exceed the above-mentioned Number of Cubic Feet.

Rules as to uniting Buildings.

XXVIII. The following Rules shall be observed as to uniting Buildings:

1. No Buildings shall be united unless they are wholly in the same Occupation:
2. No Buildings shall be united, if when so united, they will, considered as One Building only, be in contravention of any of the Provisions of this Act:
3. No Opening shall be made in any Party Wall dividing Buildings, which, if taken together, would contain more than Two hundred and sixteen thousand Cubic Feet, except under the following Conditions:

   Such Opening shall not exceed in Width Seven Feet or in Height Eight Feet:

   Such Opening shall have the Floor, Jambs, and Head formed of Brick, Stone, or Iron, and be closed by Two Wrought Iron Doors, each One Fourth of an Inch thick in the Panel, at a Distance from each other of the full Thickness of the Wall, fitted to rebated Frames, without Woodwork of any kind:

PART. I. *Regulation and Supervision of Buildings.*

4. Whenever any Buildings which have been united, cease to be in the same Occupation, any Openings made in the Party Walls dividing the same shall be stopped up with Brick or Stone Work of the full Thickness of the Wall itself, and properly bonded therewith.

As to Open Spaces near Dwelling Houses.

XXIX. Every Building used or intended to be used as a Dwelling House, unless all the Rooms can be lighted and ventilated from a Street or Alley adjoining, shall have in the Rear, or on the Side thereof, an open Space exclusively belonging thereto, of the Extent at least of One hundred Square Feet.

Construction of Public Buildings.

XXX. Notwithstanding anything herein contained, every Public Building, including the Walls, Roofs, Floors, Galleries, and Staircases, shall be constructed in such Manner as may be approved by the District Surveyor, or, in the event of Disagreement, may be determined by the Metropolitan Board; and, save in so far as respects the Rules of Construction, every Public Building shall throughout this Act, be deemed to be included in the Term Building, and be subject to all the Provisions of this Act, in the same Manner as if it were a Building erected for a Purpose other than a public Purpose.

DISTRICT SURVEYORS.

Buildings to be supervised by District Surveyors.

XXXI. With the Exemptions herein-before mentioned, every Building, and every Work done to, in, or upon any Building, shall be subject to the Supervision of the District Surveyor appointed to the District in which the Building is situate.

Power to Metropolitan Board of Works established under 18 & 19 Vict. c. 120.

XXXII. The following Things may be done by the Metropolitan Board of Works, established by the said Act for the better Local Management of the Metropolis, by Order, at their Discretion; that is to say,

1. They may alter the Limits of any District, or unite any Two or more Districts together, and in any such Case place such altered District under the Supervision of any existing or of any future District Surveyor, with Power from Time to Time to alter any District so made, and do all such Matters and Things as are necessary for carrying into effect the Power hereby given:
2. They may dismiss any existing District Surveyor, with the Consent of One of Her Majesty's Principal Secretaries of State; they may suspend any such Surveyor as last aforesaid; they may dismiss or suspend any future District Surveyor; and in case of any Suspension or during any Vacancy, they may appoint a temporary Substitute:
3. Whenever any Vacancy occurs in the Office of any existing or future District Surveyor, they may appoint another qualified Person in his Place:
4. They may pay such Amount of Compensation as they think fit to any District Surveyor who may be deprived of his Office, in pursuance of the Power hereby given of altering the Limits of Districts:

But, subject to the Provisions herein contained, the several Places which at the Time when this Act comes into operation are constituted Districts under an Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, and intituled *An Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood*, for the Purposes of that Act, shall continue to be Districts for the Purposes of this Act, and the several Persons who at the Time when this Act comes into operation are District Surveyors under the Provisions of the said Act shall continue to be District Surveyors under this Act.

Examination by Institute of British Architects.

XXXIII. The Institute of *British* Architects may from Time to Time cause to be examined, by such Persons and in such Manner as they think fit, all Candidates presenting themselves for the Purpose of being examined as to their Competency to perform the Duties of District Surveyor, and shall grant Certificates of Competency to the Candidates found deserving of the same; and no Person who has not already filled the Office of District Surveyor, or has not already obtained a Certificate of Competency in pursuance of the said Act of the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, shall be qualified to be appointed to that Office, unless he has received a Certificate of Competency from the said Institute of *British* Architects, or has been examined in such other Manner as the said Metropolitan Board may direct, and been found competent in such Examination.

District Surveyor to have an Office.

XXXIV. Every District Surveyor shall have and maintain an Office, at his own Expense, in such Part of his District as may be approved by the Metropolitan Board of Works.

District Surveyor may appoint Deputy, with Consent.

XXXV. If any District Surveyor is prevented by Illness, Infirmity, or any other unavoidable Circumstance from attending to the Duties of his Office, he may, with the Consent of the Metropolitan Board of Works, appoint some other Person as his Deputy to perform all his Duties for such Time as he may be prevented from executing them.

Assistant Surveyor may be appointed on Emergency.

XXXVI. If at any Time it appears to the Metropolitan Board of Works that, on account of the Pressure of Business in any District, or any other Account, the Surveyor of that District cannot discharge his Duties promptly and efficiently, then such Board may direct any other District Surveyor to assist the Surveyor of such District in the Performance of his Duties, or appoint some other Person to give such Assistance, and such Assistant Surveyor shall be entitled to receive all Fees payable in respect of the Services performed by him.

District Surveyor not to act in case of

XXXVII. If any Building is executed, or any Work done to, in, or upon any Building, by or under the Superintendence of any District Surveyor acting professionally or on his own private Account, it shall

shall not be lawful for such Surveyor to survey any such Building for the Purpose of this Act, or to act as District Surveyor in respect thereof, or in any Matter connected therewith, but it shall be his Duty to give Notice thereof to the said Metropolitan Board, who shall then appoint some other District Surveyor to act in respect of such Matter. Works under his professional Superintendence.

NOTICES TO DISTRICT SURVEYORS.

XXXVIII. Two Days before the following Acts or Event, that is to say, Notices to be given to District Surveyor by Builder.

Two Days before any Building, or any Work to, in, or upon any Building, is commenced, and also, if the Progress of any such Building or Work is after the Commencement thereof suspended for any Period exceeding Three Months, Two Days before such Building or Work is resumed, and also if during the Progress of any such Building or Work, the Builder employed thereon is changed, then Two Days before any new Builder enters upon the Continuance of such Building or Work,

It shall be the Duty of the Builder engaged in building or rebuilding such Building, or in executing such Work, or in continuing such Building or Work, to give to the District Surveyor Notice in Writing stating the Situation, Area, and Height, and intended Use of the Building or Buildings about to be commenced, or to, in, or upon which any Work is to be done, and the Number of such Buildings if more than One, and also the Particulars of any such proposed Work, and stating also his own Name and Address; but any Works to, in, or upon the same Building, that are in progress at the same Time, may be included in One Notice.

XXXIX. Every District Surveyor shall, upon the Receipt of any such Notice as aforesaid, and also upon any Work, affected by the Rules of this Act, but in respect of which no Notice has been given, being observed by or made known to him, and also from Time to Time during the Progress of any Works affected by the Rules and Directions of this Act, as often as may be necessary for securing the due Observance of such Rules, survey any Building or Work hereby placed under their Supervision, and cause all the Rules of this Act to be duly observed. District Surveyor to cause Rules of this Act to be observed.

XL. Every Notice given in pursuance of this Act shall be deemed, in any Question relative to any Building or Work, to be *primâ facie* Evidence as against such Builder, of the Nature of the Building or Work proposed to be built or done. Notice to be Evidence of intended Works.

XLI. If any Builder neglects to give Notice in any of the Cases aforesaid, or executes any Works of which he is hereby required to give Notice before giving the same, or having given due Notice of any Works, executes the same before the Expiration of Two Days from the Time of giving such Notice, such Builder shall for every such Offence incur a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace. Penalty on Builders neglecting to give Notice.

XLII. At all reasonable Times during the Progress of any Building or Work affected by this Act it shall be lawful for the District Surveyor to enter and inspect such Building or Work; and if any Person refuses to admit such Surveyor to inspect such Building or Work, or refuses or neglects to afford such Surveyor all reasonable Assistance in such Inspection, in every such Case the Offender shall incur for each Offence a Penalty not exceeding Twenty Pounds, to be recovered before a Justice of the Peace. District Surveyor may enter and inspect Buildings. Penalty for Refusal.

XLIII. The District Surveyor may at all reasonable Times enter any Premises, with the Exception of Buildings herein-before exempted by Name, for the Purpose of ascertaining whether any Buildings erected in such Premises are in such a Situation or possess such Characteristics as are herein-before required in order to exempt them from the Operation of this Act, and he may do all such Things as are necessary for the above Purpose; and if any Person refuses to admit such Surveyor to enter such Premises, or to inspect any such Building, or neglects to afford to him all reasonable Assistance in such Inspection, in every such Case the Offender shall incur for each Offence a Penalty not exceeding Twenty Pounds to be recovered before a Justice of the Peace. District Surveyor may enter Buildings to ascertain as to exempted Buildings.

XLIV. If, by reason of any Emergency, any Act or Work is required to be done immediately, or before Notice can be given as aforesaid, then it shall be lawful to do the Act or Work so required to be done, upon Condition that before the Expiration of Twenty-four Hours after such Act or Work has been begun, Notice thereof is given to the District Surveyor. In case of Emergency, Works may be commenced without Notice.

PROCEEDINGS BY DISTRICT SURVEYORS IN CASE OF IRREGULARITY.

XLV. In the following Cases, that is to say,— Notice by District Surveyor in case of Irregularity.

If in erecting any Building, or in doing any Work to, in, or upon any Building, anything is done contrary to any of the Rules of this Act, or anything required by this Act is omitted to be done; or

In Cases where due Notice has not been given,—

If the District Surveyor, on surveying or inspecting any Building or Work, finds that the same is so far advanced that he cannot ascertain whether anything has been done contrary to the Rules of this Act, or whether anything required by the Rules of this Act has been omitted to be done;

In every such Case the District Surveyor shall give to the Builder engaged in erecting such Building, or in doing such Work, Notice in Writing requiring such Builder, within Forty-eight Hours from the Date

PART I. *Regulation and Supervision of Buildings.*

Date of such Notice, to cause anything done contrary to the Rules of this Act to be amended, or to do anything required to be done by this Act, but which has been omitted to be done, or to cause so much of any Building or Work as prevents such District Surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid, to be to a sufficient Extent cut into, laid open, or pulled down.

On Noncompliance with Notice, Justice to summon Builder, and make Order to comply with Requisition.

XLVI. If the Builder, to whom such Notice is given, makes default in complying with the Requisition thereof within such Period of Forty-eight Hours, the District Surveyor may cause Complaint of such Noncompliance to be made before a Justice of the Peace, and such Justice shall thereupon issue a Summons requiring the Builder so in default to appear before him; and if, upon his Appearance, or in his Absence, upon due Proof of the Service of such Summons, it appears to such Justice that the Requisitions made by such Notice or any of them are authorized by this Act, he shall make an Order on such Builder commanding him to comply with the Requisitions of such Notice, or any of such Requisitions that may in his Opinion be authorized by this Act, within a Time to be named in such Order.

Penalty on Noncompliance with Order of Justice.

XLVII. If such Order is not complied with, the Builder on whom it is made shall incur a Penalty not exceeding Twenty Pounds a Day, to be recovered before a Justice of the Peace, during every Day of the Continuance of such Noncompliance, and in addition thereto, the District Surveyor may, if he thinks fit, proceed, with a sufficient Number of Workmen, to enter upon the Premises, and do all such Things as may be necessary for enforcing the Requisitions of such Notice, and for bringing any Building or Work into conformity with the Rules of this Act, and all Expenses incurred by him in so doing, and in any such Proceedings as aforesaid, may be recovered from the Builder on whom such Order was made, in a summary Manner, before a Justice of the Peace, or may be recovered from the Owner of the Premises in the same Manner in which Expenses incurred by the Commissioners herein-after named in respect of dangerous Buildings, are herein-after directed to be recovered from any Owner; and if the Owner cannot be found, or if, on Demand, he refuses or Neglects to pay the aforesaid Expenses, the District Surveyor shall have the same Power of taking and selling the Building in respect of which the Order is made, and of applying the Proceeds, as is thereby given to the Commissioners.

Penalty on Workmen, &c. doing anything contrary to Rules of Act.

XLVIII. If any Workman, Labourer, Servant, or other Person employed in or about any Building, wilfully, and without the Privity or Consent of the Person causing such Work to be done, does anything in or about such Building contrary to the Rules of this Act, he shall, for each such Offence, incur a Penalty not exceeding Fifty Shillings.

FEES OF DISTRICT SURVEYORS.

Payments to District Surveyors in respect of Matters in First Part of Second Schedule.

XLIX. There shall be paid to the District Surveyors, in respect of the several Matters specified in the First Part of the Second Schedule hereto, the Fees therein specified, or such other Fees, not exceeding the Amounts therein specified, as may from Time to Time be directed by the Metropolitan Board of Works; but One Fee only shall be chargeable with respect to any such Works done in, to, or upon any Building as are in pursuance of the Provisions herein-before contained included in One Notice; and if in consequence of any Reduction being made by the said Metropolitan Board in the Amount of the said scheduled Fees, the Income of any existing District Surveyor is diminished, the Metropolitan Board shall grant to him Compensation in respect of such Diminution.

Appointment of special Fees for Services not provided for.

L. If any special Service is required to be performed by the District Surveyor under the First Part of this Act, for which no Fee is specified in the said Schedule, the Metropolitan Board of Works may order such Fee to be paid for such Service as they think fit, and the District Surveyor shall have the same remedy for recovering such special Fee as if the same were expressly named in the said Schedule.

Periods when Surveyors entitled to Fees.

LI. At the Expiration of the following Periods, that is to say,

of One Month after the Roof of any Building surveyed by any District Surveyor under this Act has been covered in,

of Fourteen Days after the Completion of any such Work as is by this Act placed under the Supervision of the District Surveyor,

of Fourteen Days after any special Service in respect of any Building has been performed,

the District Surveyor shall be entitled to receive the Amount of Fees due to him from the Builder employed in erecting such Building, or in doing such Work, or in doing any Matter in respect of which any special Service has been performed by the Surveyor, or from the Owner or Occupier of the Building so erected, or in respect of which such Work has been done or Service performed; and if any such Builder, Owner, or Occupier refuses to pay the same, such Fees may be recovered in a summary Manner before a Justice of the Peace, upon its being shown, to the Satisfaction of such Justice, that a proper Bill specifying the Amount of such Fees was delivered to such Builder, Owner, or Occupier, or sent to him, in a registered Letter, addressed to his last known Residence.

RETURNS BY DISTRICT SURVEYORS.

District Surveyor to make monthly Returns to Metropolitan Board of Works.

LII. Every District Surveyor shall, within Seven Days after the First Day of every Month, make a Return to the Metropolitan Board of Works, in such Manner as they may appoint, of all Notices and Complaints received by him relative to the Business of his District, and the Results thereof, and of all Matters brought by him before any Justice of the Peace, and of all the several Works supervised and special Services performed by him in the Exercise of his Office within the previous Month, and of all

Fees

Fees charged or received in respect thereof; and specify in such Return the Description and Locality of every Building built, rebuilt, enlarged, or altered, or on which any Work has been done under his Supervision, with the particular Nature of every Work in respect of which any Fee has been charged or received.

As to Certificate that Works are agreeable to Act.

LIII. Every such Return shall be signed by such Surveyor, and shall be deemed to be a Certificate that all the Works enumerated therein as completed, have been done in all respects agreeably to this Act, according to the best of his Knowledge and Belief, and that they have been duly surveyed by him.

Superintending Architect to audit Accounts of Fees charged by District Surveyors, and to report in case of Excess.

LIV. The Officer herein-after mentioned as the Superintending Architect of Metropolitan Buildings, or such other Officer as the Metropolitan Board of Works appoint, shall from Time to Time examine the said monthly Returns made by the District Surveyors; and in case any Fees therein specified appear to such Officer to be unauthorized by this Act, or to exceed in Amount the Rates hereby made payable, or in case any such Account appears to be in any respect fraudulent or untrue, he shall make his Report in Writing to that Effect to the Metropolitan Board of Works, who shall thereupon take such Steps in the Matter as they deem expedient.

POWERS OF METROPOLITAN BOARD OF WORKS.

Metropolitan Board of Works to modify Rules.

LV. The Metropolitan Board of Works may, by Order, made with the Consent of Her Majesty in Council, alter, in such Manner as they may think fit, the Rules for the Regulation of the Thickness of Walls contained in the First Schedule hereto.

Buildings to which Rules of Act are inapplicable.

LVI. Whenever any Builder is desirous of erecting any Iron Building, or any other Building to which the Rules of this Act are inapplicable, he shall make an Application to the Metropolitan Board of Works, stating such Desire, and setting out a Plan of the proposed Building, with such Particulars as to the Construction thereof as may be required by the said Board; and the latter, if satisfied with such Plan and Particulars, shall signify their Approval of the same, and thereupon such Building may be constructed according to such Plan and Particulars; but it shall not be lawful for such Board to authorize any Warehouse or other Building, used either wholly or in part for the Purposes of Trade or Manufacture, to be erected, of greater Dimensions than Two hundred and sixteen thousand Cubic Feet, unless it is divided by Party Walls in manner herein-before required.

Power of Metropolitan Board to make General Rules.

LVII. The said Metropolitan Board may, for the Purpose of regulating the Proceedings of such Applicants as aforesaid, from Time to Time issue such General Rules as to the Time and Manner of making such Applications, as to the Plans to be presented, as to the Expenses to be incurred, and as to any other Matter or Thing connected therewith, as they may think fit.

Approval of Board how signified.

LVIII. The Approval by the Metropolitan Board of Works of any Plans or Particulars, in pursuance of the foregoing Provisions, shall be signified by Writing under the Hand of the Superintending Architect of Metropolitan Buildings, and countersigned by the Chairman of such Board, or by any other Officer appointed by the Board.

Board to issue Forms of Notices.

LIX. The said Metropolitan Board may from Time to Time prepare or sanction Forms of the various Notices required by this Act, and may from Time to Time make such Alterations therein as they deem requisite; and they shall cause every such Form to be sealed with the Seal of the Board, or marked with some other distinguishing Mark; and any Notice made in a Form sanctioned by the Board shall in all Proceedings be held sufficient in Law.

Expenses of Orders to be borne by Builders.

LX. All Expenses incurred in and about the obtaining such Approval of the Metropolitan Board of Works as aforesaid shall be paid by the Builder to the said Superintending Architect, or to such other Person as the said Board may appoint, and in default of Payment, may be recovered in a summary Manner.

District Surveyor to see Plans carried into execution.

LXI. A Copy of any Plans and Particulars, approved by the Metropolitan Board of Works, shall be furnished to the Surveyor within whose District the Building to which such Plans and Particulars relate is situate, and thereupon it shall be the Duty of such District Surveyor to ascertain that the same is built in accordance with the said Plans and Particulars.

Power to Metropolitan Board to appoint Superintending Architect and Clerks.

LXII. The Metropolitan Board of Works may, for the Purpose of aiding in the Execution of this Act, appoint some fit Person, to be called the "Superintending Architect of Metropolitan Buildings," together with such Number of Clerks as they think fit; such Architect and Clerks shall be removable by the said Metropolitan Board, and shall perform such Duties as the said Board direct; but it shall not be lawful for any Superintending Architect to practise as an Architect, or to follow any other Occupation.

Superintending Architect may appoint Deputy, with Consent.

LXIII. If the Superintending Architect is prevented by Illness, Infirmity, or any other unavoidable Circumstance from attending to the Duties of his Office, he may, with the Consent of the Metropolitan Board of Works, appoint some other Person as his Deputy to perform all his Duties for such Time as he may be temporarily prevented from executing them.

Salaries to Architect and Clerks.

LXIV. There shall be paid to such Superintending Architect and Clerks such Salaries as the said Metropolitan Board may from Time to Time direct.

EXPENSES.

Power of Metropolitan Board to pay Salaries.

LXV. The said Metropolitan Board may at any Time hereafter, by Order, cause such fixed Salary as they may determine to be paid to any District Surveyor by way of Remuneration instead of Fees, provided

PART I. *Regulation and Supervision of Buildings.*

vided the Amount of such Remuneration be not less than the Amount of the Average of the Fees for the last Three Years; and thereupon such Surveyor shall pay all Fees received by him under this Act into the Hands of the said Superintending Architect.

As to Monies received by Superintending Architect.

LXVI. All Monies received by the Superintending Architect in pursuance of this Act shall be accounted for and paid by him into the Hands of the Treasurer of the said Metropolitan Board, at such Time and in such Manner as the said Board may direct.

Metropolitan Board may pay Salaries out of Rates.

LXVII. The said Metropolitan Board may at any Time hereafter provide, either wholly or partially, for the Payment of Salaries to the District Surveyors, or to any of them, out of the Rates leviable by such Board in pursuance of the said Act for the better local Management of the Metropolis, and may thereupon abolish or reduce any Fees hereby made payable to the District Surveyors.

Expenses, how borne.

LXVIII. All Expenses of carrying into execution this Act, not hereby otherwise provided for, shall be deemed to be Expenses incurred by the said Metropolitan Board in the Execution of the said Act for the better local Management of the Metropolis, and shall be raised and paid accordingly.

PART II. *Dangerous Structures.*

PART II.

DANGEROUS STRUCTURES.

Survey to be made of dangerous Structures. 8 Vict. c. 84. s. 40.

LXIX. Whenever it is made known to the Commissioners herein-after named that any Structure (including in such Expression any Building, Wall, or other Structure, and anything affixed to or projecting from any Building, Wall, or other Structure,) is in a dangerous State, such Commissioners shall require a Survey of such Structure to be made by the District Surveyor, or by some other competent Surveyor, and it shall also be the Duty of the District Surveyor to make known to the said Commissioners any Information he may receive with respect to any Structure being in such State as aforesaid.

Definition of "Commissioners."

LXX. In Cases where any such Structure is situate within the City of *London* or the Liberties thereof, herein-after included under the Expression "the City of *London*," the Expression "the Commissioners" shall mean "the Commissioners of Sewers of the City of *London*;" but when such Structure is situate elsewhere it shall mean "the Commissioners of Police of the Metropolis," or such One of them as may be authorized by One of Her Majesty's Principal Secretaries of State to act in the Matter of this Act.

Surveyor to give Certificate.

LXXI. Upon the Completion of his Survey the Surveyor employed shall certify to the said Commissioners his Opinion as to the State of any such Structure as aforesaid.

Proceedings to be taken in respect of Certificate.

LXXII. If such Certificate is to the Effect that such Structure is not in a dangerous State, no further Proceedings shall be had in respect thereof, but if it is to the Effect that the same is in a dangerous State, the Commissioners shall cause the same to be shored up, or otherwise secured, and a proper Hoard or Fence to be put up for the Protection of Passengers, and shall cause Notice in Writing to be given to the Owner or Occupier of such Structure requiring him forthwith to take down, secure, or repair the same, as the Case requires.

On Noncompliance with Notice, Justice to summon Owner, &c. and make Order to comply with Requisition.

LXXIII. If the Owner or Occupier to whom Notice is given as last aforesaid, fails to comply, as speedily as the Nature of the Case permits, with the Requisition of such Notice, the said Commissioners may make Complaint thereof before a Justice of the Peace; and it shall be lawful for such Justice to order the Owner, or, on his Default, the Occupier, of any such Structure to take down, repair, or otherwise secure, to the Satisfaction of the Surveyor who made such Survey as aforesaid, or of such other Surveyor as the said Commissioners may appoint, such Structure, or such Part thereof as appears to him to be in a dangerous State, within a Time to be fixed by such Justice; and in case the same is not taken down, repaired, or otherwise secured within the Time so limited, the said Commissioners may with all convenient Speed cause all or so much of such Structure as is in a dangerous Condition to be taken down, repaired, or otherwise secured, in such Manner as may be requisite; and all Expenses incurred by the said Commissioners in respect of any dangerous Structure, by virtue of the Second Part of this Act, shall be paid by the Owner of such Structure, but without Prejudice to his Right to recover the same from any Lessee or other Person liable to the Expenses of Repairs.

If Owner cannot be found, Commissioners may sell Structure, giving the Surplus to Owner, &c.

LXXIV. If such Owner cannot be found, or if, on Demand, he refuses or neglects to pay the aforesaid Expenses, the said Commissioners, after giving Three Months Notice of their Intention to do so, by posting a printed or written Notice in a conspicuous Place on the Structure in respect of which or of Part of which they have incurred Expense, or on the Land whereon it stands, may sell such Structure, and they shall, after deducting from the Proceeds of such Sale the Amount of all Expenses incurred by them, restore the Surplus (if any) to the Owner.

Payments by or to the Commissioners, how made.

LXXV. All Payments hereby directed to be made by or to the Commissioners, shall, in the Cases of Payments in respect of any Structure situate within the City of *London*, be made by or to the Chamberlain of the City out of or to the Consolidated Rate made by the Commissioners of Sewers, and in the Cases of Payments in respect of any Structure situate elsewhere within the Limits of this Act, be made by or to the Receiver of Metropolitan Police, in the same Manner in which Payments are made by or to such Chamberlain and Receiver respectively in the ordinary Course of their Business; but no Commissioner or other Officer shall be liable in respect of any Loss that may be sustained by any Person in consequence of the Exercise by the said Commissioners of the Powers hereby given them, unless such Loss happens through the wilful Default of such Commissioner or other Officer.

LXXVI. In

Surplus how to be applied if no Demand made for it.

LXXVI. In Cases where any Surplus is hereby made payable to any Owner, if no Demand for the same is made by any Person entitled thereto within One Year, then the same shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Owner (describing him so far as the Commissioners can), subject to the Control of the Court, and to be paid out to the Owner on his applying by Petition, and proving his Title thereto.

Fees to District Surveyor.

LXXVII. There shall be paid to the District Surveyor, or to such other Surveyor as aforesaid, in respect of his Services under the Second Part of this Act, such Fees, not exceeding the Amounts specified in the Second Part of the Second Schedule hereto, as may from Time to Time be directed by the said Metropolitan Board.

Special Fees for Services not provided for.

LXXVIII. If any special Service is required to be performed by the District Surveyor, or by such other Surveyor as aforesaid, under the Second Part of this Act, for which no Fee is specified in the said Schedule, the said Metropolitan Board may order such Fee to be paid for such Service as they think fit.

Fees to be deemed Part of Expenses.

LXXIX. All Fees paid to the District Surveyor, or to such other Surveyor as aforesaid, by virtue of the Second Part of this Act, shall be deemed to be Expenses incurred by the said Commissioners in the Matter of the dangerous Structure in respect of which such Fees are paid, and shall be recoverable by them from the Owner accordingly.

Justice of Peace may cause Inmates to be removed from dangerous Structures.

LXXX. In Cases where a Structure has been certified by a District Surveyor, or such other Surveyor as aforesaid, to be dangerous to its Inmates, a Justice of the Peace may, if satisfied of the Correctness of such Certificate, upon the Application of the said Commissioners, by Order under his Hand direct any Inmates of such Structure to be removed therefrom by a Constable or other Peace Officer, and if they have no other Abode, he may require them to be received into the Workhouse established for the Reception of the Poor of the Place in which such Structure is situate.

Powers of Commissioners to appoint Officers.

LXXXI. Subject to the Approval of One of Her Majesty's Principal Secretaries of State, the said Commissioners may appoint such Persons at such Salaries, and make such Regulations, as they think fit for carrying into execution the Second Part of this Act; and all Expenses incurred by them not hereby otherwise provided for, shall, in the Case of Expenses incurred by the said Commissioners of Police, be deemed to be Expenses incurred by them in respect of the Police Force of which they are Commissioners, and be payable accordingly; and all Expenses incurred by the said Commissioners of Sewers shall be paid out of the said Consolidated Rate.

PART III.

Part III. *Party Structures.*

PARTY STRUCTURES.

Preliminary.

Definition of Building Owner and Adjoining Owner.

LXXXII. In the Construction of the following Provisions relating to Party Structures, such One of the Owners of the Premises separated by or adjoining to any Party Structure as is desirous of executing any Work in respect to such Party Structure shall be called the Building Owner, and the Owner of the other Premises shall be called the Adjoining Owner.

Rights of Building and Adjoining Owners.

Rights of Building Owner.

LXXXIII. The Building Owner shall have the following Rights in relation to Party Structures; that is to say,

(1.) A Right to make good or repair any Party Structure that is defective or out of repair:

(2.) A Right to pull down and rebuild any Party Structure that is so far defective or out of repair as to make it necessary or desirable to pull down the same:

(3.) A Right to pull down any Timber or other Partition that divides any Buildings, and is not conformable with the Regulations of this Act, and to build instead a Party Wall conformable thereto:

(4.) In the Case of Buildings having Rooms or Stories, the Property of different Owners intermixed, a Right to pull down such of the said Rooms or Stories or any Part thereof as are not built in conformity with this Act, and to rebuild the same in conformity with this Act:

(5.) In the Case of Buildings connected by Arches or Communications over public Ways or over Passages belonging to other Persons, a Right to pull down such of the said Buildings, Arches, or Communications, or any Part thereof, as are not built in conformity with this Act, and to rebuild the same in conformity with this Act:

(6.) A Right to raise any Party Structure permitted by this Act to be raised, or any External Wall built against such Party Structure, upon Condition of making good all Damage occasioned thereby to the adjoining Premises or to the internal Finishings and Decorations thereof, and of carrying up to the requisite Height all Flues and Chimney Stacks belonging to the Adjoining Owner on or against such Party Structure or External Wall:

(7.) A Right to pull down any Party Structure that is of insufficient Strength for any Building intended to be built, and to rebuild the same of sufficient Strength for the above Purpose, upon

PART III. *Party Structures.*

upon Condition of making good all Damage occasioned thereby to the adjoining Premises, or to the internal Finishings and Decorations thereof:

(8.) A Right to cut into any Party Structure upon Condition of making good all Damage occasioned to the adjoining Premises by such Operation:

(9.) A Right to cut away any Footing or any Chimney Breasts, Jambs, or Flues projecting from any Party Wall, in order to erect an External Wall against such Party Wall, or for any other Purpose, upon Condition of making good all Damage occasioned to the adjoining Premises by such Operation:

(10.) A Right to cut away or take down such Parts of any Wall or Building of an Adjoining Owner as may be necessary in consequence of such Wall or Building overhanging the Ground of the Building Owner, in order to erect an upright Wall against the same, on Condition of making good any Damage sustained by the Wall or Building by reason of such cutting away or taking down:

(11.) A Right to perform any other necessary Works incident to the Connexion of Party Structure with the Premises adjoining thereto:

But the above Rights shall be subject to this Qualification, that any Building which has been erected previously to the Time of this Act coming into operation shall be deemed to be conformable with the Provisions of this Act, if it is conformable with the Provisions of an Act passed in the Fourteenth Year of His late Majesty King *George* the Third, Chapter Seventy-eight, or with the Provisions of the said Act of the Eighth Year of Her present Majesty, Chapter Eighty-four.

14 G. 3. c. 78. 8 Vict. c. 84.

Rights of Adjoining Owner.

LXXXIV. Whenever the Building Owner proposes to exercise any of the foregoing Rights with respect to Party Structures, the Adjoining Owner may require the Building Owner to build on any such Party Structure certain Chimney Jambs, Breasts, or Flues, or certain Piers or Recesses, or any other like Works for the Convenience of such Adjoining Owner; and it shall be the Duty of the Building Owner to comply with such Requisition in all Cases where the Execution of the required Works will not be injurious to the Building Owner, or cause to him unnecessary Inconvenience or unnecessary Delay in the Exercise of his Right; and any Difference that arises between any Building Owner and Adjoining Owner in respect of the Execution of such Works as aforesaid shall be determined in manner in which Differences between Building Owners and Adjoining Owners are herein-after directed to be determined.

Rules as to Exercise of Rights by Building and Adjoining Owners.

LXXXV. The following Rules shall be observed with respect to the Exercise by Building Owners and Adjoining Owners of their respective Rights:—

(1.) No Building Owner shall, except with the Consent of the Adjoining Owner, or in Cases where any Party Structure is dangerous, in which Cases the Provisions hereby made as to dangerous Structures shall apply, exercise any Right hereby given in respect of any Party Structure, unless he has given at the least Three Months previous Notice to the Adjoining Owner by delivering the same to him personally, or by sending it by Post in a registered Letter addressed to such Owner at his last known Place of Abode:

(2.) The Notice so given shall be in Writing or printed, and shall state the Nature of the proposed Work, and the Time at which such Work is proposed to be commenced:

(3.) No Building Owner shall exercise any Right hereby given to him in such Manner or at such Time as to cause unnecessary Inconvenience to the Adjoining Owner:

(4.) Upon the Receipt of such Notice the Adjoining Owner may require the Building Owner to build, or may himself build on any such Party Structure, any Works to the Construction of which he is herein-before mentioned to be entitled:

(5.) Any Requisition so made by an Adjoining Owner shall be in Writing or printed, and shall be delivered personally to the Building Owner within One Month after the Date of the Notice being given by him, or be sent by Post in a registered Letter addressed to him at his last known Place of Residence: It shall specify the Works required by the Adjoining Owner for his Convenience, and shall, if necessary, be accompanied with explanatory Plans and Drawings:

(6.) If either Owner does not, within Fourteen Days after the Delivery to him of any Notice or Requisition, express his Consent thereto, he shall be considered as having dissented therefrom, and thereupon a Difference shall be deemed to have arisen between the Building Owner and the Adjoining Owner:

(7.) In all Cases not hereby specially provided for, where a Difference arises between a Building Owner and Adjoining Owner in respect of any Matter arising under this Act, unless both Parties concur in the Appointment of One Surveyor, they shall each appoint a Surveyor, and the Two Surveyors so appointed shall select a Third Surveyor, and such One Surveyor or Three Surveyors, or any Two of them, shall settle any Matter in Dispute between such Building and Adjoining Owner, with Power by his or their Award to determine the Right to do, and the Time and Manner of doing any Work, and generally any other Matter arising out of or incidental to such Difference; but any Time so appointed for doing any Work shall not

not commence until after the Expiration of such Period of Three Months, as is herein-before mentioned:

(8.) Any Award given by such One Surveyor, or by such Three Surveyors, or any Two of them, shall be conclusive, and shall not be questioned in any Court, with this Exception, that either of the Parties to the Difference may appeal therefrom to the County Court, within Fourteen Days from the Date of the Delivery of any such Award as aforesaid, and such County Court may, subject as herein-after mentioned, rescind or modify the Award so given in such Manner as it thinks just:

(9.) If either Party to the Difference makes default in appointing a Surveyor for Ten Days after Notice has been given to him by the other Party in manner aforesaid to make such Appointment, the Party giving the Notice may make the Appointment in the Place of the Party so making default:

(10.) The Costs incurred in obtaining any such Award as aforesaid shall be paid by such Party as such One Surveyor, or Three Surveyors, or any Two of them, may determine:

(11.) If the Appellant from any such Award as aforesaid, on appearing before the County Court, declares his Unwillingness to have the Matter decided by such Court, and proves, to the Satisfaction of the Judge of such Court, that, in the event of the Matter being decided against him, he will be liable to pay a Sum, exclusive of Costs, exceeding Fifty Pounds, and gives Security, to be approved by such Judge, duly to prosecute his Appeal and to abide the Event thereof, all Proceedings in the County Court shall thereupon be stayed; and it shall be lawful for such Appellant to bring an Action in One of Her Majesty's Superior Courts of Law at *Westminster* against the other Party to the Difference; and the Plaintiff in such Action shall deliver to the Defendants an Issue or Issues whereby the Matters in difference between them may be tried; and the Form of such Issue or Issues, in case of Dispute, or in case of the Nonappearance of the Defendant, shall be settled by the Court in which the Action is brought; and such Action shall be prosecuted and Issue or Issues tried in the same Manner and subject to the same Incidents in and subject to which Actions are prosecuted and Issues tried in other Cases within the Jurisdiction of such Court, or as near thereto as Circumstances admit:

(12.) If the Parties to any such Action agree as to the Facts, a special Case may be stated for the Opinion of any such Superior Court as aforesaid, and any Case so stated may be brought before the Court in like Manner and subject to the same Incidents in and subject to which other special Cases are brought before such Court, or as near thereto as Circumstances admit; and any Costs that may have been incurred in the County Court by the Parties to such Action as is mentioned in this Section, shall be deemed to be Costs incurred in such Action, and be payable accordingly.

Power for Building Owner to make Entry on Premises to effect Works.

LXXXVI. Whenever any Building Owner has become entitled, in pursuance of this Act, to execute any Work, it shall be lawful for him, his Servants, Agents, or Workmen, at all usual Times of working, to enter on any Premises, for the Purpose of executing and to execute such Work, removing any Furniture, or doing any other Thing that may be necessary, and if such Premises are closed he or they may, accompanied by a Constable or other Officer of the Peace, break open any Doors in order to such Entry; and any Owner or other Person that hinders or obstructs any Workman employed for any of the Purposes aforesaid, or wilfully damages or injures the said Work, shall incur for every such Offence, a Penalty not exceeding Ten Pounds, to be recovered before a Justice of the Peace.

Penalty on Persons obstructing.

Security to be given by Building Owner, if required by Adjoining Owner.

LXXXVII. Any Adjoining Owner may, if he thinks fit, by Notice in Writing given by himself or his Agent, require the Building Owner, before commencing any Work which he may be authorized by this Act to execute, to give such Security as may be agreed upon, or, in case of Difference, may be settled by the Judge of the County Court, for the Payment of all such Costs and Compensation in respect of such Work as may be payable by such Building Owner.

Rules as to Expenses in respect of Party Structure.

LXXXVIII. The following Rules shall be observed as to Expenses in respect of any Party Structure; (that is to say,)

As to Expenses to be borne jointly by the Building Owner and Adjoining Owner:

(1.) If any Party Structure is defective or out of repair, the Expense of making good or repairing the same shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Structure:

(2.) If any Party Structure is pulled down and rebuilt by reason of its being so far defective or out of repair as to make it necessary or desirable to pull down the same, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Structure:

(3.) If any Timber or other Partition dividing any Building is pulled down, in exercise of the Right herein-before vested in a Building Owner, and a Party Structure built instead thereof, the Expense of building such Party Structure, and also of building any additional Party Structures that may be required by reason of such Partition having been pulled down, shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the

PART III. *Party Structures.*

Use that each Owner makes of such Party Structure, and to the Thickness required to the respective Buildings parted thereby:

(4.) If any Room or Stories, or any Part of Rooms or Stories, the Property of different Owners, and intermixed in any Building, are pulled down in pursuance of the Right herein-before vested in any Building Owner, and rebuilt in conformity with this Act, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Rooms or Stories:

(5.) If any Arches or Communications, or any Parts thereof, are pulled down in pursuance of the Right herein-before vested in any Building Owner, and rebuilt in conformity with this Act, the Expense of such pulling down and rebuilding shall be borne by the Building Owner and Adjoining Owner in due Proportion, regard being had to the Use that each Owner makes of such Arches or Communications:

As to Expenses to be borne by Building Owner:

(6.) If any Party Structure or External Wall built against the same is raised in pursuance of the Power herein-before vested in any Building Owner, the Expense of raising the same, and of making good all such Damage, and of carrying up to the requisite Height all such Flues and Chimnies as are herein-before required to be made good and carried up, shall be borne by the Building Owner:

(7.) If any Party Structure which is of proper Materials and sound, or not so far defective or out of repair as to make it necessary or desirable to pull down the same, is pulled down and rebuilt by the Building Owner, the Expense of pulling down and rebuilding the same, and of making good all such Damage as is herein-before required to be made good, shall be borne by the Building Owner:

(8.) If any Party Structure is cut into by the Building Owner, the Expense of cutting into the same, and of making good any Damage herein-before required to be made good, shall be borne by such Building Owner:

(9.) If any Footing, Chimney Breast, Jambs, or Floor is cut away in pursuance of the Powers herein-before vested in any Building Owner, the Expense of such cutting away, and of making good any Damage herein-before required to be made good, shall be borne by the Building Owner.

Account of Expenses of Works to be delivered to Adjoining Owner within One Month.

LXXXIX. Within One Month after the Completion of any Work which any Building Owner is by this Act authorized or required to execute, and the Expense of which is in whole or in part to be borne by an Adjoining Owner, such Building Owner shall deliver to the Adjoining Owner an Account in Writing of the Expense of the Work, specifying any Deduction to which such Adjoining Owner or other Person may be entitled in respect of old Materials, or in other respects; and every such Work as aforesaid shall be estimated and valued at fair average Rates and Prices, according to the Nature of the Work and the Locality, and the Market Price of Materials and Labour at the Time.

Adjoining Owner may appeal against Account.

XC. At any Time within One Month after the Delivery of such Account, the Adjoining Owner, if dissatisfied therewith, may declare his Dissatisfaction to the Party delivering the same, by Notice in Writing given by himself or his Agent, and specifying his Objections thereto; and upon such Notice having been given, a Difference shall be deemed to have arisen between the Parties, and such Difference shall be determined in manner herein-before provided for the Determination of Differences between Building and Adjoining Owners.

Building Owner may recover, if no Appeal made.

XCI. If within such Period of One Month as aforesaid the Party receiving such Account does not declare in manner aforesaid his Dissatisfaction therewith, he shall be deemed to have accepted the same, and shall pay the same, on Demand, to the Party delivering the Account, and if he fails to do so, the Amount so due may be recovered as a Debt.

Penalty on Delay of Payment by Adjoining Owner.

XCII. Where the Adjoining Owner is liable to contribute to the Expenses of building any Party Structure, until such Contribution is paid, the Building Owner at whose Expense the same was built shall stand possessed of the sole Property in such Structure.

As to Expenses incurred on Requisition of Adjoining Owner.

XCIII. Where any Building Owner has incurred any Expenses on the Requisition of an Adjoining Owner, the Adjoining Owner making such Requisition shall be liable for all such Expenses, and in default of Payment, the same may be recovered from him as a Debt.

Penalty on Building Owner failing to execute required Works.

XCIV. Where any Building Owner is, by the Third Part of this Act, liable to make good any Damage he may occasion to the Property of the Adjoining Owner by any Works authorized to be executed by him, or to do any other Thing upon Condition of doing which, his Right to execute such Works is hereby limited to arise, and such Building Owner fails within a reasonable Time to make good such Damage or to do such Thing, he shall incur a Penalty, to be recovered before a Justice of the Peace, not exceeding Twenty Pounds for each Day during which such Failure continues.

Consent how given on behalf of Persons under Disability.

XCV. Where, in pursuance of this Act, any Consent is required to be given, any Notice to be served, or any other Thing to be done by, on, or to any Owner under Disability, such Consent may be given, such

such Notice may be served, and such Thing may be done by, on, or to the following Persons, on behalf of such Persons under Disability; that is to say,

By, on, or to a Husband, on behalf of his Wife:

By, on, or to a Trustee, on behalf of his Cestuique Trust:

By, on, or to a Guardian or Committee, on behalf of an Infant, Idiot, or Lunatic.

Consent how given on behalf of Persons not to be found.

XCVI. Where any Consent is required to be given or any other Thing to be done by any Owner in pursuance of this Act, if there is no Owner capable of giving such Consent or of doing such Thing, and no Person empowered by this Act to give such Consent or to do such Thing on behalf of such Owner, or if any Owner so capable, or any Person so empowered, cannot be found, the Judge of the County Court shall have Power to give such Consent, or do or cause to be done such Thing on behalf of such Owner, upon such Terms and subject to such Conditions as he may think fit, having regard alike to the Nature and Purpose of the Subject Matter in respect of which such Consent is to be given, and to the fair Claims of the Parties on whose Behalf such Consent is to be given; and such Judge shall have Power to dispense with the Service of any Notice which would otherwise be required to be served.

PART IV.

MISCELLANEOUS PROVISIONS.

PART IV. *Miscellaneous Provisions.*

Payment of Expenses by Owners.

XCVII. Where it is hereby declared that Expenses are to be borne by the Owner of any Premises (including in the Term "Owner" the Adjoining and Building Owner respectively), the following Rules shall be observed with respect to the Payment of such Expenses:

(1.) The Owner immediately entitled in possession to such Premises, or the Occupier thereof, shall in the first instance pay such Expenses, with this Limitation, that no Occupier shall be liable to pay any Sum exceeding in Amount the Rent due, or that will thereafter accrue due from him, in respect of such Premises during the Period of his Occupancy:

(2.) If there are more Owners than One, every Owner shall be liable to contribute to such Expenses in proportion to his Interest:

(3.) If any Difference arises as to the Amount of Contribution, such Difference shall be decided by Arbitration, to be conducted in manner directed by the Companies Clauses Consolidation Act, 1845; and for that Purpose the Clauses of the said Act with respect to the Settlement of Disputes by Arbitration shall be incorporated with this Act:

(4.) If some of the Owners liable to Contribution cannot be found, the Deficiency so arising shall be divided amongst the Parties that can be found:

(5.) Any Occupier of Premises, who has paid any Expenses under this Act, may deduct the Amount so paid from any Rent payable by him to any Owner of the same Premises; and any Owner of Premises, who has paid more than his due Proportion of any Expenses, may deduct the Amount so overpaid from any Rent that may be payable by him to any other Owner of the same Premises:

(6.) If Default is made by any Owner or Occupier in Payment of any Expenses hereby made payable by him in the first instance, or if Default is made by any Owner in Payment of any other Expenses or Monies due from him by way of Contribution, or otherwise, in pursuance of this Act, then in addition to any other Remedies hereby provided, such Expenses and Monies, if arising in respect of any Matter within the Provisions of the Third Part of this Act, may be recovered as a Debt in due Course of Law, but if arising in respect of any other Matter under this Act, may be recovered in a summary Manner.

Rules as to Service of Notices, Summonses, and Orders.

XCVIII. The following Rules shall be observed with respect to the giving or Service of any Notice, Summons, or Order directed to be given or served under this Act in Cases not herein-before provided for:

(1.) A Notice, Summons, or Order may in all Cases be served personally:

(2.) A Notice, Summons, or Order may be served on any Builder by leaving the same, or sending it in a registered Letter addressed to him at his Place of Address, as stated by him to the District Surveyor, or by putting up such Notice, Summons, or Order on a conspicuous Part of the Building or Premises to which the same relates:

(3.) A Notice, Summons, or Order may be served on the Owner or Occupier of any Premises, by leaving the same with the Occupier of such Premises, or with some Inmate of his Abode, or, if there is no Occupier, by putting up such Notice, Summons, or Order on a conspicuous Part of the Building or Premises to which the same relates; and it shall not be necessary to name the Owner or Occupier of such Premises; nevertheless, when the Owner of any such Premises and his Residence, or that of his Agent, are known to the Party by whom, or on whose Behalf, any Notice, Summons, or Order is intended to be served, it shall be the Duty of such Party to send every such Notice, Summons, or Order by the Post in a registered Letter addressed to the Residence, or last known Residence of such Owner or of his Agent:

(4.) A Notice, Summons, or Order may be served on any District Surveyor by leaving the same at his Office.

XCIX. When-

PART IV. *Miscellaneous Provisions.*

As to Things authorized to be done by a County Court. 11 & 12 Vict. c. lxxi.

XCIX. Whenever any Thing is hereby authorized to be done by a County Court, it may be done as follows; that is to say, if such Thing arises in respect of any Structure, or other Subject Matter situate within the City of *London*, or the Liberties thereof, by the Sheriffs Court established by a Local Act passed in the Eleventh Year of the Reign of Her Majesty, Chapter Seventy-one, intituled *An Act for the more easy Recovery of Small Debts and Demands within the City of* London *or the Liberties thereof*, and if such Thing arises in respect of any Structure, or other Subject Matter situate elsewhere, by the County Court having Jurisdiction within the District in which such Structure or other Subject Matter is situate.

Manner of determining Differences.

C. In Cases where Jurisdiction is hereby given to a County Court, such Court may, from Time to Time, make such Order in respect of Matters so brought before it as it may think fit, with Power to settle the Time and Manner of executing any Work, or of doing any other Thing, and to put the Parties to the Case upon such Terms, as respects the Execution of the Work, as it thinks fit: It shall also have Power to award or refuse Costs according to Circumstances, and to settle the Amount thereof.

Form of Proceedings in County Court.

CI. Proceedings in any County Court, in respect of any Matter arising under this Act, shall be conducted in the same Manner as Proceedings are conducted in any Case within the ordinary Jurisdiction of such Court, or as near thereto as Circumstances permit; and Orders made by the Judge of any such Court may be enforced by Execution, Committal, or otherwise, in a similar Manner to that in which the Orders of such Court are ordinarily enforced.

Appeal from Decision of County Court.

CII. If either Party in any Case, over which Jurisdiction is hereby given to a County Court, feels aggrieved with the Decision of such Court in respect of any Point of Law, or the Admission or Rejection of any Evidence, he may appeal therefrom in the same Manner, and upon the same Terms, in and upon which he might have appealed from the Decision of such Court in any Case within the ordinary Jurisdiction of such Court, or as near thereto as Circumstances permit; but no such Appeal shall be allowed, unless the Value of the Matter in difference between the Parties exceeds Fifty Pounds; and the Opinion of the Judge before whom the Case is tried as to such Value shall be conclusive.

Recovery of Penalties.

CIII. All Penalties under this Act, and all Fees, Monies, Costs, or Expenses by this Act directed to be recovered in a summary Manner, may be recovered in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders;* and whenever any Thing is hereby authorized or required to be done by or before a Justice of the Peace it may be done as follows; that is to say, if such Thing arises in respect of any Building or Wall situate within the City of *London*, by or before One or more Justice or Justices of the Peace for the said City, or by any Metropolitan Police Magistrate, and if such Thing arises in respect of any Building or Wall situate elsewhere within the Limits of this Act, by or before any Metropolitan Police Magistrate.

Application of Penalties.

CIV. Any Justice of the Peace, in any Case over which Jurisdiction is hereby given to him, may make such Order as to the Costs of any Proceedings of which he has cognizance, as he thinks just; he may also direct the whole or any Part of any Penalty imposed by him under this Act, to be applied in or towards Payment of the Costs of the Proceedings; and, subject to such Direction, all Penalties shall be paid into the Hands of the Treasurer of the said Metropolitan Board, to be applied in such Manner as the said Board thinks fit.

Provisions as to Limitation of Time when due Notice has not been given.

CV. In Cases where any Building has been erected, or Work done without due Notice being given to the District Surveyor, the District Surveyor may, at any Time within One Month after he has discovered that such Building has been erected or Work done, enter the Premises for the Purpose of seeing that the Regulations of this Act have been complied with, and the Time during which the District Surveyor may take any Proceeding, or do anything authorized or required by this Act to be done by him, in respect of such Building or Work, shall begin to run from the Date of his discovering that such Building has been erected or Work done.

Power to appeal to Superior Courts.

CVI. In every Case, except in respect of Fees of a District Surveyor, in which Jurisdiction is hereinbefore given to a Justice of the Peace, if either Party to any such Case is dissatisfied with the Determination of the Justice so convicting, in respect of any Point of Law, or of the Admission or Rejection of any Evidence, such Party may, upon giving Notice within Seven Days to the other Party of his Intention to appeal, appeal therefrom to any of the Superior Courts of Common Law at *Westminster;* subject to this Restriction, that no such Appeal shall be made by any District Surveyor except with the Consent of the Justice before whom the Case is tried, and that no such Appeal shall be made by any other Party to the Case except upon giving such Security for Costs, and, if the Case requires it, in addition thereto, such Undertaking in respect of desisting, in the meantime, from any Works complained of, or in respect of any other Matter or Thing arising in the Case, as the Justice thinks fit.

Form of Appeal.

CVII. Any Appeal so made shall be in the Form of a Special Case, to be agreed on by both Parties, or, if the Parties cannot agree, to be settled by the Justice from whose Decision the Appeal is made; and such Case shall be transmitted by the Appellant to the Rule Department of the Master's Office in the Court in which the Appeal is to be brought, and be heard in manner provided by the Practice of such Court.

CVIII. No

Notice of Action.

CVIII. No Writ or Process shall be sued out against any District Surveyor or other Person for anything done or intended to be done under the Provisions of this Act, until the Expiration of One Month next after Notice in Writing has been delivered to him, or left at his Office or usual Place of Abode, stating the Cause of Action, and the Name and Place of Abode of the intended Plaintiff, and of his Attorney or Agent in the Cause; and, upon the Trial of any such Action, the Plaintiff shall not be permitted to go into Evidence of any Cause of Action which is not stated in such last-mentioned Notice; and unless such Notice is proved, the Jury shall find for the Defendant; and every such Action shall be brought or commenced within Six Months next after the Accrual of the Cause of Action, and not afterwards; and shall be laid and tried in the County or Place where the Cause of Action occurred, and not elsewhere; and the Defendant shall be at liberty to plead the General Issue, and give this Act and all special Matter in Evidence thereunder.

PART V.

Part V. Repeal of former Acts, and temporary Provisions.

REPEAL OF FORMER ACTS, AND TEMPORARY PROVISIONS.

REPEAL.

Repeal of 7 & 8 Vict. c. 84., except ss. 54. to 63., and 9 & 10 Vict. c. 5.

CIX. From and after the Commencement of this Act, the following Acts, that is to say, an Act passed in the Eighth Year of the Reign of Her present Majesty, Chapter Eighty-four, and intituled *An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood*, with the Exception of the Sections relating to dangerous and noxious Businesses, and numbered respectively Fifty-four, Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty, Sixty-one, Sixty-two, and Sixty-three, and an Act passed in the Ninth Year of the Reign of Her present Majesty, Chapter Five, and intituled *An Act to amend an Act for regulating the Construction and Use of Buildings in the Metropolis and its Neighbourhood*, are throughout the Limits of this Act and elsewhere hereby repealed, subject to the following Provisions; that is to say,

1. That such Repeal shall not affect any Proceedings authorized to be taken by the said Acts or either of them in respect of any Act, Omission, Penalty, Matter, or Thing, and pending before the Official Referees or any other Tribunal at the Time of the Commencement of this Act:
2. That in Cases where any Act, Omission, or Thing has occurred previously to the Time of the Commencement of this Act, in respect of which, if this Act had not passed, Proceedings might have been taken under the said Acts, or either of them, then Proceedings in respect of such Act, Omission, or Thing may be had under this Act in manner following; that is to say, if the Matter in question is anything relating to the Rights of Building and Adjoining Owners in respect of Party Structures, Proceedings may be had in the County Court, but if the Matter in question relates to the Recovery of any Penalty or to any other Thing, Proceedings may be had before any Justice of the Peace:
3. That so much of the Act of the Fourteenth Year of King *George* the Third, Chapter Seventy-eight, as was excepted from the Operation of the said Act of the Eighth Year of Her present Majesty, Chapter Eighty-four; (that is to say,) the Sections numbered respectively Seventy-four, Seventy-five, Seventy-six, Seventy-seven, Seventy-eight, Eighty, Eighty-one, Eighty-two, Eighty-three, Eighty-four, Eighty-five, and Eighty-six, shall continue in full Force.

14 G. 4. c. 78. ss. 74. to 78., and 80. to 86., to continue in force.

As to Contracts made previously to passing of Act.

CX. Any Contract made, previously to the passing of this Act, for the Erection of a new Building, shall be carried into effect in the same Manner as if this Act had been passed at the Time of the making thereof, and the necessary Deviations from the Terms of such Contract may be made accordingly; and if any Dispute arises in respect of any Loss sustained by any Party to such Contract by reason of such necessary Deviation, such Dispute shall be determined by the County Court; and whenever any Costs or Expenses have been paid by any Owner in pursuance of this Act, then as to any Structure held under any Lease or Agreement made previously to the Commencement of this Act it shall be lawful for such Owner to recover the same from the Persons hitherto liable by Law, or by such existing Lease or Contract, to maintain or repair the Structure in respect of which such Costs and Expenses have been incurred.

Rights not affected.

CXI. Nothing herein contained shall vary or affect the Rights or Liabilities as between Landlord and Tenant under any Contract between them.

As to Iron Buildings constructed before this Act comes into operation.

CXII. In Cases where any Iron Building has been constructed, or is in the Progress of Construction, previously to the Time at which this Act comes into operation, and Doubts are entertained whether such Building is permitted by Law, any Person interested in such Building may make an Application to the Commissioners of Works and Buildings, to signify their Approval of such Building; and the Commissioners of Works and Buildings, upon being satisfied of the Stability of such Building, may approve of the same, and upon such Approval being given such Building shall be deemed to have been constructed in manner permitted by Law, and this Section shall come into operation immediately after the passing of this Act.

Compensation to Official Referees and Registrar.

CXIII. The Official Referees and Registrar of Metropolitan Buildings may, within Six Months from the Time at which this Act comes into operation, apply to the Commissioners of Her Majesty's Treasury for Compensation in respect of the Loss they have sustained by reason of the Abolition of their Offices; and the Commissioners shall take any such Application into consideration, and award such Compensation,

PART V. *Repeal of former Acts, and temporary Provisions.*

sation, either by way of a gross Sum or annual Payment, as they think just, having regard to the Nature of the Office, the Time during which the Applicant has held the same, and generally to the special Circumstances of each Case; and any Compensation so given shall be paid out of Monies to be provided by Parliament; and such Compensation, when made by annual Payment, shall be subject to this Proviso, that if any such Official Referee or Registrar is at any Time thereafter appointed to any Public Office in respect of which he receives a Salary, the Payment of the Compensation awarded to him under this Act shall be suspended so long as he receives such Salary, if the Amount thereof is greater than such Compensation, or if not shall be diminished by the Amount of such Salary.

Compensation to Clerks in Office of Metropolitan Buildings.

CXIV. Any Person, except the said Official Referees and Registrar, who, at the Time when this Act comes into operation is employed in the Office of Metropolitan Buildings, may within Six Months from such Time apply to the Metropolitan Board of Works for Employment, and such Board shall thereupon take such Application into consideration, and they shall either employ the Applicant at a Salary not less in Amount than that which he enjoyed when in the said Office of Metropolitan Buildings, or at a less Salary, awarding to him Compensation in respect of such Diminution of Salary, or they shall award to him such Compensation, if any, as they, or in the event of the Applicant feeling aggrieved with their Decision, as the Commissioners of the Treasury think just, having regard to the Nature of the Office, the Time during which it has been held by the Applicant, and generally to the special Circumstances of the Case; and any Expenses incurred by the said Board in carrying into effect this Section shall be deemed to be Expenses incurred in the Execution of the said Act for the better Local Management of the Metropolis, and be raised accordingly; nevertheless, if any such Clerk or Servant as aforesaid at any Time thereafter is appointed to any Public Office, or to any Office under the said Metropolitan Board, in respect of which he receives a Salary, the Payment of the Compensation awarded to him under this Act shall be suspended so long as he receives such Salary, if the Amount thereof is greater than the Amount of such Compensation, or if not, shall be diminished by the Amount of such Salary; but, notwithstanding anything herein contained, the Metropolitan Board may, in the event of their employing any Person mentioned in this Section, dismiss him, with the Consent of the Treasury.

FIRST SCHEDULE.

PRELIMINARY.

Structure of Buildings.

1. Every Building shall be enclosed with Walls constructed of Brick, Stone, or other hard and incombustible Substances, and the Foundations shall rest on solid Ground, or upon Concrete or upon other solid Substructure.

Construction of Walls of Brick, Stone, &c.

2. Every Wall constructed of Brick, Stone, or other similar Substances shall be properly bonded and solidly put together with Mortar or Cement, and no Part of such Wall shall overhang any Part underneath it, and all Return Walls shall be properly bonded together.

Extra Thickness of certain Stone Walls.

3. The Thickness of every Stone Wall in which the Beds of the Masonry are not laid horizontally shall be One Third greater than the Thickness prescribed for Stone Walls in the Rules herein-after contained.

Thickness of Walls.

4. The Thickness of every Wall as herein-after determined shall be the minimum Thickness.

Height of Story.

5. The Height of every topmost Story shall be measured from the Level of its Floor up to the under Side of the Tie of the Roof, or up to Half the vertical Height of the Rafters, when the Roof has no Tie; and the Height of every other Story shall be the clear Height of such Story exclusive of the Thickness of the Floor.

Height of External and Party Walls.

6. The Height of every External and Party Wall shall be measured from the Base of the Wall to the Level of the Top of the topmost Story.

Length of Walls.

7. Walls are deemed to be divided into distinct Lengths by Return Walls, and the Length of every Wall is measured from the Centre of one Return Wall to the Centre of another; provided that such Return Walls are External, Party, or Cross Walls of the Thickness herein-after required, and bonded into the Walls so deemed to be divided:

Footings of Walls.

8. The Projection of the Bottom of the Footing of every Wall, on each Side of the Wall, shall be at least equal to One Half of the Thickness of the Wall at its Base; and the Diminution of the Footing of every Wall shall be formed in regular Offsets, and the Height from the Bottom of such Footing to the Base of the Wall shall be at the least equal to One Half of the Thickness of the Wall at its Base.

PART I.

RULES FOR THE WALLS OF DWELLING HOUSES.

Thickness of Walls of Dwelling Houses.

1. The External and Party Walls of Dwelling Houses shall be made throughout the different Stories of the Thickness shown in the following Table, arranged according to the Heights and Lengths of the Walls, and calculated for Walls up to One hundred Feet in Height, and supposed to be built of Bricks not less than Eight and a Half Inches and not more than Nine and a Half Inches in Length, the Heights of the Stories being subject to the Condition herein-after given.

2. TABLE.

2. TABLE.

I.	II.	III.	IV.
Height up to 100 Feet.	Length up to 45 Feet. Two Stories, 21½ Inches. Three Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 80 Feet. Two Stories, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 30 Inches. Two Stories, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 90 Feet.	Length up to 45 Feet. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 70 Feet. One Story, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 30 Inches. Two Stories, 26 Inches. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 80 Feet.	Length up to 40 Feet. One Story, 21½ Inches. Two Stories, 17½ inches. Remainder, 13 Inches.	Length up to 60 Feet. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 26 Inches. Two Stories, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 70 Feet.	Length up to 40 Feet. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length up to 55 Feet. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 26 Inches. Two Stories, 21½ Inches. One Story, 17½ Inches. Remainder, 13 Inches.
Height up to 60 Feet.	Length up to 30 Feet. One Story, 17½ Inches. Remainder, 13 Inches.	Length up to 50 Feet. Two Stories, 17½ Inches. Remainder, 13 Inches.	Length unlimited. One Story, 21½ Inches. Two Stories, 17½ Inches. Remainder, 13 Inches.
Height up to 50 Feet.	Length up to 30 Feet. Wall below the Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	Length up to 45 Feet. One Story, 17½ Inches. Rest of Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. One Story, 21½ Inches. One Story, 17½ Inches. Remainder, 13 Inches.
Height up to 40 Feet.	Length up to 35 Feet. Wall below Two Topmost Stories, 13 Inches. Two Topmost Stories, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. One Story, 17½ Inches. Rest of Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	
Height up to 30 Feet.	Length up to 35 Feet. Wall below Two Topmost Stories, 13 Inches. Two Topmost Stories, 8½ Inches. Remainder, 8½ Inches.	Length unlimited. Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	
Height up to 25 Feet.	Length up to 30 Feet. From Base to Top of Wall, 8½ Inches.	Length unlimited. Wall below Topmost Story, 13 Inches. Topmost Story, 8½ Inches. Remainder, 8½ Inches.	

3. In using the above Table the Height of the Wall is to be reckoned on the First vertical Column on the Left Hand of the Table, and the Length of the Wall on the corresponding horizontal Column. The Thickness of the Wall in each Story is given in Inches, and begins with the Wall from the Base upwards. Explanation of Tables.

Qualification in case of certain Walls.

4. If any External or Party Wall, measured from Centre to Centre, is not more than Twenty-five Feet distant from any other External or Party Wall to which it is tied by the Beams of any Floor or Floors, other than the Ground Floor, or the Floor of any Story formed in the Roof, the Length of such Wall is not to be taken into consideration, and the Thickness of the Wall will be found in the Second vertical Column in the above Table.

Condition in respect of Stories exceeding a certain Height.

5. If any Story exceeds in Height Sixteen Times the Thickness prescribed for the Walls of such Story in the above Table, the Thickness of each External and Party Wall throughout such Story shall be increased to One Sixteenth Part of the Height of the Story; but any such additional Thickness may be confined to Piers properly distributed, of which the collective Widths amount to One Fourth Part of the Length of the Wall.

Restriction in case of certain Stories.

6. No Story enclosed with Walls less than Thirteen Inches in Thickness shall be more than Ten Feet in Height.

Thickness of Walls built of Materials other than Bricks as aforesaid.

7. The Thickness of any Wall of a Dwelling House, if built of Materials other than such Bricks as aforesaid, shall be deemed to be sufficient if made of the Thickness required by the above Tables, or of such less Thickness as may be approved by the Metropolitan Board, with this Exception, that in the Case of Walls built of Stone in which the Beds of the Masonry are not laid horizontally no Diminution shall be allowed in the Thickness required by the foregoing Rules for such last-mentioned Walls.

Rule as to Buildings not being Public &c.

8. All Buildings, excepting Public Buildings, and such Buildings as are herein-after defined to be Buildings of the Warehouse Class, shall, as respects the Thickness of their Walls, be subject to the Rules given for Dwelling Houses.

PART II.

RULES FOR THE WALLS OF BUILDINGS OF THE WAREHOUSE CLASS.

Definition of Warehouse Class.

1. The Warehouse Class shall comprise all Warehouses, Manufactories, Breweries, and Distilleries.

Thickness at Base.

2. The External and Party Walls of Buildings of the Warehouse Class shall at the Base be made of the Thickness shown in the following Table, calculated for Walls up to One hundred Feet in Height, and supposed to be built of Bricks not less than Eight and a Half Inches and not more than Nine and a Half Inches in Length.

3. TABLE.

I.	II.	III.	IV.
Height up to 100 Feet.	Length up to 55 Feet. — Base, 26 Inches.	Length up to 70 Feet. — Base, 30 Inches.	Length unlimited. — Base, 34 Inches.
Height up to 90 Feet.	Length up to 60 Feet. — Base, 26 Inches.	Length up to 70 Feet. — Base, 30 Inches.	Length unlimited. — Base, 34 Inches.
Height up to 80 Feet.	Length up to 45 Feet. — Base, 21½ Inches.	Length up to 60 Feet. — Base, 26 Inches.	Length unlimited. — Base, 30 Inches.
Height up to 70 Feet.	Length up to 30 Feet. — Base, 17½ Inches.	Length up to 45 Feet. — Base, 21½ Inches.	Length unlimited. — Base, 26 Inches.
Height up to 60 Feet.	Length up to 35 Feet. — Base, 17½ Inches.	Length up to 50 Feet. — Base, 21½ Inches.	Length unlimited. — Base, 26 Inches.
Height up to 50 Feet.	Length up to 40 Feet. — Base, 17½ Inches.	Length up to 70 Feet. — Base, 21½ Inches.	Length unlimited. — Base, 26 Inches.
Height up to 40 Feet.	Length up to 30 Feet. — Base, 13 Inches.	Length up to 60 Feet. — Base, 17½ Inches.	Length unlimited. — Base, 21½ Inches.
Height up to 30 Feet.	Length up to 45 Feet. — Base, 13 Inches.	Length unlimited. — Base, 17½ Inches.	
Height up to 25 Feet.	Length unlimited. — Base, 13 Inches.		

4. The

4. The above Table is to be used in the same Manner as the Table previously given for the Walls of Dwelling Houses, and is subject to the same Qualifications and Conditions respecting Walls not more than Twenty-five Feet distant from each other. Explanation of Table.

5. The Thickness of the Walls of Buildings of the Warehouse Class at the Top, and for Sixteen Feet below the Top, shall be Thirteen Inches; and the intermediate Parts of the Wall between the Base and such Sixteen Feet below the Top shall be built solid throughout the Space between straight Lines drawn on each Side of the Wall, and joining the Thickness at the Base to the Thickness at Sixteen Feet below the Top, as above determined; nevertheless in Walls not exceeding Thirty Feet in Height the Walls of the Topmost Story may be Eight Inches and a Half thick. Thickness at Top of Walls and through Intermediate Space.

6. If in any Story of a Building of the Warehouse Class the Thickness of the Wall, as determined by the Rules herein-before given, is less than One Fourteenth Part of the Height of such Story, the Thickness of the Wall shall be increased to One Fourteenth Part of the Height of the Story; but any such additional Thickness may be confined to Piers properly distributed, of which the collective Widths amount to One Fourth Part of the Length of the Wall. Condition in respect of Stories exceeding a certain Height.

7. The Thickness of any Wall of a Building of the Warehouse Class, if built of Materials other than such Bricks as aforesaid, shall be deemed to be sufficient if made of the Thickness required by the above Tables, or of such less Thickness as may be approved by the Metropolitan Board, with this Exception, that in the Case of Walls built of Stone in which the Beds of the Masonry are not laid horizontally no Diminution shall be allowed in the Thickness required by the foregoing Rules for such last-mentioned Walls. Thickness of Walls built of Materials other than such Bricks as aforesaid.

MISCELLANEOUS.

1. The Thickness of a Cross Wall shall be Two Thirds of the Thickness herein-before required for an External or Party Wall of the same Dimensions, and belonging to the same Class of Buildings, but never less than Eight and a Half Inches, and no Wall subdividing any Building shall be deemed to be a Cross Wall unless it is carried up to Two Thirds of the Height of the External or Party Walls, and unless the Recesses and Openings therein do not exceed One Half of the vertical Surface of the Wall in each Story. Cross Walls.

2. The Thickness of every Stone Wall in which the Beds of the Masonry are not laid horizontally shall be One Third greater than the Thickness prescribed in the Rules aforesaid. Extra Thickness of certain Stone Walls.

3. Buildings to which the preceding Rules are inapplicable require the special Sanction of the Metropolitan Board of Works.

SECOND SCHEDULE.

FEES PAYABLE TO DISTRICT SURVEYORS.

PART I.

Fees for new Buildings.

	s.	*d.*
For every Building not exceeding Four hundred Square Feet in Area, and not more than Two Stories in Height - - - - - - - -	30	0
For every additional Story - - - - - - - -	5	0
For every additional Square of 100 Feet or Fraction of such Square - - - But no Fee shall exceed Ten Pounds.	2	6
And for every Building not exceeding Four hundred Square Feet in Area, and of One Story only in Height, the Fees shall be - - - - - - -	15	0

Fees for Additions or Alterations.

For every Addition or Alteration made to any Building after the Roof thereof has been covered in, the Fee shall be Half of the Fee charged in the Case of a new Building.		
For inspecting the Arches or Stone Floors over or under public Ways - -	10	0
For inspecting the Formation of Openings in Party Walls - - - -	10	0

PART II.

For inspecting dangerous Structures, by direction of the Commissioners of Police or Sewers - - - - - - - - - - -	20	0

N.B.—In this Schedule "Area" shall include the Area of any attached Building.

CAP. CXXIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. [14th *August* 1855.]

'WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing, and contingent and other Expenses of the Regular Militia, and of the Miners of *Cornwall* and *Devon*, when disembodied, in *Great Britain* and *Ireland*, and for making in certain Cases Allowances of Retired Pay to Subaltern Officers and Surgeons Mates and Assistant Surgeons of the Regular Militia, and of the Miners of *Devon* and *Cornwall*, and Allowances to Adjutants, Paymasters, Surgeons, Quartermasters, and Serjeant Majors of the Regular Militia who have been allowed to retire, and to Adjutants, Surgeons, and Quartermasters disabled after long Service:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary-at-War to issue Pay of Regular Militia.

I. The Secretary-at-War for the Time being shall cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* and *Ireland* (when disembodied), in the Manner and for the several Uses herein-after mentioned; (that is to say,) for the Pay of the said Regular Militia at the daily Rates following; (that is to say,)

Rates of Pay.

For each Adjutant of Infantry, Eight Shillings, and of Artillery, Nine Shillings:

For each Serjeant Major of Infantry, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Tenpence, and of Artillery, Three Shillings:

For each Quartermaster Serjeant and Paymaster Serjeant (in Corps whose Establishment exceeds Four Companies) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence; and to the Serjeant performing the Duty of both Quartermaster Serjeant and Paymaster Serjeant (in Corps consisting of Four Companies or less) of Infantry, One Shilling and Eightpence, and of Artillery, Two Shillings and Sixpence:

For each Serjeant of Infantry, One Shilling and Sixpence, and of Artillery, Two Shillings and Twopence:

For each Drummer, Trumpeter, or Bugler above Sixteen Years of Age, One Shilling, and under Sixteen Years of Age, Tenpence:

Pay when on Furlough.

Provided always, that when any Serjeant Major or Serjeant shall be absent on Furlough or Licence he shall during such Absence receive Sixpence *per Diem* less than the above-mentioned Rates respectively:

Contingent Fund.

And also at Rates varying from Two Shillings to Sixpence *per Annum* for each Private Man for defraying the contingent Expenses of each Regiment, Battalion, or Corps, when enrolled:

Clothing.

And the Secretary-at-War for the Time being shall give the necessary Instructions for the Provision of Clothing for each Serjeant Major, Serjeant, and Drummer on the Disembodied Staff of the Militia of *Great Britain* and *Ireland* who shall be resident at Head Quarters, and the said Disembodied Staff shall be entitled to be clothed once in Two Years.

Adjutant, &c. to reside where the Secretary-at-War shall appoint.

II. Except when employed as herein-after provided, every Adjutant and Non-commissioned Officer on the Staff of the Regular Militia, when disembodied, shall reside in such Places as shall be sanctioned by the Secretary-at-War, and every such Adjutant and Non-commissioned Officer shall forfeit his Pay for any Period during which he shall be absent, except when employed as herein-after provided, or when absent by Leave from the Colonel or Commandant of the Regiment, Battalion, or Corps, which Leave shall not, except in case of certified Sickness, extend beyond Three Calendar Months in One Year, nor to a greater Proportion than One Third of the Non-commissioned Officers at the same Time.

Adjutants, &c. of Militia may be employed in their Counties.

III. Every Adjutant and Non-commissioned Officer of the Regular Militia, when disembodied, and not called out for Training or Exercise, shall be liable to be employed within the County to which the Regiment, Battalion, or Company of the said Militia Staff belongs, under the Officers appointed to pay and superintend the Out-Pensioners of *Chelsea Hospital*, in such Manner as One of Her Majesty's Principal Secretaries of State may determine.

Adjutant to have Charge of Arms and Clothing, and to issue Money for contingent Expenses on Order signed by the Colonel. Balance to form a Stock Purse.

IV. The Adjutant of each Regiment of Militia shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Clothing, Necessaries, and other Stores thereof, under the Superintendence of the Colonel or Commandant, and shall, out of the Allowance directed by this Act to be issued and paid for defraying the contingent Expenses of such Regiment, Battalion, or Corps, from Time to Time issue and pay such Sums of Money as may be necessary for the Repair of Arms, and other usual contingent Expenses, upon an Order in Writing signed by the Colonel or other Commandant, and after Payment of such Sums as aforesaid he shall, Three Times in the Year, make up Accounts of all such Money, and of the Expenditure thereof, showing the Balance remaining in his Hands, (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion, or Corps,) and shall transmit the same to the Colonel

Colonel or other Commandant of such Regiment, Battalion, or Corps, to be by him examined, allowed, and signed; and the said Accounts, so allowed and signed, shall be the proper Vouchers and Acquittal of such Adjutant for the Application and Disposal of such Money.

In Absence of Adjutant, Serjeants to be under Command of Serjeant Major.

V. In the occasional and unavoidable Absence of the Adjutant from the City, Town, or Place where the Disembodied Staff is quartered, or during any Vacancy in the Appointment of Adjutant, the Serjeants shall be under the Command of the Serjeant Major, or of some Serjeant who shall be appointed by the said Adjutant, with the Approbation of the Colonel or other Commanding Officer, to act as Serjeant Major during the Absence of such Adjutant; and the said Serjeant Major or acting Serjeant Major shall render the same Returns and perform such other Acts as are by Law required from the Adjutant.

Militia when called out for Training or Exercise entitled to Pay.

VI. The Officers and Non-commissioned Officers, Drummers, and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of Exercise or Training, be entitled to the following daily Rates of Pay and Allowances:

	Infantry.			Artillery.		
	£	s.	d.	£	s.	d.
Colonel	1	2	6	1	2	6
Lieutenant-Colonel	0	15	11	0	15	11
Major	0	14	1	0	14	1
Captain (including non-effective Allowance)	0	10	6	0	10	6
Lieutenant	0	6	6	0	6	6
Ensign	0	5	3	0	5	3
Adjutant, if acting also as Paymaster in Corps consisting of Four Companies and upwards*	0	3	9	0	3	9
„ if acting also as Paymaster in Corps consisting of less than Four Companies*	0	2	6	0	2	6
„ if acting also as Paymaster and Quartermaster in Corps consisting of Four Companies and upwards*	0	7	0	0	7	0
„ if acting also as Paymaster and Quartermaster in Corps consisting of less than Four Companies*	0	4	6	0	4	6
Quartermaster (if not holding a Subaltern's Commission)	0	6	6	0	6	6
„ (if holding a Subaltern's Commission)	0	3	6	0	3	6
Surgeon	0	11	4	0	11	4
Assistant Surgeon	0	7	6	0	7	6
Serjeant Major*	0	0	$2\frac{3}{4}$	0	0	6
Quartermaster Serjeant*	0	0	$4\frac{3}{4}$	0	0	4
Paymaster Serjeant*	0	0	$4\frac{3}{4}$	0	0	4
Serjeant (if on the Permanent Staff)	0	0	$0\frac{3}{4}$	0	0	4
„ (if not on the Permanent Staff)	0	1	$6\frac{3}{4}$	0	2	6
Corporal	0	1	$2\frac{1}{4}$	0	1	$4\frac{1}{4}$
Drummer, Bugler, or Trumpeter	0	0	1	0	0	3
Private	0	1	0	0	1	2
Command Allowance to the Officer actually in Command during Training and Exercise, if the Pay of Colonel is not drawn	0	3	0	0	3	0
Beer Money to each Non-commissioned Officer, Drummer, and Private present at Training and Exercise	0	0	1	0	0	1

* These Rates of Pay, during Training and Exercise only, are in addition to the daily Rates of Disembodied Pay granted by Section 1.

Volunteers attached to Regiments of Line subject to Mutiny Act.

VII. Volunteers may, with the Sanction of the Secretary-at-War, when attached to Regiments of the Line to qualify themselves for the Permanent Staff, either as Serjeants or Drummers, be allowed Pay whilst so under Instruction, but while they remain so attached, they will be under the Command of the Officer commanding the Regiment of the Line equally with the Soldiers of that Regiment, and will be subject to the Provisions of the Mutiny Act.

Certain Officers unfit for Duty may be placed upon retired Allowance, upon making Declaration.

VIII. It shall be lawful for the Secretary-at-War to place any Lieutenant, Ensign, and Surgeon's Mate of the Militia of *Great Britain*, or Subaltern Officer and Assistant Surgeon of the Militia of *Ireland*, when unfit for further Duty, upon a retired Allowance equal to and instead of the Allowance granted to him on the disembodying of the Militia at the Termination of the last War; and all such Subalterns, Surgeon's Mates, and Assistant Surgeons, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the following Declaration; (*videlicet,*)

Form of Declaration.

'I do solemnly and sincerely declare, That I formerly served as a in the Militia; that I am not in Holy Orders; and that from the Day of to the Day of I did not hold or enjoy any Place or Employment of Profit, Civil or Military, under Her Majesty, or in the Colonies or Possessions of Her Majesty

'Majesty beyond the Seas, or under any other Government, besides my Allowance of *per Diem* 'as a of the said Militia, except my Half Pay or Civil Pension as a .'

Certain Paymasters, &c. to be placed on retired Allowance instead of reduced Allowance.

IX. It shall be lawful for the Secretary-at-War to place any Paymaster, Surgeon, or Quartermaster, when unfit for further Duty, upon a retired Allowance equal to and instead of his reduced Allowance, which may have been granted in pursuance of an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth; and all such Paymasters, Surgeons, or Quartermasters, to entitle them to the Receipt of such retired Allowance, shall make and subscribe the Declaration annexed to the foregoing Section of this Act.

Reduced Non-commissioned Officers, &c. not to receive Out-Pension while serving.

X. 'And whereas certain Non-commissioned Officers and Drummers of the Militia of the United King-'dom of *Great Britain* and *Ireland* have, on the Reduction of the Establishment of the Disembodied 'Staff, been placed on the Out-Pension, although not unfit for further Service:' No Non-commissioned Officer or Drummer so placed on Pension shall be entitled to receive the said Pension for any Period during which he shall be receiving Pay in the Militia.

Persons on Half Pay, &c. empowered to receive Pay, &c. during Training.

XI. Provided always, That any Person, being on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of Her Majesty's Regular Forces or Navy or Marines, and serving in the Militia, may receive the Pay and Allowances by this Act directed to be paid to the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons Mates, and Assistant Surgeons, when assembled for annual Training; and the receiving any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon, Surgeon's Mate, or Assistant Surgeon, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance: Provided also, that such Person shall, in the Declaration to be taken for the Receipt of the Half Pay or such Allowance, declare that he has received or is entitled to such Militia Pay and Allowances, and shall specify the Militia Rank which entitles him to the same.

Adjutants, &c. Non-commissioned Officers, or Privates, not to lose Right to Chelsea or Kilmainham Pensions, &c.

XII. Provided always, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer, or Private Man in the Regular Militia, entitled to receive any *Chelsea* or *Kilmainham* Pension or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Quartermaster, Subaltern Officer, Surgeon's Mate, or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance by this Act granted to him when disembodied.

Allowance to be made for Medicines.

XIII. There shall be granted for each Regiment of Regular Militia, when disembodied, a Sum of Money after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expense of necessary Medicines for the sick Non-commissioned Officers, Drummers, Fifers, and Private Men of such Regiment, during the Period or Periods of Assembly for Exercise or Training, and also an Allowance of Twopence *per* Week for each of the Non-commissioned Officers and their Families of each Regiment on the Disembodied Staff at Head Quarters, for the Expenses of necessary Medicines and Attendance given to the said Non-commissioned Officers and their Families while such Regiment is not called out for Training and Exercise.

Reduced Adjutants to receive 4*s.* per Day till 31st July 1856.

XIV. In case any Regiment, Battalion, or Corps of Militia shall have already ceased and determined, or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum of Four Shillings *per Diem* shall be paid to such Person as was or shall be actually serving as Adjutant to such Regiment, Battalion, or Corps at the Time of Reduction, from the Thirty-first Day of *July* One thousand eight hundred and fifty-five, or from the Time such Regiment shall cease and determine or be reduced in its Establishment, (as the Case may be,) to the Thirty-first Day of *July* One thousand eight hundred and fifty-six, in like Manner and subject to the same Restrictions and Conditions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines, or Provisional Battalion formed from the Militia, by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Right to Half Pay reserved.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44.

XV. 'And whereas certain Adjutants and Serjeant Majors are entitled to and have received certain 'Allowances in consequence of having been reduced under the Provisions of an Act passed in the 'Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, which Allowances have been 'continued, and as to such Adjutants augmented to Four Shillings *per Diem:*' All such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Thirty-first Day of *July* One thousand eight hundred and fifty-five to the Thirty-first Day of *July* One thousand eight hundred and fifty-six.

Reduced Adjutants may take such Allowance with any Pay or other Allowance under

XVI. Every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third, and continued by any subsequent Act or by this Act, may receive such Allowance, together with any Full Pay, Half Pay, or Allowance which was tenable together with such reduced Allowance, under the Provisions of an Act passed in the Twenty-sixth Year of the Reign of King *George* the Third, intituled *An Act for amending and reducing into One Act of Parliament the Laws relating to the Militia in that Part of* Great Britain *called* England, or under the

the Provisions of the aforesaid Act of the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under Her Majesty, other than such as aforesaid, or under any other Government, or any Civil Office or Employment under Her Majesty, or any other Government, otherwise than according to the Provisions of this Act in relation to the Allowances granted to Adjutants on account of Age or Infirmity. 39 & 40 G. 3. c. 44. and 26 G. 3. c. 107.

XVII. 'And whereas certain Allowances have been granted in pursuance of former Acts, to Adjutants, 'Surgeons, and Quartermasters of Regular Militia who have by Age or Infirmity been rendered unfit 'for further Service:' Such Allowances shall be issued and paid, during the Continuance of this Act, in like Manner and subject to the same Restrictions as the Allowances granted by this Act to Adjutants who shall by Age or Infirmity be rendered unfit for further Service: Provided always, that no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled. Allowances to Adjutants, Surgeons, and Quartermasters.

XVIII. The following Allowances shall be granted and paid, under the Restrictions and Limitations herein-after expressed, to Adjutants of the Militia of *Great Britain* and *Ireland*, on the Completion of the following Periods of Service in Her Majesty's Regular Forces and in the Militia, if unfit, either by Age or Infirmity, for the Performance of the Duties of their Commissions; (that is to say,) Allowances, granted to Adjutants on Completion of certain Periods of Service.

To every Adjutant who shall have completed in the Service a Period of, (*videlicet*,)

Fifteen Years, of which Five Years as an Adjutant of Militia, an Allowance of Three Shillings *per Diem*:

Twenty Years, of which Seven Years as an Adjutant of Militia, an Allowance of Four Shillings *per Diem*:

Twenty-five Years, of which Ten Years as an Adjutant of Militia, an Allowance of Five Shillings *per Diem*:

Thirty Years, of which Fifteen Years as an Adjutant of Militia, an Allowance of Six Shillings *per Diem*:

Provided, that such Adjutants shall retain any Right they may have to Half Pay or to Out-Pension, notwithstanding the Grant of such retired Allowance as aforesaid; and all such Allowances shall be granted upon the Production to the Secretary-at-War of a Certificate of such Service and Disability; and upon the Order of the Secretary-at-War, founded upon such Certificate, the Paymaster General shall pay to such Adjutant the above Allowance: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under Her Majesty or any other Government; and that no Person who before the First Day of *June* One thousand eight hundred and twenty-nine held any Civil Place or Employment of Profit under the Crown, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he held such Civil Place or Employment, except in the Cases in which the Emoluments of such Civil Place or Employment shall not exceed Three Times the Amount of the said Allowance, and unless in such excepted Cases the Royal Consent to the holding of such Civil Place or Employment shall have been signified through the Secretary-at-War; and that no Person appointed on or after the First Day of *June* One thousand eight hundred and twenty-nine to any Civil Place or Employment of Profit under Her Majesty, or in the Colonies or Possessions of Her Majesty beyond the Seas, or under any other Government, shall receive any Part of the said Allowance for any Time during which he shall hold such Civil Place or Employment.

XIX. 'And whereas certain Allowances have been granted to reduced Adjutants of the Local Militia:' The said Allowances shall be issued and paid during the Continuance of this Act, under the Restrictions and in the Manner herein-after expressed: Provided always, that in the Cases in which any such Local Militia Adjutants have been permitted to receive the said Allowances whilst holding any Civil Offices under the Crown, to which Offices they had been appointed previously to the Twenty-eighth Day of *July* One thousand eight hundred and twenty-eight, it shall be lawful to continue the Payment of the said Allowances under the same Regulations and Restrictions as those under which the Permission was originally granted. Restrictions as to Allowances to reduced Adjutants of the Local Militia.

XX. Every Adjutant of Local Militia who shall claim under the Authority of this Act to receive any Part of the said Allowance shall, previous to receiving the same, and in order to entitle himself thereto, take and subscribe a Declaration before some One of Her Majesty's Justices of the Peace in the United Kingdom, or Notary Public, or other Officer now by Law authorized to administer or receive such Declaration, or before some One of Her Majesty's Ministers, Secretaries of Embassy, of Legation, or Consuls abroad, in the Words or to the Effect following; (that is to say,) A Declaration to be taken by Adjutants of Local Militia claiming the said Allowance.

'I *A.B.* do solemnly and sincerely declare, That I was serving as Adjutant in the of Local Militia at the Reduction of the Staff of the said Militia in One thousand eight hundred and 'twenty-nine; and that I was not in Holy Orders during any Part of the Period for which I now claim 'to receive an Allowance, that is to say, from the Day of One thousand 'eight hundred and to the Day of One thousand eight 'hundred and ; and that I did not hold or enjoy, nor did any Person for me hold or enjoy, 'during

'during any Part of the said Period, any Place, Office, or Employment of Profit, Civil or Military, under 'the Crown or any other Government, besides the Allowance of a Day now claimed, 'except my Half Pay as a [of the Army *or* Navy *or* Marines, *or* of a Provisional 'Battalion formed from the Militia, *as the Case may be*].'

Which Declaration, so taken and subscribed, shall be produced to the Paymaster General of Her Majesty's Forces by the Adjutant claiming the Allowance: Provided always, that any Adjutant receiving such Allowance, and being on Naval or Military Half Pay, or entitled to any Allowance as having served in any of Her Majesty's Regular Forces, or Navy, or Marines, shall, notwithstanding such Militia Allowance, be entitled to receive such Half Pay or Allowance.

Allowance to Clerks of General Meetings, &c.

XXI. Where the Militia is raised by Ballot in *Great Britain*, Allowances shall be made and issued to the Clerks of General and Subdivision Meetings of Lieutenancy and others mentioned in Schedule A. to this Act for their Trouble and Expenses in the Execution of the Laws relating to the Militia at the Rates mentioned in the same Schedule; and where the Militia is raised in the United Kingdom otherwise than by Ballot, Allowances shall be made and issued to the Clerks of General Meetings for their Trouble and Expenses in the Execution of such Laws at the Rates mentioned in the Schedule B. to this Act.

Manner of granting Allowances.

Clerks, &c. to make Declaration of the Justness of Accounts.

XXII. The said Allowances shall be granted as follows; (*videlicet*,) the Account shall be certified by the Lieutenant of the County, Stewartry, City, or Place, or by Two or more Deputy Lieutenants acting for such County, Stewartry, City, or Place, or by the Lord Warden of the Stannaries of *Cornwall* and *Devon*, or by Two or more Deputy Wardens of the Stannaries of *Cornwall* and *Devon*; and the Clerks of General and Subdivision Meetings in *Great Britain*, and the Schoolmasters, Constables, and other Officers in *Scotland*, shall make a Declaration as to the Justness of the Accounts, in the following Terms respectively, before some Justice of the Peace; (*videlicet*,)

Declaration of a Clerk of General or Subdivision Meetings.

'I do solemnly declare, That the preceding Account, so far as regards my Interest 'therein, is a just and true Account of Business performed by me for and in behalf of the Public 'Service, according to the Manner therein set forth; and the Sums claimed as disbursed were actually 'paid by me.'

Declaration of a Schoolmaster, Constable, or other Officer in *Scotland*.

'I do solemnly declare, That I am the Parochial Schoolmaster [*or* Constable *or other Officer*] of the District of in the Subdivision of the County 'of ; and that the preceding Account is a just and true Account of Business actually 'performed by myself for and in behalf of the Public Service according to the Manner therein set forth; 'and that I was employed on such Business the full Time therein stated; and that the Sums claimed as 'disbursed were actually paid by me.'

And the said Accounts shall be transmitted to the Secretary-at-War, who is hereby empowered to issue the Allowances according to the Rates specified in the respective Tables to this Act annexed, or such Sums as he shall think reasonable and proper.

Deputy Lieutenants may require Attendance of any Surgeon residing near Place of Meeting for Appeals.

XXIII. 'And whereas it is expedient that the Deputy Lieutenants acting in any Subdivision of any 'County, Stewartry, City, or Place in *Great Britain*, and the Special Deputy Wardens acting in any Sub-'division in the Stannaries of the Counties of *Cornwall* and *Devon*, should be assisted by the Advice of a 'Surgeon in deciding upon the Appeals of Persons claiming to be exempt from compulsory Service in the 'Militia by reason of bodily Infirmity, and upon the Fitness for Service of the Persons presenting them-'selves for Enrolment:' It shall be lawful for any Two Deputy Lieutenants and they are hereby empowered and required to summon, by Two Days previous Notice in Writing, any competent Surgeon residing at or nearest to the Place where any Meeting for Appeals or Enrolment shall be held to attend at such Meeting; and every such Surgeon shall, before he begins any such Examination, make the following Declaration, which Declaration any Deputy Lieutenant is hereby authorized to administer; (*videlicet*,)

Declaration to be made by Surgeon.

'I do solemnly declare, That I will, to the best of my Ability, faithfully and truly 'report as to the Fitness for Service of the Man or Men about to be submitted to my Examination, 'and that I will not receive from any of them any Fee or Reward whatever for any such Examination.'

Allowance to Surgeon.

And every such Surgeon shall receive for each Day's Attendance at such Meeting a Sum not less than Half a Guinea, nor exceeding Two Guineas, according to the Extent of the Duty performed: Provided always, that the Accounts and Vouchers upon which the said Allowances shall be recommended by the Deputy Lieutenants of the respective Subdivisions shall be transmitted to the Secretary-at-War, with the Accounts of the Lieutenancy Clerks, for Examination and Payment.

As to Issue of Pay, &c.

XXIV. All Sums of Money granted for the Pay, contingent and other Expenses, and for the Allowances to the Officers and Men of the Regular and Local Militia, when disembodied, shall be issued and paid under the Direction of the Secretary-at-War, by the Acceptance of Bills or otherwise, according to such Regulations as have been or shall be established on that Head.

XXV. All

XXV. All Bills, Drafts, and Orders drawn for Pay or Allowances under this Act may be drawn upon unstamped Paper; and no such Bill, Draft, or Order shall be void by reason of being drawn or written on unstamped Paper. Bills drawn for Pay, &c. may be unstamped.

XXVI. No Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act. No Fee to be taken.

XXVII. All Things in this Act contained relating to Counties, and to Regiments of Militia respectively, shall be construed to extend to all Ridings, Shires, Stewartries, Cities, and Places, and to all Battalions, Corps, and independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*. All Things relating to Counties shall extend to Ridings, &c.

XXVIII. This Act shall take effect and continue in force from the Thirty-first Day of *July* One thousand eight hundred and fifty-five until the First Day of *September* One thousand eight hundred and fifty-six. Continuance of Act.

SCHEDULES to which this Act refers.

SCHEDULE A.

SCALE of RATES of REMUNERATION to the Clerks of General and Subdivision Meetings of Lieutenancy in Great Britain, including the Clerks of the Tower Hamlets and the Stannaries of Cornwall and Devon, and to Schoolmasters, Constables, and other Officers in Scotland, for carrying into execution the Acts relating to the Militia when the Militia are raised by Ballot.

ALLOWANCES TO THE CLERKS OF GENERAL MEETINGS.

	£	s.	d.
1. For Trouble in calling a General Meeting by Circular Letters or Advertisements (no separate Charge being made for writing the Letters or framing the Advertisements) -	0	7	6
2. For attending General Meetings at which the Statutory Quorum of Lieutenancy shall be present, each - - - - - - - - - -	5	5	0
For each Meeting which shall be necessarily adjourned by the Clerk in consequence of the Absence of the Lord Lieutenant or Deputy Lieutenants - - - -	1	11	6
Which Allowances are to be in full for engrossing Minutes, &c.			
3. For filling up printed Precepts to the High or Chief Constable of each Subdivision, Hundred, Lathe, Rape, or Wapentake in England and Wales, including the Tower Hamlets, and the Stannaries of Cornwall and Devon, to return Lists, each - -	0	0	6
For filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland to return Lists, each - - - - - - - -	0	0	6
4. For writing the annual Advertisements for regulating, arranging, and fixing the First Subdivision Meeting of the Deputy Lieutenants for receiving the Parochial Lists and hearing Appeals - - - - - - - - - -	0	7	6
5. For arranging Subdivision Lists and making Abstracts thereof, Schedule (D.), for the Privy Council, the Secretary of State, and the Secretary-at-War (the latter Copy to be annexed to the Clerk's Accounts as a Voucher); videlicet,			
In Counties furnishing a Quota of 200 Men or under in the original Number of the Militia - - - - - - - - - -	2	2	0
In Counties furnishing from 201 to 400 Men - - - - -	3	3	0
Ditto - - from 401 to 600 Men - - - - -	4	4	0
Ditto - - from 601 to 800 Men - - - - -	5	5	0
Ditto - - from 801 Men and upwards - - - -	6	6	0
6. For striking the Proportion of Men to serve for the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions of a County in England and Wales, and for each respective Parish or other Division of a County or Stewartry in Scotland, under the several Acts of Parliament relating to the Regular Militia, when necessary to be done:			
In Counties furnishing a Quota of 200 Men or under - - - -	1	1	0
Ditto - - - from 201 to 400 Men - - - -	2	2	0
Ditto - - - from 401 to 600 Men - - - -	3	3	0
Ditto - - - from 601 to 800 Men - - - -	4	4	0
Ditto - - - from 801 Men and upwards - - - -	5	5	0
7. For Trouble in engrossing in a Book the Names of the Men contained in each Subdivision Return of Enrolment, Schedule (E.):			
For engrossing 50 Names and under - - - - - -	0	5	0
Ditto - 51 to 150 Names - - - - - -	0	10	0
Ditto - 151 to 250 Names - - - - - -	1	0	0
Ditto - 251 Names and upwards - - - - - -	1	10	0

Militia Pay.

	£	s.	d.
8. For drawing out fair Copy of the Lord Lieutenant's annual Return of the Militia for the County, containing the Number, Names, and Rank of the Officers, and the Number of the Non-commissioned Officers, Drummers, and Private Men:			
In Counties furnishing One Regiment, Battalion, or Corps - - -	0	15	0
Ditto - Two Ditto - - - - - - -	1	10	0
Ditto - Three Ditto - - - - - - -	2	0	0
No separate Charge being made for Attendance upon the Lord Lieutenant or Deputy Lieutenants for his or their Signatures thereto.			
Note.—This Allowance is of course only chargeable by the General Clerks for those Counties in Scotland which furnish the greatest Proportion of Men towards the Formation of the Regiment, Battalion, or Corps.			
9. For Stationery:			
To the Clerk of General Meetings in a County where the Number in the original Quota of the Militia is under 300 Men - - - - - -	2	0	0
Ditto - from 301 to 600 Men - - - - - -	3	0	0
Ditto - from 601 to 900 Men - - - - - -	4	0	0
Ditto - from 901 Men and upwards - - - - -	5	0	0
10. For Copyings, Correspondence, &c. &c.:			
To the Clerk of the General Meetings in a County where the Number of the original Quota of the Militia is 200 Men or under - - - -	2	0	0
In a County furnishing from 201 to 400 Men - - - - -	3	0	0
Ditto - - from 401 to 600 Men - - - - -	4	0	0
Ditto - - from 601 to 800 Men - - - - -	5	0	0
Ditto - - from 801 Men and upwards - - - -	6	0	0
11. The actual Amount expended for printing and publishing the Advertisements, for Postages, Expresses, and Messengers, to be allowed upon an Account, specifying each Article of Postage, &c., certified specially by the Lieutenancy, whose Certificate shall state that the same were necessary and actually performed.			
The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
TRAINING AND EXERCISE.			
12. For filling up printed Notices to the Clerks of Subdivision Meetings of the Time and Place fixed by the Lord Lieutenant or Deputy Lieutenants for assembling the Militia to be trained and exercised, each Notice - - - - - -	0	0	6
13. For making out correct Abstracts from the Adjutant's or other Commanding Officer's Returns, Schedule (F.), in the Form Schedule (G.), for Her Majesty's Secretary of State for the Home Department in Counties in England and Scotland furnishing a Quota towards the Formation of an entire Regiment or Battalion - -	1	0	0
In Counties in England, Wales, and Scotland furnishing One Regiment, Battalion, or Corps - - - - - - - - - -	2	0	0
Ditto - Two - Ditto - - - - - - -	3	0	0
Ditto - Three - Ditto - - - - - - -	4	0	0
ALLOWANCES TO CLERKS OF SUBDIVISION MEETINGS.			
14. For Trouble in calling a Subdivision Meeting by Advertisement, no separate Charge being made for writing Letters or framing Advertisement - - - -	0	5	0
Or for calling a Meeting by Circular Letters to the Deputy Lieutenants, the Adjutant, or other Commanding Officer, (no Charge being made for the Draft,) for each Letter -	0	1	0
15. For attending Subdivision Meetings, for each of the Three first or principal Meetings at which the Statutory Quorum of Lieutenancy shall be present; videlicet,			
For receiving Lists and hearing Appeals,			
For balloting,			
For enrolling,			
And for the Meeting held to apportion the Deficiencies among the Parishes, et cetera, when necessary to be done; and also for calling out the Quota or Apportionment of the Subdivision to be trained and exercised, which Allowance shall be in full for engrossing Minutes and making up Lists - - - - -	2	2	0
And for each Meeting held by Adjournment to complete the Business of any or either of the Three first or principal Meetings above enumerated, which Allowance shall be in full for engrossing Minutes and making up Lists - - - - -	1	5	0
And for each Meeting which shall have been summoned, but which is necessarily postponed by the Subdivision Clerk in consequence of the Absence of the Deputy Lieutenant - - - - - - - - - -	0	15	0

		£	s.	d.
16.	For filling up printed Precepts to the Chief or High Constables in England and Wales, including the Tower Hamlets and Stannaries of Cornwall and Devon, to give Notice of the Number of Men apportioned to serve for each Parish, and to issue out their Orders to the Petty Constables to serve Notices upon balloted Men, each Precept -	0	0	6
	And for filling up printed Precepts to the Schoolmasters, Chief Constables, or other Officers in Scotland, for the Performance of similar Duty, each Precept - -	0	0	6
17.	For Trouble in amending the Returns of Persons liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the balloting, after the Rate of Two Pounds for every One thousand Names of Persons returned liable to serve, and so in proportion for a greater or smaller Number of Men - - - - - - - - - - - -	£2 per 1,000		
18.	For making out the annual Abstracts of Lists, Schedule (C.), for the Use of the Clerk of General Meetings, where the original Quota or Apportionment of the Subdivision is - 50 Men and under - - - - - - -	2	2	0
	Ditto from 51 to 150 Men - - - - - - -	3	3	0
	Ditto from 151 to 250 Men - - - - - - -	4	4	0
	Ditto from 251 Men and upwards - - - - - -	5	5	0
19.	For making out fair and true Copies of Lists of Men enrolled for each Subdivision of a County in Great Britain, including the Tower Hamlets and the Stannaries of Cornwall and Devon, for the Use of the Clerk of General Meetings, Schedule (E.), and the Colonel or Commandant of the Regiment of the County; (videlicet,)			
	For a Roll containing 50 Names and under - - - - -	0	5	0
	Ditto from 51 to 150 Names - - - - - - -	0	10	0
	Ditto from 151 to 250 Names - - - - - - -	0	15	0
	Ditto from 251 Names and upwards - - - - - -	1	0	0
20.	For Stationery to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
	For a Subdivision furnishing 50 Men and under - - - - -	1	10	0
	Ditto from 51 to 150 Men - - - - - - -	2	0	0
	Ditto from 151 to 250 Men - - - - - - -	2	10	0
	Ditto from 251 Men and upwards - - - - - -	3	0	0
21.	For Correspondence, Copyings, et cetera, to the Clerk of a Subdivision furnishing Men towards the Quota of a County in the following Proportions; (videlicet,)			
	For a Subdivision furnishing 50 Men and under - - - - -	2	0	0
	Ditto from 51 to 150 Men - - - - - - -	3	0	0
	Ditto from 151 to 250 Men - - - - - - -	4	0	0
	Ditto from 251 Men and upwards - - - - - -	5	0	0
22.	The actual Amount expended for printing and publishing Advertisements, for Postage, Expresses, and Messengers, to be allowed upon an Account specifying each Article of Postage, and specially certified by the Lieutenancy, whose Certificate shall state that the same was necessary and actually performed.			
	The Charge for printing and publishing Advertisements is invariably to be supported by the Receipt of the Person to whom paid.			
23.	For Trouble in apportioning and distributing to the Constables of the several Townships, Parishes, et cetera, within the Limits of the Subdivision, the various Forms of Schedules, et cetera:			
	For a Subdivision furnishing 50 Men and under - - - - -	0	5	0
	Ditto from 51 to 150 Men - - - - - - -	0	10	0
	Ditto from 151 to 250 Men - - - - - - -	0	15	0
	Ditto from 251 Men and upwards - - - - -	1	0	0

TRAINING AND EXERCISE.

24.	For filling up printed Precepts to the High or Chief Constable in each Subdivision of any County in England and Wales, including the Tower Hamlets and the Stannaries of Cornwall and Devon, to issue out their Warrants to the Petty Constables, Tithingmen, or other Officers within their respective Hundreds to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
	For each Precept containing 50 Names and under - - - -	0	5	0
	Ditto from 51 to 150 Names - - - - - -	0	10	0
	Ditto from 151 to 250 Names - - - - - -	0	15	0
	Ditto from 251 Names and upwards - - - - -	1	0	0

	£	s.	d.
And for filling up printed Precepts to the Chief Constables, and to the Schoolmasters, Constables, or other Officers of the Parishes within the Subdivision of any County, Stewartry, City, or Place in Scotland, to give Notice in Writing to the Men enrolled to attend the Training and Exercise of the Militia:			
For each Precept containing 10 Names and under	0	0	6
Ditto from 11 to 30 Names	0	1	0
Ditto from 31 to 50 Names	0	2	6
Ditto from 51 to 70 Names	0	4	0
Ditto from 71 to 100 Names	0	7	0
Ditto from 100 upwards	0	10	0
25. For making out full and true Lists of the Names and Dates of Enrolment of all Persons enrolled within each Subdivision respectively, for the Use of the Commanding Officer and Adjutant of each Regiment, Battalion, or Corps of any County, Stewartry, City, or Place in Great Britain, previously to the Training and Exercise:			
For a Roll containing 20 Names and under	0	2	0
Ditto from 21 to 50 Names	0	5	0
Ditto from 51 to 150 Names	0	10	0
Ditto from 151 to 250 Names	0	15	0
Ditto from 251 and upwards	1	0	0
26. For correcting the Books of Enrolment of the Subdivision so as to correspond accurately with the Extracts from the Adjutant's or other Commanding Officer's Return, Schedule (F.), of the State of the Classes of the Men forming the Quota or Apportionment serving in the Regiment, Battalion, or Corps of Militia of any County, Stewartry, City, or Place in Great Britain:			
For a Subdivision furnishing 50 Men and under	0	5	0
Ditto from 51 to 150 Men	0	10	0
Ditto from 151 to 250 Men	0	15	0
Ditto from 251 and upwards	1	0	0

ALLOWANCES TO SCHOOLMASTERS IN SCOTLAND.

27. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	5	0
28. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
29. For attending Meetings of Lieutenancy, each Meeting	0	10	0
30. For filling up and delivering Notices to balloted Men, per Day	0	5	0
31. For Stationery, per Annum	0	5	0

ALLOWANCES TO CONSTABLES IN SCOTLAND.

32. For filling up and delivering Notices to Householders, for each Day consisting of Eight Hours	0	4	0
33. For making out Lists, for each Folio consisting of Sixty Lines	0	1	0
34. For attending each Meeting of Lieutenancy, per Day	0	4	0
35. For filling up and delivering Notices to balloted and enrolled Men, per Day	0	4	0
36. For Stationery, where the Lists are made out by the Constables, per Annum	0	5	0

SPECIAL CONTINGENT ALLOWANCES applicable to the Clerks of General Subdivision Meetings of Lieutenancy respectively.

37. When it is necessary to call the Person from a Distance to perform the Duty of a General or Subdivision Clerk, such Person shall have an Allowance for his travelling Expenses not exceeding Ninepence per Mile, and the Expenses of Tolls and Ferry Money; but the Particulars of such Expenses shall be specified in a Statement, and certified by the Lieutenancy, and transmitted in support of the Charge in the Clerk's annual Account.

38. The Expense necessarily incurred for the Use of the Room at the Place of Meeting to be allowed upon the Production of the Receipt of the Person to whom the same may be paid.

SCHEDULE B.

SCALE of RATES of REMUNERATION to the Clerks of General Meetings for any Duty they may be required to perform under the Acts relating to the Militia, or by Her Majesty's Secretary of State, or (in Ireland) by the Lord Lieutenant, in execution of the Provisions of such Acts when the Militia is raised otherwise than by Ballot.

CLERKS OF GENERAL MEETINGS.

	Per Annum. £	s.	d.
For Trouble in executing the Duty required of them, including Copyings, Correspondence, and Stationery:			
In Counties where the Quota does not exceed 200 - - - - -	15	0	0
Where the Quota is			
Above 200, and not exceeding 400 - - - - - - -	20	0	0
Above 400, and not exceeding 500 - - - - - - -	25	0	0
And where the Quota exceeds 500, the following Additions for every 100, or fractional Part of 100:			
Above 500, and not exceeding 1,000 - - - - - -	4	0	0
Above 1,000, and not exceeding 2,000 - - - - - -	3	0	0
Above 2,000, and not exceeding 3,000 - - - - - -	2	0	0
Above 3,000, and not exceeding 4,000 - - - - - -	1	10	0
Above 4,000 - - - - - - - - -	1	0	0
For convening and attending any General Meeting summoned by the distinct Order of the Secretary of State, or (in Ireland) of the Lord Lieutenant - -	2	2	0

The actual Expense incurred in printing or advertising, and for Postage, may be charged.

CAP. CXXIV.

An Act to amend the Charitable Trusts Act, 1853. [14th *August* 1855.]

16 & 17 Vict. c. 137.

'WHEREAS it is expedient to extend and amend the Charitable Trusts Act, 1853, as herein-after provided:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 137. and this Act to be construed together.

I. "The Charitable Trusts Act, 1853," herein-after called "the principal Act," and this Act, shall be construed together as One Act, and any Provisions of the principal Act inconsistent with this Act are hereby repealed.

As to Salary of One Commissioner.

II. So much of the principal Act (Section IV.) as provides that after the Thirty-first Day of *March* One thousand eight hundred and fifty-seven an annual Salary shall be paid to One only of the Commissioners besides the Chief Commissioner is hereby repealed.

Power to appoint additional Inspectors.

III. It shall be lawful for Her Majesty and Her Successors, under the Royal Sign Manual, to appoint additional Inspectors (not exceeding Three in Number) for the Purposes of this Act and the Charitable Trusts Act, 1853, and such additional Inspectors shall hold Office during Pleasure, and shall be possessed of the same Powers, Authorities, and Jurisdiction, and be entitled to the same Privileges and Emoluments, as the Inspectors appointed under the said former Act of One thousand eight hundred and fifty-three.

Acts of Board, how to be authenticated.

IV. Every Act of the Board may be sufficiently authenticated by the Seal of the Commissioners, and the Signature of their Secretary, or in his Absence of the Chief Clerk.

Entries in and Extracts from the Books of the Board, how to be authenticated.

V. All Orders, Certificates, Schemes, and other Documents issued under the Seal of the Board shall be deemed and taken to be the Originals, and Copies thereof shall be entered in the Books of the Board, and all such Entries may be sufficiently certified by the Signature of the Secretary, or in his Absence of the Chief Clerk: Every Order, Certificate, Scheme, and other Document purporting to be sealed with the Seal of the Board, shall be received in Evidence without further Proof; and any Writing purporting to be a Copy extracted from the said Books, and to be certified as aforesaid, shall be received in Evidence in like Manner.

The Powers of the Commissioners and Inspectors to inquire into Charities extended.

VI. The Board, or any Commissioner or Inspector, such Inspector acting under the Authority of the Board, may require written Accounts, and Statements and Answers to Inquiries relating to any Charity, or the Property or Income thereof, to be rendered or made to them respectively by all or any of the following Persons; that is to say,

Trustees or Persons acting or concerned in the Administration of the Charity, its Property or Income, or in the Receipt or Payment of any Monies thereof:

Agents of any such Trustees or Persons:

Depositaries of any Funds or Monies of the Charity:

Persons in the beneficial Receipt of any Funds thereof, or of any Income or Stipend therefrom:

Persons having the Possession or Control of any Documents concerning the Charity or any Property thereof:

And

And the Board, or the Commissioner or Inspector, may require the Persons rendering or making any such Account, Statement, or Answer to verify the same by Oath or otherwise, and may administer such Oath: Provided always, that nothing herein contained shall extend to give to the said Board or their Inspectors any Power of requiring from any Person holding or claiming to hold any Property whatsoever adversely to any Charity, or free or discharged from any Charitable Trust or Charge, any Information, or the Production of any Deed or Document whatever, in relation to the Property so held or claimed adversely, or any Charitable Trust or Charge alleged to affect the same.

Power to require Trustees and others to attend and be examined.

VII. The Board, or any Commissioner or Inspector acting as aforesaid, may require all or any such Trustees and Persons as aforesaid to attend before them respectively at such Times and Places as may be reasonably appointed, for the Purpose of being examined in relation to the Charity, and to answer such Questions as may be proposed to them, and to produce upon such Examination, any Documents in their Custody or Power relating to the Charity or the Property thereof, and may examine upon Oath or otherwise all such Persons and all Persons voluntarily attending, and may administer such Oath: Provided always, that no Person shall be obliged to travel in obedience to any such Requisition more than Ten Miles from his Place of Abode.

Orders, &c. how to be made.

VIII. All Requisitions made under the foregoing Authorities shall be made respectively by the Order of the Board, or by Precept, under the Hand of the Commissioner or Inspector making the same.

Persons not complying with Requisitions, &c., guilty of Contempt of Court of Chancery.

IX. Any Person refusing or wilfully neglecting to comply with any such Requisition, or with any Order of the Board, made under the Provisions of this Act, or the principal Act, or destroying or withholding any Document required to be produced or transmitted by him, shall be taken to be guilty of a Contempt of the High Court of Chancery, and shall be liable to be attached and committed by such Court, on summary Application by the Commissioners to the same Court or to any Judge thereof, and shall pay such Costs attending such Contempt as the said Court or Judge shall direct: Provided always, that the Court may at any Time discharge, on such Terms as it may deem just, any Person attached or committed on any such Application, or on any Application made under Section Fourteen of the principal Act.

Power to apportion Parochial Charities after Division of Parishes.

X. Where any Parish or Ecclesiastical District entitled to the Benefit of a Charity, has or shall have been divided into separate Parishes or Ecclesiastical Districts, and no Apportionment of Charities originally applicable to the Parish or District so divided, shall have been made by Parliament, or other competent Authority, the Board, in respect of all Charities, the gross annual Income whereof does not for the Time being exceed Thirty Pounds, may apportion the Benefit of the Charity between each new Parish or District, or any Portion thereof taken from the Parish or District originally entitled to the whole Benefit, and the Remainder of such last-mentioned Parish or District, in such Manner and such Proportions as, upon a Consideration of the Purposes of the Charity, the Population of each Parish or District, and other Circumstances, they may think fit, and may also apportion the principal Endowments between such Parishes or Districts, if it be thought fit, and may appoint separate Trustees of any Part of the Endowments.

Evidence as to Income of a Charity not exceeding 30*l.*

XI. The Certificate of the Board, that according to their Judgment the gross yearly Income of any Charity does not, for the Time being, exceed Thirty Pounds, shall be sufficient Evidence of the Amount of such annual Income for the Purpose of determining the Jurisdiction under the foregoing Provision.

Official Trustees empowered to call for Transfers of Stock, &c.

XII. Any Court or Judge having Jurisdiction to order the Transfer of Stock in the Public Funds, or Stock or Shares of any public Company, to the Official Trustees of Charitable Funds, shall have Power also to authorize such Trustees to call for a Transfer of and to transfer such Stock or Shares, and may also order the Payment to the same Trustees of any Principal Monies of any Charity, under the same Circumstances in which the Transfer of Stock to them may now be ordered.

Notices to be given of certain Orders of the Board.

XIII. No Order for apportioning the Benefits of any Charity shall be made by the Board, until after such public Notices shall have been given of the Proposal to make the same, as the Board may consider expedient, for insuring Publicity in each Parish or District in which the Charity is or ought to be applied, or among all Persons interested therein, nor until after the Expiration of One Month from the Publication of such Notice; and every such Notice shall contain (so far as conveniently may be) sufficient Particulars of the proposed Order to show the Objects thereof, and shall prescribe a Time within which any Objections thereto may be stated or transmitted to the Board.

Proceedings upon the Receipt of Objections or Suggestions.

XIV. All Objections which may be made to any proposed Order shall be considered by the Board, who may suspend the making thereof for further Inquiry, or may modify the same, as may be found expedient; and a Copy of every such Order when made, shall, in the Case of any local Charity, be deposited for the Space of One Month in some convenient Place within the Parish, or One of the Parishes, or the District in which the Charity is applicable, and also be open to Inspection at the Office of the Commissioners, and such Publicity shall be given thereto among all Persons interested in the Charity as the Board shall consider expedient; or if the Charity be not local, then a Copy of such Order shall be open to Inspection at the Office of the Commissioners, and public Notice thereof shall be given in such Manner as to the Board shall seem fit, and in Cases where there is a special Visitor, Notice shall be given to him.

The Official Trustee of Charity Lands constituted.

XV. The Secretary for the Time being of the Board shall be a Corporation Sole, by the Name of "The Official Trustee of Charity Lands," for taking and holding Charity Lands, and by that Name (instead of the Name of "Treasurer of Public Charities") shall have perpetual Succession; and all Land,

or

or Estates or Interests in Land, now vested in the "Treasurer of Public Charities" by that Name shall become, upon the passing of this Act, and by virtue thereof, vested in like Manner and upon the same Trusts in "The Official Trustee of Charity Lands," and all Provisions of the principal Act which have reference to the Treasurer of Public Charities, shall operate as if the Name of the "Official Trustee of Charity Lands," had been used therein instead of the Name of "Treasurer of Public Charities."

Power to acting Trustees to grant Leases.

XVI. The acting Trustees of every Charity, or the Majority of them, provided that such Majority do not consist of less than Three Persons, shall have at Law, and in Equity, Power to grant all such Leases or Tenancies of Land belonging thereto, and vested in the Official Trustee of Charity Lands, as they would have Power to grant, in the due Administration of the Charity, if the same Land were legally vested in themselves; and all Covenants, Conditions, and Remedies contained in, or incident to any Lease or Tenancy so granted, shall be enforceable by and against the Trustees or Persons acting in the Administration of the Charity for the Time being, and their Alienees or Assigns, in like Manner as if such Lands had been legally vested in the Trustees granting such Lease or Tenancy at the Time of the Execution thereof, and had legally remained in or had devolved to such Trustees or Administrators for the Time being, their Alienees or Assigns, subject to the same Lease or Tenancy.

Appointments of Official Trustees regulated.

XVII. The Lord Chancellor may, from Time to Time, by Writing under his Hand, appoint any Persons to be jointly with the Secretary for the Time being of the said Board, the Official Trustees of Charitable Funds, and remove any such Trustees, and every such Appointment or Removal shall be published in the *London Gazette*.

Such Trustees to have perpetual Succession, and may hold Funds in that Name.

XVIII. The present Official Trustees of Charitable Funds, and their Successors, to be so appointed, shall have perpetual Succession by the Name of "The Official Trustees of Charitable Funds," and may hold by that Name Stock in the Public Funds, and Stock and Shares of any public Company, Securities, and Monies, which shall respectively devolve to their Successors, the Official Trustees of Charitable Funds for the Time being, without Transfer or Assignment.

Funds to vest in Official Trustees for Time being.

XIX. All Stock in the Public Funds vested in the joint Names of *Henry Morgan Vane*, *Thomas Hare*, and *Walker Skirrow*, Esquires, the present Official Trustees of Charitable Funds, shall, upon the passing of this Act, be transferred by the Governor and Company of the Bank of *England* from their Names to the Account of the Official Trustees of Charitable Funds.

Official Trustees to keep Banking Account.

XX. The Official Trustees of Charitable Funds shall, for the Purposes of their Trust, keep a Banking Account in their official Name in the Books of the Governor and Company of the Bank of *England*, and the Secretary of the Board shall keep separate Accounts of the Monies held upon such Account, and belonging to each separate Charity.

Mode of drawing on the Banking Account.

XXI. All Orders for Payment of any Money, held upon such Banking Account, shall be signed by One at least of the Official Trustees of Charitable Funds, not being the Secretary of the Board, and also by the Secretary, and shall be countersigned by One of the Commissioners, or shall be otherwise signed or authenticated in such Manner as the Lord Chancellor shall from Time to Time by Order under his Hand direct; and such Orders shall be a sufficient Authority to the Bank paying the same for all such Payments.

Trustees may transfer Stock.

XXII. Any Trustee or other Person may, on obtaining an Order of the Board for the Purpose, transfer any Stock or pay any Money to the Official Trustees of Charitable Funds in trust for any Charity.

As to Disposal of Principal Monies paid to them.

XXIII. All Principal Monies belonging to any Charity directed to be paid to the Official Trustees of Charitable Funds shall be paid to their Account at the Bank, and, subject to any Order of the Court or Judge or of the Board by which respectively the Payment shall have been authorized, shall be forthwith invested in the Public Funds in the Names of the Official Trustees of Charitable Funds, for the Benefit of the Charity to which they shall belong.

All Dividends and Interest due to Official Trustees to be placed to their Banking Account.

XXIV. The Dividends arising from all Stock in the Public Funds standing in the Name of the Official Trustees of Charitable Funds shall from Time to Time be received by the Governor and Company of the Bank of *England*, under the Authority of this Act, for the Credit of the said Official Trustees, and shall be placed to their Banking Account accordingly; and all Dividends and Interest arising from any other Stock, Shares, or Securities standing in the Name of or held by the Official Trustees of Charitable Funds shall be paid only to the Governor and Company of the Bank of *England* for the Account of the same Trustees; and the said Trustees shall from Time to Time execute to the said Governor and Company all such Powers as shall be found necessary for enabling them to receive and give effectual Discharges for the last-mentioned Dividends and Interest.

For Regulation of Transfers and Payments to or by Official Trustees.

XXV. No Transfer of any Stock, Shares, or Securities shall be made to the Official Trustees of Charitable Funds, nor shall any Money, other than the Dividends or Interest of any such Stock, Shares, or Securities as aforesaid, be paid to their Account, except in pursuance of an Order of the Court of Chancery, or of some Judge thereof, or of a District Court of Bankruptcy, or County Court, or of the Board; and no Transfer of any such Stock, Shares, or Securities shall be made by the Official Trustees, except under the Order of such Court or Judge, or under the Order of the Board signed by Two Commissioners, or authenticated in such Manner as the Lord Chancellor from Time to Time by any Order under his Hand direct; and no Transfer to or by the Official Trustees shall be permitted by the Governor and Company of the Bank of *England* or any other Company contrary to this Provision.

XXVI. Copies

Copies of certain Orders to be sent to Board.

XXVI. Copies of all Orders made by any Court or Judge for any Transfer, Deposit, or Payment of Stock, Shares, Securities, or Monies to or by the Official Trustees of Charitable Funds, shall be forthwith transmitted to the Board by the Parties obtaining such Orders.

Indemnity to the Bank and others.

XXVII. Every Order made under the principal Act or this Act, requiring or authorizing the Transfer, Payment, or Deposit of any Stock, Shares, Securities, or Monies to or with the Trustees of any Charity or the Official Trustees of Charitable Funds, or conferring a Right to call for or to make such Transfer, shall be a complete Indemnity to the Governor and Company of the Bank of *England* and all Companies and Persons for any Act done pursuant to such Order; and the said Governor and Company and other Companies and Persons shall be required to give effect or to conform to every such Order, and it shall not be necessary for them to inquire concerning the Propriety of such Order, or the Jurisdiction of the Court or Judge or the Board to make the same.

Dividends on Stock in Name of Official Trustees to be carried to Account free from Income Tax.

XXVIII. All Dividends arising from any Stock in the Public Funds standing in the Name of the Official Trustees of Charitable Funds, and which shall be certified by the Board, to the Governor and Company of the Bank of *England*, to be exempt from the Property or Income Tax, shall be paid or carried to the Banking Account of the Official Trustees without any Deduction of such Tax; and all Dividends arising from any Stock in the Public Funds standing in any other Names or Name, and which the Board shall certify to the Governor and Company of the Bank of *England* to be subject only to Charitable Trusts, and to be exempt from such Tax, shall be paid without any Deduction thereof.

Restrictions of Charges and Leases of Charity Estates.

XXIX. It shall not be lawful for the Trustees or Persons acting in the Administration of any Charity to make or grant, otherwise than with the express Authority of Parliament, under any Act already passed, or which may hereafter be passed, or of a Court or Judge of competent Jurisdiction, or according to a Scheme legally established, or with the Approval of the Board, any Sale, Mortgage, or Charge of the Charity Estate, or any Lease thereof in reversion after more than Three Years of any existing Term, or for any Term of Life, or in consideration wholly or in part of any Fine, or for any Term of Years exceeding Twenty-one Years.

Sinking Fund to be provided for paying off Mortgages in lieu of Provision in Mortgage Deeds.

XXX. So much of Section Twenty-one of the principal Act as requires a compulsory Provision to be inserted in every Mortgage for the Payment of the Principal Money borrowed by annual Instalments, and for the Redemption and Reconveyance of the mortgaged Estates within the Period of not more than Thirty Years, is hereby repealed; but the Board authorizing any Mortgage to be made of any Charity Estate shall make such Provisions, by the same or any other Order, as to them may seem necessary, for directing the Trustees or Persons administering the Charity to discharge the Principal Debt or any Part thereof by such yearly or other Instalments, within Thirty Years from the Date of the Security, as to the said Board may seem fit, or to form an Accumulation or Sinking Fund out of the Income of the Charity for discharging the Principal Debt, or any Portion thereof within the same Period, and shall give Directions as to the Investment and Accumulation of such Fund, and the Trustees for the Time being, or Persons administering the Charity, shall carry such Order into effect.

Extension of Power of Board as to Compromise of Claims.

XXXI. The Twenty-third Section of the principal Act shall extend to authorize a Compromise or Adjustment of any Claim, Demand, or Cause of Suit against any Charity, or the Trustees or Administrators thereof, and the Order of the Board in relation thereto shall have the like Effect as in the Case of any Compromise or Adjustment for which Provision is made by the said Section.

Board may authorize Payment for Equality of Exchange, &c.

XXXII. The Board may authorize the Application of any Funds belonging to any Charity, in Payments for Equality of Exchange or Partition, or in Payment of any Expenses incident thereto, or may authorize the Trustees to raise any Money for such Purposes, by Mortgage of any Land acquired on such Exchange or Partition, or belonging to the Charity.

Power to ascertain Lands charged with Rents to Charities.

XXXIII. Where there shall be Uncertainty as to the specific Part of any Lands out of which any Rent, Annuity, or other periodical Payment, not exceeding the yearly Sum of Ten Pounds, charged upon some Part of the same Lands, for the Benefit of a Charity, shall be payable, it shall be lawful for the Board, upon the Application of the Trustees or Persons acting in the Administration of the Charity, and with the Consent of the Persons interested, according to the aforesaid Definition of "Persons interested," in the same Lands, to determine by their Order the Land charged with such Rent, Annuity, or other periodical Payment, which shall thenceforth stand charged with such Rent, Annuity, or periodical Payment accordingly, to the Exoneration of the Residue of such Lands therefrom.

Expenses of Exchanges, &c. and determining Application of Charges.

XXXIV. The Expenses incident to the Application for, and procuring of any such Order of Exchange or Partition, or Order determining the Land charged with any Rent, Annuity, or periodical Payment, shall be paid by the Trustees or Administrators of the Charity, or by the other Parties to such Transactions, or by both, as the Board may direct.

Incorporated Charities and Trustees for Charities may re-invest in Land.

XXXV. Any incorporated Charity, or the Trustees of any Charity, whether incorporated or not, may, with the Consent of the Board, invest Money arising from any Sale of Land belonging to the Charity, or received by way of Equality of Exchange or Partition, in the Purchase of Land, and may hold such Land, or any Land acquired by way of Exchange or Partition, for the Benefit of such Charity, without any Licence in Mortmain.

Order of Board for Investments

XXXVI. All Orders of the Board for the Investment of Money coming to any Charity, or the Trustees thereof, on any Sale, Exchange, or Partition, shall be carried into effect by the Trustees or Persons

Persons administering the Charity; and all Monies which the Board shall order to be provided out of any Income or Property of a Charity, for the Payment of the Costs of any such Transaction, shall be provided or raised by the Trustees or Administrators of the Charity, and applied accordingly. to be carried into effect, and Cost to be raised.

XXXVII. It shall be lawful for the Board to authorize or order and direct the Official Trustee of Charity Lands, and the Official Trustees of Charitable Funds respectively, to convey Lands, and to assign, transfer, and pay over Stocks, Funds, Monies, and Securities, as the Board shall think expedient. Board may direct Official Trustees to convey Lands, &c.

XXXVIII. All Leases, Sales, Exchanges, Partitions, and Transactions authorized by the Board under the principal Act, or this Act, shall be valid and effectual, notwithstanding the Act of the Thirteenth Year of the Reign of Queen *Elizabeth*, Chapter Ten, the Acts of the Fourteenth Year of the same Queen, Chapters Eleven and Fourteen, the Acts of the Eighteenth Year of the same Queen, Chapters Six and Eleven, the Act of the Thirty-ninth Year of the same Queen, Chapter Five, and the Act of the Twenty-first Year of the Reign of King *James* the First, Chapter One, or any disabling Act applicable to the Charity, the Estates whereof shall be the Subject of any such Transaction. Leases, &c., to be valid notwithstanding disabling Acts.

XXXIX. It shall be lawful for the Board to prepare, and under their Seal to approve of, any Scheme for the letting of the Property or any Part of the Property of any Charity; and all Leases granted by any Trustees or Persons acting in the Management of any Charity, pursuant to or in conformity with such Scheme, shall be valid. Board may approve Schemes for letting Property.

XL. The Board may order the Bill of Costs or Charges claimed by any Attorney or Solicitor on account of Business conducted or transacted by him on behalf of any Charity, or the Trustees thereof, to be examined and taxed by the Taxing Masters of the Court of Chancery, or by the proper Taxing Officers of any of the Superior Courts at *Westminster*, who shall proceed to examine and tax the same Bill accordingly; and if the same shall be reduced upon such Taxation by the Amount of One Sixth Part or more of the Amount thereof, the Costs of the Taxation shall be paid by such Attorney or Solicitor, but otherwise, out of the Funds of the Charity by the Trustees thereof; and the Board may, after being satisfied as to any Bill that it contains exorbitant Charges, order any such Bill to be so taxed, notwithstanding that the same may have been paid by the Trustees of the Charity, at any Period not more than Six Calendar Months previously to such Order; and any Amount taxed off any such paid Bill shall be a Debt due from the Attorney or Solicitor to the Trustees of the Charity, and shall be forthwith paid by him to such Trustees accordingly. Power to refer Bills of Costs in Charity Matters to Taxation.

XLI. Section Twenty-seven of "The Charitable Trusts Act, 1853," shall be construed and operate as if the Words "and the Trustees of the Charity shall be legally authorized to purchase and hold such Land" had been omitted therefrom; and incorporated Trustees of any Charity shall be competent to purchase and hold Lands, for the Purposes mentioned in the same Section, without Licence in Mortmain. Construction of Sect. 27. of 16 & 17 Vict. c. 137.

XLII. Any Deed, Will, or Document relating to any Charity may be enrolled by the Board in Books to be provided and kept by them for that Purpose at their Office, and a Copy of any such Deed, Will, or Document made from such Books, and certified under the Hand of the Secretary or One of the Commissioners, shall be received as Evidence of the Contents of the same Deed, Will, or Document. Deeds, &c. relating to Charities may be enrolled at the Office, &c.

XLIII. The Fifty-fifth and Fifty-ninth Sections of the principal Act shall be construed and operate as if the Words "The Office of the Board" had been inserted therein in the Place of the Words "the Office in *London* of the Registrar of County Courts Judgments." Construction of ss. 55. and 59. of 16 & 17 Vict. c. 137.

XLIV. Section Sixty-one of "The Charitable Trusts Act, 1853," except so much thereof as enacts that the Trustees or Persons acting in the Administration of every Charity shall, in Books to be kept by them for that Purpose, regularly enter or cause to be entered full and true Accounts of all Money received and paid respectively on account of such Charity, shall be repealed as to all Accounts which such Trustees or Administrators shall not have been bound to render before the passing of this Act; and the Trustees or Administrators of every Charity shall, on or before the Twenty-fifth Day of *March* One thousand eight hundred and fifty-six, prepare and make out, and transmit to the Board an Account of the Endowments then belonging to the Charity, showing, in the Case of Realty not in hand, the Manner in which the same is let or occupied, and in the Case of Personalty, the existing Investment or Employment thereof, and in what Names such Investments are made; and such Trustees or Administrators shall also, on or before the Twenty-fifth Day of *March* next after the Acquisition of any Endowment not included in the foregoing Account, prepare and make out, in like Manner, and transmit to the Board, a similar Account of such last-mentioned Endowment, and in case of any Alienation, or Charge, or Transfer of any Real or Personal Estate of the Charity, shall on or before the Twenty-fifth Day of *March* then next following, transmit to the Board an Account of such Alienation, Charge, or Transfer, and such Trustees or Administrators shall also, on or before the Twenty-fifth Day of *March* in every Year, or such other Day as may be fixed for that Purpose by the Board, or as may have been already fixed for rendering the Accounts thereof required by the principal Act, prepare and make out the following Accounts in relation thereto; (that is to say,) Amendment of Sect. 61. of 16 & 17 Vict. c. 137. and other Provision made as to the annual Returns of Accounts by Trustees of Charities.

(1.) An Account of the gross Income arising from the Endowment, or which ought to have arisen therefrom during the Year ending on the Thirty-first Day of *December* then last, or on such other Day as may have been appointed for this Purpose by the Board:

(2.) An Account of all Balances in hand at the Commencement of the Year, and of all Monies received during the same Year on account of the Charity:

(3.) An Account for the same Period of all Payments:

(4.) An Account of all Monies owing to or from the Charity, so far as conveniently may be:

Which Accounts shall be certified under the Hand of One or more of the said Trustees or Administrators, and shall be audited by the Auditor of the Charity, if any; and the said Trustees or Administrators shall, within Fourteen Days after the Day appointed for making out such Accounts, deliver or transmit a Copy thereof to the Commissioners at their Office in *London*, and in the Case of Parochial Charities shall deliver another Copy thereof to the Churchwarden or Churchwardens of the Parish or Parishes with which the Objects of such Charities are identified, who shall present the same at the next General Meeting of the Vestry of such Parishes, and insert a Copy thereof in the Minutes of the Vestry Book; and every such Copy shall be open to the Inspection of all Persons at all seasonable Hours subject to such Regulations as to the said Board may seem fit; and any Person may require a Copy of every such Account or of any Part thereof, on paying therefor after the Rate of Twopence for every Seventy-two Words or Figures.

Board may make Orders as to Delivery, &c.

XLV. The Board may from Time to Time make such Orders as they may think fit, in relation to the Delivery or Transmission of the said Accounts, and the Forms of such Accounts, and such Orders shall be executed by all Trustees and Persons from whom the Accounts to which they may relate are required.

Application of 16 & 17 Vict. c. 137. s. 64.

XLVI. The Sixty-fourth Section of the principal Act shall apply as well to Members of any Charity within the Operation of that Act, as to Members of any Charity exempted from the Operation thereof.

Acts not to apply to Roman Catholic Charities until 1st Sept. 1856.

XLVII. Neither this Act nor the principal Act shall, until the First Day of *September* One thousand eight hundred and fifty-six, extend, or be in any Manner applied to Charities or Institutions, the Funds or Income of which are applicable exclusively for the Benefit of Persons of the Roman Catholic Persuasion; and which are under the Superintendence and Control of Persons of that Persuasion; nor shall anything in this Act extend to any of the Cases which by the Sixty-second Section of the principal Act are excepted from the Operation thereof.

As to the Term "Charity."

XLVIII. In the Construction of the principal Act and this Act the Word "Charity" shall include every Institution in *England* or *Wales* endowed for charitable Purposes, but shall not include any Charity or Institution expressly exempted from the Operation of the Act of 1853, and Words applying to any Person or Individual shall apply also to a Corporation, whether sole or aggregate.

Act not to extend to Eton or Winchester.

XLIX. Nothing in this Act or in the principal Act contained shall extend to the Colleges of *Eton* and *Winchester*, or either of them.

Short Title.

L. This Act may be cited as "The Charitable Trusts Amendment Act, 1855."

CAP. CXXV.

An Act to confirm Provisional Orders of the General Board of Health, applying the Public Health Act (1848) to the Districts of *Middlesbrough*, *Windhill*, *Christchurch*, *Keighley*, *Tunstall*, and *Toxteth Park*, and for Alteration of the Boundaries of the District of *Romford*. [14th *August* 1855.]

11 & 12 Vict. c. 63.

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, certain Provisional Orders in the Schedule to this Act contained; and it is expedient that the said Orders should be confirmed, and further Provisions made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That—

Certain Provisional Orders of General Board of Health confirmed.

I. The Provisional Orders of the General Board of Health contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as the same are authorized by the said Public Health Act, be absolute, and be as binding and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act.

Limitation of Rates to be levied in the Borough of Middlesbrough. 11 & 12 Vict. c. 63.

II. Provided always, That the Rates leviable within the Borough of *Middlesbrough* as constituted by the Provisional Order in the Schedule to this Act, under the Public Health Act, 1848, whether for the Purposes of the said last-mentioned Act, or for the Purposes of so much of the Local Act in the said Order mentioned or referred to as remains unrepealed by the said Provisional Order, shall not exceed, in any One Year, the Sum of Four Shillings in the Pound upon the net annual Value of Property assessable thereto within such Borough, except Property consisting of Land used as Arable, Meadow, or Pasture Ground only; or as Woodland, Market Gardens, or Nursery Grounds, Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance; and as to such excepted Property, the Rates so leviable shall not, in any One Year, exceed in the whole the Sum of Ninepence in the Pound upon the net annual Value of such excepted Property.

First Election of Local Board of Windhill;

III. The First Election of the Local Board of Health for the District of *Windhill*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five.

IV. The

IV. The First Election of the Local Board of Health for the District of *Christchurch*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five. of Local Board of Christchurch;

V. The First Election of the Local Board of Health for the District of *Keighley*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five. of Local Board of Keighley;

VI. The First Election of the Local Board of Health for the District of *Tunstall*, for the Purposes of the said Public Health Act, shall take place on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-five. of Local Board of Tunstall.

VII. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act. Act incorporated with 11 & 12 Vict. c. 63.

VIII. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1855." Short Title.

SCHEDULE to which this Act refers.

MIDDLESBROUGH.

Provisional Order for the Application of the Public Health Act to the Borough of Middlesbrough, in the North Riding of the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS, upon the petition of not less than one tenth of the inhabitants rated to the relief of the Poor of and within the Borough of Middlesbrough, in the North Riding of the County of York, and within the boundaries of the said borough, as fixed for the purposes of an Act passed in the sixth year of the reign of King William the Fourth, intituled "An Act to provide for the regulation of Municipal "Corporations in England and Wales," We, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Borough, within and throughout the said boundaries, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Borough, for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Borough, or having relation to the purposes of the said Act; also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice, stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Borough, having relation to the purposes of the said Public Health Act; (that is to say,) An Act passed in the fourth and fifth years of the reign of Queen Victoria, intituled "An Act "for paving, lighting, watching, cleansing, and otherwise improving the Town of Middlesbrough, and "the neighbourhood thereof, in the North Riding of the County of York and for establishing a market "therein."

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough; and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof; but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order under my hand and seal of office, direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1. In the construction of this Order, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's Printers, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.
2. "The Public Health Act, 1848," and every part thereof relating to corporate districts, except the section numbered 95 in the copies of that Act printed by Her Majesty's printers, shall apply to the

the area comprised within the boundaries of the said Borough of Middlesbrough, as defined in the Charter of Incorporation of the said Borough.

3. The Mayor, Aldermen, and Burgesses of the said Borough shall be, by the Council of the said Borough, the Local Board of Health under the said Public Health Act.

4. Such parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.

5. The powers, authorities, and duties of the Commissioners for the time being acting in execution of the said Local Act shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Act shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act, and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said Borough, and all places within the Limits of the said Borough shall be subject to the unrepealed parts of the said Local Act.

6. The said Local Board shall be the Commissioners for executing the unrepealed parts of the said Local Act.

7. All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts, and for the same purposes, as by such Commissioners.

8. All debts, monies, and securities for money contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith, if this Order had not been made; and shall be paid and satisfied by the said Local Board, as by such Commissioners.

9. Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

10. Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use of the same parts and to the same purposes as it would have been if this Order had not been made.

11. All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and which shall not be defrayed out of monies arising under such Local Acts, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

12. Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order; but notwithstanding this Order, and the Schedule thereto, all such things shall be as valid with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner, in all respects, as if they related to that Board, instead of such Commissioners.

13. Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under the said Local Act, but all such penalties may be recovered by the said Local Board of Health according to the provisions of this Order.

Given under my Hand and under the Seal of the General Board of Health this Eighteenth day of July, in the Year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows; (that is to say,)

The sections numbered respectively in the copies of the said Act printed by the Queen's printers 1 to 88, 111 to 114, 238 to 250, 252 to 281, all inclusive, and 283.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw of the Local Board of Health, made under and by virtue of the said Public Health Act, at an amount other than that fixed by the said first-mentioned Act.

Public Health (No. 2.)

WINDHILL.

Provisional Order for the Application of the Public Health Act to the District of Windhill, in the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS it having been ascertained from the last return for the time being made up by the Registrar General of Births, Deaths, and Marriages, that the annual number of deaths within the boundaries of the Township of Idle, in the West Riding of the County of York, has on the average of seven years exceeded the proportion of twenty-three to a thousand of the population of such Township, the General Board of Health directed William Ranger, one of their Superintending Inspectors, to visit the said Township, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice, stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the Act were not the same as those of the said township with respect to which the said inquiry had been made, the said Board caused the said William Ranger to visit the parts within the Boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and did make further inquiry and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said last-mentioned Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed; and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to so much of the said township of Idle as is included within the boundaries described in the Schedule to this Order, and being the same within which the said inquiry and further inquiry have been made; but the same cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under my hand and seal of office, direct:—

That from and after the passing of any Act of Parliament confirming the present Order,—

1. The Public Health Act, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to so much of the said township of Idle as is described in the Schedule to this Order annexed, and the said district shall be called the district of Windhill.
2. The Local Board of Health for the said district shall consist of nine persons, and the entire number shall be elected for the whole of the said district.
3. One third in number of the persons so elected shall go out of office on the twenty-fifth day of March in each year subsequent to that of the first election of the said Local Board.
4. Every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident, as in the Public Health Act, 1848, is required, and be seised or possessed of real or personal estate, or both, to the value or amount of not less than three hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place of which some part is within the said district, upon an annual value of not less than ten pounds.

5. At

5. At the first election of the said Local Board, Thomas Crabtree, of Windhill aforesaid, worsted spinner and manufacturer, shall have the powers and perform the duties which it may be requisite for him to perform in conducting the said first election; and in case the said Thomas Crabtree, from illness or other sufficient cause, shall be unable to discharge such duties, or shall be absent, or shall refuse to act, then William Thomas, of Windhill aforesaid, cloth manufacturer, shall perform such of those duties as then remain to be exercised or performed.
6. The fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election, shall be given to the said Thomas Crabtree, at his manufactory, in Windhill aforesaid, or in case he shall refuse or be unable to receive the same, then to the said William Thomas, at his residence, within the aforesaid district.

Given under my Hand and under the Seal of the General Board of Health, this Thirty-first day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The following is the description of the boundary of the district of Windhill referred to in the above Order:

The boundary of the district of Windhill, in the township of Idle, in the county of York, commencing at the centre of the Bradford Brook, then runs along a fence forming the northern boundary of a field marked No. 85, and belonging to Thomas Crabtree, Esq.; then across the towing-path of the Bradford and Shipley Canal, marked No. 81, and belonging to the Bradford Canal Company; then across the Bradford and Shipley Canal, and belonging to the Bradford Canal Company; then along a fence forming the northern boundary of a garden marked No. 73, and belonging to Mr. James Sugden; then along a fence forming the northern boundary of a field marked No. 71, and belonging to John Whitley, Esq.; then across an occupation road up to and along a fence forming the northern boundary of a field marked No. 62, and belonging to the trustees of Joseph Hobson; then along a fence forming the northern boundary of a field marked No. 31, and belonging to Mr. Isaac Wilcock; then along a line of fence forming the northern boundary of a field marked No. 61, and belonging to Mrs. Whitelock; then along the fence forming the northern boundary of a field marked No. 60, and belonging to the Earl of Rosse; then across and along the eastern side of a highway to a point in the fence forming the western side of a field marked No. 346, and belonging to Mrs. Mary Rycroft; then along a fence forming the northern boundary of the last-named field marked No. 346, and belonging to the said Mrs. Mary Rycroft; then along a fence forming the northern boundary of a field marked 340, and belonging to John Whitley, Esq.; then along a fence forming the northern boundary of a field marked No. 360, and belonging to Mr. William Hodgson; then along a line of fence forming the northern boundary of a field marked No. 367, and belonging to C. H. Dawson, Esq.; then to a point opposite the northern side of a highway, and along a line of fence, forming the northern boundary of a field marked No. 412, and belonging to Mr. John Clark; then along the northern side of a road to a line of fence forming the northern boundary of a field marked No. 300, and belonging to Mr. Wright; then along a line of fence forming the northern boundary of a field marked No. 660, and belonging to the Rev. Mr. Edmonson; then along a line of fence forming the northern side of the fields marked Nos. 661 and 662, and belonging to C. H. Dawson, Esq.; then along a line of fence forming the southern sides of the fields marked Nos. 663 and 670, and belonging to C. H. Dawson, Esq.; then across a highway to a point opposite the southern side of a cross road; then along the northern side of a road to a corner of the fence forming the south and west sides of the fields marked Nos. 267 and 268, and belonging to the Earl of Rosse; then along a line forming the southern side of the Leeds and Bradford Railway, to a point in the centre of the Bradford Brook; then along the centre of the said brook to the first-named point. The figures herein-before cited in the description of the said boundary refer to those on the plan of Windhill prefixed to the second report on Idle made by Mr. Ranger to the General Board of Health, and dated 4th February 1854.

CHRISTCHURCH.

Provisional Order for the Application of the Public Health Act, 1848, to the District of Christchurch, in the County of Monmouth.

GENERAL BOARD OF HEALTH.

WHEREAS in pursuance of the Public Health Act, 1848, the General Board of Health, appointed for the purposes of the said Act, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the parish of Christchurch, in the County of Monmouth, (the number of the said petitioners exceeding thirty in the whole,) directed Thomas Webster Rammell, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Parish, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament

liament in force within the said Parish for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Parish, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating that within the time directed by the said Act written statements might be forwarded to the said Board, with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it having appeared to the said General Board that the boundaries which might be most advantageously adopted for the purposes of the said Act were not the same as those of the said Parish with respect to which the said inquiry had been made, the said Board caused Alfred Lamerte Dickens, another of the Superintending Inspectors appointed for the purposes of the said Act, to visit the parts within the boundaries proposed to be adopted for the purposes of the said Act.

And whereas the said last herein-before named Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and of the boundaries proposed to be adopted for the purposes of the said Act; and did make further inquiry, and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that within the time directed by the said Act written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act; and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the Parish of Christchurch, that is to say, within the same boundaries as those within and with respect to which the said inquiry and further inquiry have been made; but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order, under my hand and official seal, order and direct, That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order,—

1. The Public Health Act, 1848, and every part thereof, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area, places, and parts of places comprised within the boundaries set forth and described in the Schedule to this Order annexed, and shown by the red line on the map accompanying Mr. Rammell's printed Report to the General Board of Health, bearing date the 5th April 1854, being the parts within which the said inquiry and further inquiry have been made, and that such area, places, and parts of places shall be and constitute a district, for the purposes of the said Public Health Act, called the Christchurch District.
2. That the Local Board of Health, to be elected under the said Public Health Act, shall consist of nine persons, to be elected for the whole of the said District.
3. That one third in number of the said Local Board shall go out of office on the Thirty-first day of March in each year subsequent to that in which the first election of the said Local Board takes place.
4. That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office, by virtue of such election, be resident, as in the Public Health Act, 1848, is required, and be seised and possessed of real or personal estate, or both, to the value or amount of not less than seven hundred pounds, or shall be so resident and rated to the relief of the poor of the said parish, or of some township or place of which some part is within the said District, upon an annual value of not less than twenty pounds.
5. That at the first election of the said Local Board, Thomas Morgan Llewellin, of Newport, shall have the powers and perform the duties vested in or imposed upon the chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Thomas Morgan Llewellin, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then William Graham, Land Agent, of Maindee, shall exercise and perform such of the said powers and duties as then remain to be exercised or performed; and the said chairman may be elected a member of the said Local Board.

6. That the fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said Thomas Morgan Llewellin at Mr. William Graham's residence, Gore House, Maindee; or in case he shall refuse or be unable to receive the same, then to the said William Graham, at his residence, Gore House aforesaid.

Given under my Hand and under the Seal of the General Board of Health, this Thirty-first day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The boundary of the District of the Christchurch Local Board of Health, referred to in the preceding Order, commences at a point where the boundary of the district of the Newport Local Board of Health intersects the southern side of the Old Christchurch Road, thence proceeds easterly along the southern boundary of such Road until it reaches a fence dividing the properties of Messrs. Edward Locke and James Rennie; thence it continues in a south-westerly direction along that fence dividing the properties of James Rennie on the south-east from the properties of Edward Locke, William Evans, Henry Farr, and William Graham, until it reaches the turnpike road leading from Newport to Chepstow; thence it turns in a north-westerly direction along the northern side of that road as far as a stream of water known as Eve's Well Stream. It then follows the course of that stream in a southerly direction, crossing the line of the South Wales Railway, until it reaches the northern angle of a field belonging to Sir Thomas Phillips, numbered in the tithe map 978. It then follows the northern boundary of Sir Thomas Phillips's land until it intersects the district of the Newport Local Board of Health, and continues in a northerly direction along the boundary of such District to the point first named.

KEIGHLEY.

Provisional Order for the Application of the Public Health Act, 1848, *to the Town of Keighley, in the West Riding of the County of York.*

GENERAL BOARD OF HEALTH.

WHEREAS in pursuance of the Public Health Act, 1848, the General Board of Health, appointed for the purposes of the said Act, upon the joint petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Town of Keighley in the West Riding of the County of York, (the number of the said petitioners exceeding thirty in the whole,) directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Town, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Town for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Town, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing parochial or other local boundaries and the boundaries which might be most advantageously adopted for the purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the notices required by the said Act, proceeded upon the said inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the several matters with respect to which he was so directed to inquire as aforesaid, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of the said Act.

And whereas copies of the said Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears upon such Report that there is a certain Local Act in force within the said Town having relation to the purposes of the said Public Health; that is to say, an Act passed in the Fifth Year of the Reign of King George the Fourth, intituled "An Act for paving, lighting, cleansing, "watching, regulating, and otherwise improving the town of Keighley, within the Parish of Keighley, "in the West Riding of the County of York."

And whereas it appears to the said General Board to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Town, and within the same boundaries as those within and with respect to which the said inquiry and further inquiries have been made, and that provision should be made in respect to the said Local Act of Parliament, and the repeal, alteration, extension, and future execution thereof; but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, We, the said General Board of Health, do, by this Provisional Order under the hand of the President and official seal, order and direct:—

1. That

1. That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order, the Public Health Act shall apply to and be in force within and throughout the said Town, and that the said Town shall be and constitute a district, called the Keighley District, for the purposes of the said Public Health Act accordingly.
2. That the Local Board of Health to be elected under the said Public Health Act shall consist of twenty-one persons.
3. That one third in number of the said Local Board shall go out of office on the day next after the expiration of a year from the day appointed by Parliament for the first election of the said Local Board, and thence annually.
4. That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident, as in the Public Health Act, 1848, is required, and be rated to the relief of the poor of the town of Keighley, or of some township or place of which some part is within the said district, upon an annual value of not less than ten pounds.
5. That at the first election of the said Local Board, Richard Metcalfe, of Keighley, Solicitor, shall have the powers and perform the duties vested in or imposed upon the chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Richard Metcalfe, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then that William Burr, of Keighley, Solicitor, shall exercise and perform such of the said powers and duties as then remain to be exercised or performed; and the said Chairman may be elected a member of the said Local Board.
6. That the fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to Richard Metcalfe aforesaid, at his residence, Keighley, or in case he shall refuse or be unable to receive the same, then to William Burr aforesaid, at his residence, Keighley.
7. That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, such parts of the said Local Act as are specified in the Schedule hereunto annexed shall be repealed, except in so far as the same repeal any other Act or Acts of Parliament.
8. That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, all the powers, authorities, and duties of the Commissioners for the time being constituted and appointed for putting the said Local Act into execution shall wholly cease and determine, and that those of their treasurers, clerks, assessors, collectors, receivers, surveyors, and other officers and persons shall cease and determine at such time as shall be appointed by the said Local Board by order under their hands and seal of office.
9. That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, such of the said powers, authorities, and duties as are granted or imposed by so much of the said Local Act as shall not be repealed according to the provisions of this Order, and so far as the same are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any Byelaw which shall be lawfully made under the said Public Health Act, shall be transferred to and be had and exercised by the said Local Board of Health, and by such of the committees, officers, and servants of the said Local Board as shall be appointed by such Board in that behalf under the said Public Health Act, or as shall continue in office under the said Local Board, and shall be had and exercised in the same manner as nearly as may be as if such powers, authorities, privileges, and duties had been granted or imposed by the said Public Health Act.
10. That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, the said Local Board shall be the Commissioners for executing such parts of the said Local Act as shall not be repealed according to the Provisions of this Order.
11. That the unrepealed parts of the said Local Act shall be incorporated with the Public Health Act as applied to the said district, and the several clauses and provisions of the said Public Health Act may (whenever it may be practicable so to do) be applied to all or any cases, matters, and things which shall arise under such parts of the said Local Act as shall not be repealed according to this Order.
12. That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, all lands, buildings, works, rates, tolls, duties, and hereditaments, utensils, materials, books, plans, maps, deeds, effects, contracts, papers, monies, and securities for money, and all other property and estate whatsoever belonging to or vested in the Commissioners acting in the execution of the said Local Act, shall be transferred to, vested in, belong to, and be recoverable by the said Local Board of Health, as fully as the same would or could have belonged to, been vested in, or recovered by such Commissioners, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts and for the same uses, intents, and purposes as the same were or would be held by such Commissioners.
13. That from and after the day fixed for the said first election by any Act of Parliament confirming this Order, all bonds, mortgages, annuities, contracts, debts, monies, and securities for money, made,

made, given, contracted, or payable by such Commissioners, shall be paid and satisfied by the said Local Board out of such parts of the said transferred property and estate as would or ought to have been charged or chargeable in respect of the same if this Order had not been made, and shall, as near as circumstances will permit, have the same priority, and be paid and satisfied within the same times, and be recovered from the said Local Board as the same might have been recovered from such Commissioners.

14. Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon and paid and satisfied by the said Local Board of Health out of the General District Rates, levied under the said Public Health Act, in the parts and places which would or ought to have been chargeable with such deficiency if this Order had not been made.

15. Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use and benefit of the parts and places, and as nearly as may be to the same purposes, to which the same would or ought to have been applied if this Order had not been made.

16. That all charges and expenses which shall be incurred by the said Local Board of Health under such parts of the said Local Act as shall not be repealed according to the provisions of this Order, and which shall not be defrayed out of the tolls, duties, and revenue received or to be received by the said Local Board under such Local Act, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the General or Special District Rates (as the nature of the case may require); and the monies necessary to be raised for the purposes of such Local Act may be borrowed, charged, secured, and recovered in the same manner as if such charges and expenses were actually incurred under the said Public Health Act.

17. Provided always, that, except as regards the repeal of such of the powers and provisions of the said Local Act as are mentioned in the Schedule to this Order, this Order shall take effect subject and without prejudice to that Act, and all estates, interests, rights, claims, demands, powers, duties, privileges, and authorities created, conferred, arising, and subsisting under or by virtue of that Act are, except as aforesaid, hereby absolutely saved.

18. Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not annul, defeat, lessen, or otherwise prejudicially affect any rate, assessment, imposition, composition, charge, purchase, sale, conveyance, grant, demise, lease, mortgage, annuity, assignment, bond, contract, covenant, agreement, security, matter, or thing whatsoever before the passing of any Act of Parliament confirming this Order made, entered into, or done under or by virtue or in pursuance of that Act, or with reference to the purposes of the same; but notwithstanding this Order and the Schedule thereto, all such acts, deeds, matters, and things shall be as good, valid, and effectual to all intents and purposes whatsoever for, against, and with reference to the said Local Board of Health as if the same had been made, entered into, or done by, to, or with reference to that Board, instead of the Commissioners of the said Local Act, and may be proceeded on and enforced in the same manner in all respects as if that Board instead of such Commissioners had been party or privy to the same, and been named or referred to therein.

19. Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be subject and without prejudice to any penalties incurred under that Act, at the time fixed for the said first election, by any Act of Parliament confirming this Order, but all such penalties may be enforced and recovered by the said Local Board of Health according to the provisions of this Order.

Given under my Hand, and under the Seal of the General Board of Health, this Second day of August, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The sections numbered respectively in the copies of the said Act printed by the King's Printers, 1, 3 to 19, 24 to 35, 55 to 60, 62 to 72, 81 to 96, all inclusive, 98 and 99.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence is fixed by the Public Health Act, or by any Byelaw of the Local Board of Health made under and by virtue of the Public Health Act, at an amount other than that fixed by the said Local Act.

TUNSTALL.

Provisional Order for the Application of the Public Health Act to the Township of Tunstall, in the County of Stafford.

GENERAL BOARD OF HEALTH.

WHEREAS upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Township of Tunstall, in the County of Stafford, We, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit

visit the said Township, within and throughout the said boundaries, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial-grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also, as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Township having relation to the purposes of the said Public Health Act; that is to say, an Act passed in the tenth and eleventh years of the reign of Queen Victoria, intituled "An Act for "paving, lighting, watching, cleaning, and otherwise improving the Town and neighbourhood of "Tunstall, in the County of Stafford, and for improving and regulating the market place and markets "therein."

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act should be applied to the said Township, and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof, but the same cannot be done without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order under my hand and seal of office, direct:

That from and after the passing of any Act of Parliament confirming this Order,—

1. In the construction of this Order, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's Printers, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.
2. The Public Health Act, 1848, shall apply to and be in force within and throughout the entire area, places, and parts of places comprised within the boundaries of the said Township of Tunstall, and that the said Township shall be and constitute a district for the purposes of the said Public Health Act accordingly.
3. That the Local Board of Health to be elected for the said Township shall consist of twenty-four persons, and that the entire number shall be elected for the whole of the said district.
4. That one third in number of the said Local Board shall go out of office on the 25th day of March in each year subsequently to that in which the said first election takes place; but in case the day as appointed shall fall on a Sunday, or on a day appointed for a Public Fast or Thanksgiving, then that such one third shall go out of office on the day next following.
5. That every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be resident as in the Public Health Act, 1848, is required, and be seised and possessed of real or personal estate, or both, to the value or amount of not less than five hundred pounds, or shall be so resident and rated to the relief of the poor of some parish, township, or place of which some part is within the said district, upon an annual value of not less than fifteen pounds.
6. That, at the first election of the said Local Board, Enoch Wedgwood, Esquire, of Tunstall, shall have the powers and perform the duties vested in or imposed upon the Chairman of the Local Board of Health by the Public Health Act, 1848, in relation to any election by owners of property and ratepayers, and shall perform all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Enoch Wedgwood, from illness or other sufficient cause, shall be unable to exercise or discharge such powers or duties, or shall be absent, or shall refuse to act, then Anthony Shaw, Esquire, of Tunstall, shall exercise and perform such of the said powers and duties as then remain to be exercised or performed.
7. That the fourteen days notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said Enoch Wedgwood, at his residence, Tunstall, or in case he shall refuse or be unable to receive the same, then to the said Anthony Shaw, at his residence, Tunstall.

8. Such parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.
9. The powers, authorities, and duties of the Commissioners for the time being acting in execution of the said Local Act shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Act shall, so far as they are not repugnant to or inconsistent with the said Public Health Act, or this Order, or any byelaw which shall be lawfully made under the said Public Health Act, be transferred to the said Local Board of Health, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said Public Health Act; and all matters arising under the said Local Act may be dealt with under the provisions of the said Public Health Act; and the provisions of that Act shall apply to all such matters, and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said Township.
10. All property and estate of the Commissioners acting in the execution of the said Local Act shall be transferred to the said Local Board of Health, and shall, as near as circumstances will permit, be held by the said Local Board of Health upon the same trusts and for the same purposes as by such Commissioners.
11. All debts, monies, and securities for money, contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.
12. Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Public Health Act, in the parts only which would have been chargeable with such deficiency if this Order had not been made.
13. Provided also, that if such property and estate be more than sufficient, the surplus shall be applied to the exclusive use of the same parts and to the same purposes as it would have been if this Order had not been made.
14. All expenses which shall be incurred by the said Local Board of Health under the unrepealed parts of the said Local Act, and which shall not be defrayed out of monies arising under such Local Acts, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the purposes of the said Local Act shall be deemed to be purposes of the said Public Health Act as applied to the said Township; and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.
15. Provided always, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall not prejudicially affect anything done under that Act before the passing of any Act of Parliament confirming this Order; but, notwithstanding this Order, and the Schedule thereto, all such things shall be as valid with reference to the said Local Board of Health, as if the same had been done with reference to that Board, and may be dealt with in the same manner in all respects as if they related to that Board instead of such Commissioners.
16. Provided also, that this Order, and the repeal of the parts of the said Local Act mentioned in the Schedule thereto, shall be without prejudice to any penalties incurred under the said Local Act, but all such Penalties may be recovered by the said Local Board of Health according to the provisions of this Order.

Given under my Hand and under the Seal of the General Board of Health, this Thirtieth day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows; (that is to say,) so much of the section numbered 1 in the copies of that Act printed by the Queen's Printers as incorporates with that Act the Commissioners Clauses Act, 1847, and so much of the same section as incorporates the sections of the Towns Improvement Clauses Act, 1847, with respect to the officers to be appointed by the Commissioners, or under any General Town Improvement Act, and the sections with respect to plans of the district within the limits of the Special Act, and of the works to be executed under the powers of that and the Special Act; the sections with respect to making and maintaining the public sewers; and the sections with respect to the drainage of houses; and the sections with respect to the paving and maintaining of streets; and the sections with respect to laying out new streets; and the sections with respect to objections to the works to be constructed by or subject to the approval of the Commissioners; and the sections with respect to supplying buildings with fresh air, numbered 113, 114, and 115; and the sections with respect to lodging-houses; and the sections with respect to lighting the town or district; and the sections with respect to the supply of water; and the sections with respect to slaughter-houses; and the sections with respect to things to be done by the Commissioners by special order,

order, numbered 134 and 135; and the sections with respect to the ensuring the execution of the works by that or the Special Act required to be done by the owners or occupiers of houses or lands; and the sections with respect to the rates by that Act to be made for sewers, drains, and private improvements; and the sections with respect to the manner of making rates authorized by that or the Special Act, except the section numbered 176; and the sections with respect to the appeal to be made against any rate; and the sections with respect to the recovery of rates; and the sections with respect to byelaws to be made under that or the Special Act; and the sections with respect to the recovery of damages not specially provided for, and of penalties, and to the determination of any other matter referred to justices; and the sections numbered respectively in the copies of the said Act printed by the Queen's Printers 4 to 9, 18, and 35 to 40, all inclusive.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw of the Local Board of Health made under and by virtue of the said Public Health Act, at an amount other than that fixed by the said first-mentioned Act.

TOXTETH PARK.

Provisional Order for the Application of the Public Health Act to the Extra-parochial Place of Toxteth Park, in the County Palatine of Lancaster.

GENERAL BOARD OF HEALTH.

WHEREAS upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Extra-parochial Place of Toxteth Park, in the County Palatine of Lancaster, and within the boundaries of the said place, as fixed for the purposes of an Act passed in the fifth and sixth years of the reign of Her present Majesty, intituled "An Act for better paving and improving the "Streets and Highways within the Extra-parochial Place of Toxteth Park in the County Palatine of "Lancaster, and for the Sewerage of certain Parts of the said Place," We, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the purposes of the said Act, to visit the said Place, within and throughout the said boundaries, and to make public inquiry and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said place for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said place, or having relation to the purposes of the said Act; also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundaries which might be most advantageously adopted for the purposes of the said Act:

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and hath reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act:

And whereas copies of the said Report, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed; and all such statements as have been received by the said Board have been duly deposited as required by that Act:

And whereas it appears upon such Report that there is a certain Local Act of Parliament in force within the said Place having relation to the purposes of the said Public Health Act; (that is to say,) the Act herein-before recited of the fifth and sixth years of the reign of Her present Majesty:

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said place, and that provision should be made with respect to the said Local Act of Parliament, and the partial repeal, alteration, extension, and further execution thereof; but the same cannot be done without the authority of Parliament:

Now, therefore, in pursuance of the power vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order under my Hand and Seal of office, direct:—

That from and after the passing of any Act of Parliament confirming this Order,—

1. In the construction of this Order, the same meanings shall be assigned to certain expressions which are assigned to them by the section numbered 2 in the copies of "The Public Health Act, 1848," printed by Her Majesty's Printers, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such expressions occur.
2. "The Public Health Act, 1848," and every part thereof except the sections relating to the election, continuance in office, and qualification of Local Boards of Health, being the sections numbered in the copies of that Act printed by the Queen's Printers from 12 to 31, both inclusive,

inclusive, and the section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to the said place within the boundaries defined in the Local Act aforesaid.

3. The Commissioners for the time being acting in execution of the said Local Act shall be the Local Board of Health under the said Public Health Act.
4. Such parts of the said Local Act as are specified in the Schedule to this Order shall be repealed, except in so far as relates to anything done before the passing of any Act of Parliament confirming this Order, and except in so far as the same repeal any other Act or Acts of Parliament.
5. All matters arising under the said Local Act may be dealt with under the provisions of the said Public Health Act, and the provisions of that Act shall apply to all such matters; and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Public Health Act as applied to the said place.
6. All expenses which shall be incurred by the said Commissioners under the unrepealed parts of the said Local Act, and which shall not be defrayed out of monies arising under such Local Act, shall be deemed to be expenses incurred by such Board under the said Public Health Act, and shall be defrayed out of the rates under that Act (as the nature of the case may require); and the purposes of the said Local Act shall be deemed to be purposes of the said Public Health Act as applied to the said place; and the monies necessary to be raised for the purposes of such Local Act may be raised as under the said Public Health Act.

Given under my Hand, and under the Seal of the General Board of Health, this Thirtieth day of July, in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

Schedule to which this Order refers.

The parts of the said Local Act referred to in this Order to be repealed are as follows; (that is to say,)

The sections numbered respectively in the copies of the said Act printed by the Queen's Printers 20 to 87 both inclusive, 99, 115 to 123, 129 to 131 both inclusive, 145 to 154, 158 to 160, 163 to 193, all inclusive, 196 and 197.

And so much of any unrepealed part of the said Act as fixes the amount of any penalty for any offence under the said Act, wherever the penalty for such offence shall have been fixed by the Public Health Act, 1848, or by any byelaw of the Local Board of Health, made under and by virtue of the said Public Health Act, at an amount other than that fixed by the said first-mentioned Act.

ROMFORD.

Provisional Order for altering the Boundaries of the District of Romford, in the County of Essex, as constituted for the Purposes of the Public Health Act, 1848.

GENERAL BOARD OF HEALTH.

WHEREAS by a Provisional Order of the General Board of Health, bearing date the 16th day of June 1851, confirmed by "The Public Health Supplemental Act, 1851, (No. 2.)," (14 & 15 Vict. c. 98.), the Public Health Act, 1848, has been duly applied to the Parish of Romford, in the County of Essex.

And whereas it appears to the General Board of Health appointed for the purposes of the said Act that the boundaries of the said District, as determined by the said Order, should be altered and amended in the manner prescribed by the said Act.

And whereas the said General Board have, in pursuance of the Provisions of the said Act, directed William Ranger, a Superintending Inspector appointed for the purposes of the said Act, to visit the said District, and to make public inquiry, and to examine witnesses as to the boundaries not being the boundaries of the said Parish so fixed as aforesaid, which might most advantageously be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Public Health Act, proceeded upon the said further inquiry in the manner directed by the said Act, and hath reported in writing to the said General Board upon the said matter with respect to which he was directed to inquire.

And whereas copies of the Report on such further inquiry, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and all such statements as have been received by the said Board have been duly deposited as required by that Act.

And whereas the alteration of the boundaries of the said District cannot be effected without the authority of Parliament.

Now therefore, in pursuance of the power vested in the said General Board of Health by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order, under my Hand and Seal of office, order and direct as follows; that is to say:—

That

That from and after the passing of any Act of Parliament confirming this present Order—

1. The provisions of the Public Health Act of 1848, and every part thereof, except the Section numbered 50 in the copies of that Act printed by Her Majesty's Printers, shall apply to and be in force within and throughout the entire area comprised within the boundary of the town ward of Romford in the parish of Romford and county of Essex, shown by the strong black line on the plan prefixed to the said further Report made by Mr. Ranger to the General Board of Health, and bearing date the 29th day of April 1854; and the parts within the said boundary shall be and constitute a district for the purposes of the said Public Health Act accordingly, under the name of the "Romford District."
2. The present Local Board of Health for the time being for the district of Romford, as originally constituted by the herein-before recited Provisional Order, shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District constituted by this Order and the Act of Parliament confirming the same.
3. At every election of members of the said Local Board which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District constituted by this Order, and by the votes of owners of and ratepayers in respect of property situate within the said District; and any person residing in the said District, or within seven miles thereof, may be elected a member of the said Local Board; but the number and qualification of such members, and the day of such election, shall remain as fixed by the herein-before recited Provisional Order of the General Board of Health, dated 16th of June 1851, and confirmed by the aforesaid "Public Health Supplemental Act, 1851, (No. 2)."

Given under my Hand and under the Seal of the General Board of Health, this Thirtieth day of July in the year of our Lord One thousand eight hundred and fifty-five.

(L.S.) (Signed) B. HALL.

CAP. CXXVI.

An Act for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases. [14th *August* 1855.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Justices at Petty Sessions to punish Persons charged with Larceny, &c. summarily.

I. Where any Person is charged before any Justices of the Peace assembled at such Petty Sessions as herein-after provided, with having committed Simple Larceny, and the Value of the whole of the Property alleged to have been stolen does not, in the Judgment of such Justices, exceed Five Shillings, or with having attempted to commit Larceny from the Person, or Simple Larceny, it shall be lawful for such Justices to hear and determine the Charge in a summary Way, and, if the Person charged shall confess the same, or if such Justices, after hearing the whole Case for the Prosecution and for the Defence, shall find the Charge to be proved, then it shall be lawful for such Justices to convict the Person charged, and commit him to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for any Period not exceeding Three Calendar Months, and if they find the Offence not proved they shall dismiss the Charge, and make out and deliver to the Person charged a Certificate under their Hands, stating the Fact of such Dismissal; and every such Conviction and Certificate respectively may be in the Forms (A.) and (B.) in the Schedule to this Act, or to the like Effect: Provided always, that if the Person charged do not consent to have the Case heard and determined by such Justices, or if it appear to such Justices that the Offence is one which, owing to a previous Conviction of the Person charged, is punishable by Law with Transportation or Penal Servitude, or if such Justices be of opinion that the Charge is, from any other Circumstances, fit to be made the Subject of Prosecution by Indictment, rather than to be disposed of summarily, such Justices shall, instead of summarily adjudicating thereon, deal with the Case in all respects as if this Act had not been passed: Provided also, that if upon the Hearing of the Charge, such Justices shall be of opinion that there are Circumstances in the Case which render it inexpedient to inflict any Punishment, they shall have Power to dismiss the Person charged, without proceeding to a Conviction.

If Parties accused do not consent, Justices to deal with Cases as if this Act had not passed.

Justices to ask the Accused whether he consents to the Charge being summarily determined.

II. Where the Justices, before whom any Person is charged as aforesaid, propose to dispose of the Case summarily under the foregoing Provisions, One of such Justices, after the Examinations of all the Witnesses for the Prosecution have been completed, and before calling upon the Person charged for any Statement which he may wish to make, shall state to such Person the Substance of the Charge against him, and shall then say to him these Words, or Words to the like Effect: "Do you consent that the "Charge against you shall be tried by us, or do you desire that it shall be sent for Trial by a Jury at "the Sessions or Assizes" (as the Case may be); and if the Person charged shall consent to the Charge being summarily tried and determined as aforesaid, then the Justices shall reduce the Charge into Writing, and read the same to such Person, and shall then ask him whether he is guilty or not of such Charge; and if such Person shall say that he is guilty, the Justices shall then proceed to pass such Sentence upon him as may by Law be passed, subject to the Provisions of this Act in respect to such Offence; but if the

the Person charged shall say that he is not guilty, the Justices shall then inquire of such Person whether he has any Defence to make to such Charge, and if he shall state that he has a Defence, the Justices shall hear such Defence, and then proceed to dispose of the Case summarily.

Persons charged with Larceny, &c. may plead guilty before Justices in Petty Sessions, and be sentenced forthwith.

III. Where any Person is charged before any Justices at such Petty Sessions as aforesaid with Simple Larceny (the Property alleged to have been stolen exceeding in Value Five Shillings), or stealing from the Person, or Larceny as a Clerk or Servant, and the Evidence, when the Case on the Part of the Prosecution has been completed, is, in the Opinion of such Justices, sufficient to put the Person charged on his Trial for the Offence with which he is charged, such Justices, if the Case appear to them to be one which may properly be disposed of in a summary Way, and may be adequately punished by virtue of the Powers of this Act, shall reduce the Charge into Writing, and shall read it to the said Person, and shall then ask him whether he is guilty or not of the Charge; and if such Person shall say that he is guilty, such Justices shall thereupon cause a Plea of guilty to be entered upon the Proceedings, and shall convict him of such Offence, and commit him to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for any Term not exceeding Six Calendar Months; and every such Conviction may be in the Form (C.) in the Schedule to this Act, or to the like Effect: Provided always, that the said Justices, before they ask such Person whether he is guilty or not, shall explain to him that he is not obliged to plead or answer before them at all, and that if he do not plead or answer before them, he will be committed for Trial in the usual Course.

Justices to warn Accused that he is not obliged to plead.

Persons accused may have Counsel, &c.

IV. In every Case of summary Proceeding under this Act the Person accused shall be allowed to make his full Answer and Defence, and to have all Witnesses examined and cross-examined by Counsel or Attorney.

Power to remand Persons charged to next Petty Sessions. 11 & 12 Vict. c. 42. s. 21. 14 & 15 Vict. c. 93. s. 14.

V. Where any Person is charged before any Justice or Justices with any Offence mentioned in this Act, and, in the Opinion of such Justice or Justices, the Case may be proper to be disposed of by Justices in Petty Sessions under this Act, the Justice or Justices before whom such Person is so charged may, if he or they see fit, remand such Person for further Examination to the next Petty Sessions, in like Manner in all respects as a Justice or Justices are authorized to remand a Party accused under the Act passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-two, Section Twenty-one, or under the Petty Sessions Act (*Ireland*), 1851, Section Fourteen.

Forfeited Recognizances to be transmitted to Clerk of Peace.

VI. If any Person suffered to go at large, upon entering into such Recognizance as the Justice or Justices are authorized under the last-mentioned Act to take on the Remand of a Party accused, do not afterwards appear pursuant to such Recognizance, then the Justices before whom he ought to have appeared, shall certify (under the Hands of Two of them) on the Back of the Recognizance, to the Clerk of the Peace of the County or Place, the Fact of such Nonappearance, and such Recognizance shall be proceeded upon in like Manner as other Recognizances, and such Certificate shall be deemed sufficient *primâ facie* Evidence of such Nonappearance.

Convictions and other Proceedings to be returned to Quarter Sessions.

VII. The Justices adjudicating under this Act shall transmit the Conviction, or a Duplicate of a Certificate of Dismissal, with the written Charge, the Depositions of the Witnesses for the Prosecution and for the Defence, and the Statement of the Accused, to the next Court of General or Quarter Sessions for the County or Place, there to be kept by the proper Officer among the Records of the Court; and a Copy of such Conviction, or of such Certificate of Dismissal, certified by the proper Officer of the Court, or proved to be a true Copy, shall be sufficient Evidence to prove a Conviction or Dismissal for the Offence mentioned therein, in any legal Proceeding whatever.

Justices may order Restitution of Property.

VIII. It shall be lawful for the Justices, by whom any Person is convicted under this Act, to order Restitution of the Property stolen, taken, or obtained by false Pretences, in those Cases in which the Court, before whom the Person convicted would have been tried but for this Act, may be by Law authorized to order Restitution.

Petty Sessions to be an open Court, &c.

IX. Every Petty Sessions, for the Purposes of this Act, shall be an open Public Court, and shall be the Petty Sessions holden for a Petty Sessional Division; and a written or printed Notice of the Days and Hours for holding such Petty Sessions shall be posted or affixed by the Clerk to the Justices of Petty Sessions upon the Outside of some conspicuous Part of the Building or Place where the same are held.

11 & 12 Vict. c. 43. not to apply, &c.

X. The Provisions of the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, shall not be construed as applying to any Proceeding under this Act.

Effect of Conviction.

XI. Every Conviction by Justices in Petty Sessions under this Act shall have the same effect as a Conviction upon Indictment for the same Offence would have had, save that no Conviction under this Act shall be attended with any Forfeiture.

Further Proceedings barred.

XII. Every Person who obtains a Certificate of Dismissal, or is convicted under this Act, shall be released from all further or other Criminal Proceedings for the same Cause.

No Conviction quashed for Want of Form.

XIII. No Conviction, Sentence, or Proceeding under this Act shall be quashed for Want of Form; and no Warrant of Commitment upon a Conviction shall be held void by reason of any Defect therein, if it be therein alleged that the Offender has been convicted, and there be a good and valid Conviction to sustain the same.

Justices may order Payment of Expenses.

XIV. Where any Charge is summarily adjudicated upon under this Act, or an Offender is, under this Act, convicted by Justices in Petty Sessions upon a Plea of "Guilty," it shall be lawful for the Justices by

by whom such Charge has been adjudicated upon, or Offender convicted, upon the Request of any Person who has preferred the Charge or appeared to prosecute or give Evidence against the Person charged, if such Justices think fit so to do, to grant a Certificate to such Person of the Amount of the Compensation which such Justices may deem reasonable for his Expenses, Trouble, and Loss of Time therein, subject nevertheless to the Regulations made or to be made as herein-after mentioned; and every such Certificate shall, when granted in *England*, have the Effect of an Order of Court for the Payment of the Expenses of a Prosecution made under the Act of the Seventh Year of King *George* the Fourth, Chapter Sixty-four, and the Acts amending the same, and when granted in *Ireland* shall have the Effect of an Order of Court for the Payment of the Expenses of a Prosecution made under the Act of the Fifty-fifth Year of King *George* the Third, Chapter Ninety-one, and the Acts amending the same; and the Amount mentioned in such Certificate shall be paid in like Manner as the Money mentioned in such Order of Court; and all Certificates to be granted under this Act shall be subject to the like Regulations made or to be made in relation thereto, as the Certificates mentioned in the said Act of the Seventh Year of King *George* the Fourth to be granted by examining Magistrates, are or may be subject to under the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five: Provided also, that the Amount of the Fees payable to the Clerks of the Magistrates in Petty Sessions, in respect of any Proceeding under this Act, and of the Fees payable to the Clerks of the Peace for filing the Depositions, Conviction, or Certificate of Dismissal aforesaid, and of all such Expenses of apprehending the Person charged, and detaining him in Custody, and of such other Expenses as are now by Law payable when incurred before a Commitment for Trial, may be added to the Certificate for Compensation aforesaid, and paid in the like Manner.

7 G. 4. c. 64.

55 G. 3. c. 91.

14 & 15 Vict. c. 55.

XV. In every City, Borough, Town, or Place in *England* where any Petty Sessions shall be holden under this Act, the Town Hall, Court House, or other public Building therein belonging to any County, City, Borough, Town, or Place, or any Court House in such City, Borough, Town, or Place provided by the Commissioners of Her Majesty's Treasury, under the Act of the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, may be used for the Purpose of holding such Petty Sessions, without any Charge for Rent or other Payment, save and except the reasonable and necessary Charges for lighting, warming, and cleaning, when such public Building is used for the Purpose of holding such Courts of Petty Sessions, and for all other Expenses necessarily incidental to the Use of the said Building for the Purposes of the said Courts: Provided always, that the necessary Arrangements shall be made so that the Sittings of the said Courts of Petty Sessions shall not interfere with the Business of the County, City, Borough, Town, or Place or other Business usually transacted in such Town Hall, Court House, or other public Building, or any Purpose for which any such Town Hall, Court House, or other public Building may be used by virtue of any Act of Parliament in that Behalf.

9 & 10 Vict. c. 95. Town Hall, Court House, &c. of County, City, or Borough may be used for Petty Sessions held under this Act.

XVI. Any One of the Magistrates appointed to act at any of the Police Courts of the Metropolis, and sitting at a Police Court within the Metropolitan Police District, or any Magistrate appointed to act at the Police Courts of the *Dublin* Metropolitan District, and sitting at a Police Court within the said District, or any Stipendiary Magistrate appointed for any City, Town, Liberty, Borough, or District, and sitting at a Police Court or other Place appointed in that Behalf, may, in the Case of Persons charged before such Magistrate, do alone all Acts by this Act authorized to be done by Justices of the Peace in Petty Sessions; and all the Provisions of this Act referring to Justices in Petty Sessions shall be read and construed as referring also to such Magistrate.

Any Metropolitan Police Magistrate or Stipendiary Magistrate may act alone.

XVII. Nothing in this Act shall affect the Provisions of the Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Eighty-two, "For the more speedy Trial and Punishment of Juvenile Offenders," or of the Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Thirty-seven, "For the further Extension of Summary Jurisdiction in Cases of Larceny," or of the Summary Jurisdiction (*Ireland*) Act, 1851; and this Act shall not extend to Persons punishable under the said Acts, so far as regards Offences for which such Persons may be punished thereunder.

Nothing to affect Provisions of 10 & 11 Vict. c. 82. and 13 & 14 Vict. c. 37. 14 & 15 Vict. c. 92.

XVIII. 'And whereas the Fees and Emoluments of Clerks of the Peace for Counties and Boroughs, 'and of other Officers of the Courts of Quarter Sessions, in Criminal Proceedings, may be seriously 'diminished by the Operation and Effect of this Act, and it is just and reasonable that full Compensation 'for any such Loss should be made in respect thereof to such Clerks of the Peace and other Officers 'appointed before the passing of this Act:' Be it enacted, That immediately after the passing of this Act, the Commissioners of Her Majesty's Treasury shall, upon the Application of any such Clerk of the Peace or other Officer, by such Means and in such Manner as they may think proper, inquire into and ascertain the annual Amount, to be computed upon an Average of Five Years immediately preceding the passing of this Act, or of such shorter Period as such Clerk of the Peace or other Officer shall have been in Office, of the Fees and Emoluments in Criminal Prosecutions received by such Clerk of the Peace or other Officer; and the said Commissioners shall, upon the like Application, also ascertain, in such Manner as they may think proper, the total Amount of Fees and Emoluments in Criminal Prosecutions received by such Clerk of the Peace or other Officer during any Year after the passing of this Act; and the said Commissioners are hereby authorized and empowered, by Warrant under their

As to Compensation to Clerks of Peace and other Officers.

Hands, to award to such Clerk of the Peace or other Officer the Deficiency, when and so often as the same shall occur, between the last-mentioned Amount, and the annual average Amount so ascertained as aforesaid, and the Sum so awarded shall be paid out of any Monies which may be provided by Parliament for that Purpose; provided, that in all Cases where any such Clerk of the Peace, by reason of his being paid by Salary, under an Order made by virtue of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-five, shall pay such Fees and Emoluments as aforesaid to the Treasurer of the County or Borough, for which he is Clerk of the Peace, in aid of the County or Borough Rate, as the Case may be, such Deficiency, when so ascertained as aforesaid, shall be paid to the Treasurer of such County or Borough respectively.

14 & 15 Vict. c. 55.

2 & 3 Vict. c. 71. s. 9. Power to increase Salary of Chief Magistrate to a Sum not exceeding 1,500*l.*

XIX. 'And whereas by Section Nine of the Act of the Session holden in the Second and Third 'Years of Her Majesty, Chapter Seventy-one, Provision is made for Payment, out of the Monies in 'the Hands of the Receiver of the Metropolitan Police District, of such Salaries as Her Majesty shall 'direct, to the Magistrates of the Police Courts of the Metropolis, the Salary to the Chief Magistrate 'not being more than One thousand two hundred Pounds, and to each of the other Magistrates not more 'than One thousand two hundred Pounds: And whereas after the passing of the said Act, the Salary 'of the Chief Magistrate was fixed at One thousand two hundred Pounds, and the Salaries of the other 'Police Magistrates at One thousand Pounds: And whereas the Duties of the said Chief and other 'Magistrates have increased, and are subject under this Act to be further increased: And whereas the 'Salaries of such other Magistrates have, in consequence of such Increase of Duty, been increased from 'One thousand Pounds to the Limit permitted by the said Act, and it is expedient to authorize such 'Increase of the Salary of the said Chief Magistrate as herein-after mentioned:' The Salary to be paid out of the Monies aforesaid to the said Chief Magistrate shall be such yearly Sum, not exceeding One thousand five hundred Pounds, as Her Majesty may direct.

Provisions of 15 & 16 Vict. c. 73. for Payment by Salary in lieu of Fees to Clerks of Assize for their Duties as Associates, extended to the whole Office of Clerk of Assize, &c.

XX. 'And whereas by the Act of the Session holden in the Fifteenth and Sixteenth Years of Her 'Majesty, Chapter Seventy-three, certain Powers were granted and Provisions made for the Payment 'to the several Clerks of Assize of annual Sums for Salaries, and for the Expenses of their Office, in 'respect of their Duties as Associates, in lieu of the Fees and Emoluments appertaining to those Duties: 'And whereas it is expedient that the Principle of Payment by Salary in lieu of Fees should be further 'provided for, and that the Clerks of Assize should be so paid for the Performance of all their other 'Duties:' Be it therefore enacted, That all Fees and Emoluments heretofore payable to the Clerks of Assize for the Performance of their Duties as Clerks of the Crown shall be and they are hereby abolished; and all the Powers and Provisions made by the before-mentioned Act, except as is herein-after provided, for the Payment of Clerks of Assize by Salary in lieu of Fees, in respect of their Duties as Associates, shall be and the same are hereby extended and made applicable to the Payment of Clerks of Assize by Salary, and the Expenses of their Offices, in lieu of Fees and Emoluments, for the Performance of their Duties as Clerks of the Crown, and of all other Duties appertaining to the Office of Clerk of Assize: Provided always, that the Commissioners of Her Majesty's Treasury for the Time being shall fix and determine the Amount of Salary to be allowed to any subordinate Officer now employed, or who shall hereafter be employed by any Clerk of Assize, and shall be empowered to order the Payment of such Salary to the said Officers in the first instance, and not through the Medium of the Clerk of Assize: Provided also, that the Salaries and Expenses of the Officers of the said Clerks of Assize for the whole of their Duties on the Criminal and Civil Sides of the Court, shall be paid out of any Monies which may be provided by Parliament for that Purpose.

So much of 12 Ric. 2. c. 10. and 14 Ric. 2. c. 12., &c. as directs Payment of Wages to Justices and their Clerks repealed.

XXI. 'And whereas by Acts of the Twelfth and Fourteenth Years of King *Richard* the Second 'Payments are provided for Justices of the Peace and their Clerks in each County, as Wages by the 'Day for the Time of their Sessions, to be payable by the Sheriff, as therein mentioned, and in several 'Counties in *England* Sums are claimed from the Sheriffs and paid in respect of such statutory Wages, 'and it is expedient that such Payments should be discontinued:' Be it therefore enacted, That so much of the several Acts of the Twelfth Year of King *Richard* the Second, Chapter Ten, and of the Fourteenth Year of King *Richard* the Second, Chapter Twelve, or of any other Act now in force as directs or authorizes the Payment of Wages to Justices of the Peace and their Clerks for the Time of their Sessions, shall be repealed.

In Cases of Injuries to Property, Parties aggrieved may receive Compensation, &c.

XXII. 'And whereas it is expedient to amend the Law as to Witnesses in Cases of wilful or malicious 'Injuries to Property:' Be it further enacted, That in all Cases where any Justice or Justices of the Peace have or shall hereafter have Power to order a Sum of Money to be forfeited and paid to the Party aggrieved, as Amends or Compensation for any Injury to Property, Real or Personal, the Right of such Party to receive the Money so ordered to be paid shall not be affected by such Party having been examined as a Witness in Proof of the Offence, any Law or Statute to the contrary notwithstanding.

Interpretation of Terms.

7 & 8 G. 4. c. 29.

XXIII. In the Interpretation of this Act "County" shall be construed to include Riding, Parts, Liberty, and Division of a County; "Borough" to include City, County of a City or Town, and Town Corporate; "Property" to include everything included under the Words "Chattel, Money, or valuable Security," as used in the Act of the Session holden in the Seventh and Eighth Years of King *George* the Fourth, Chapter Twenty-nine; and in the Case of any "valuable Security" the Value of the Share, Interest,

Interest, or Deposit to which the Security may relate, or of the Money due thereon or secured thereby, and remaining unsatisfied, or of the Goods or other valuable Thing mentioned in the Warrant or Order, shall be deemed to be the Value of such Security.

XXIV. This Act shall not extend to *Scotland.* Extent of Act.

SCHEDULE.

FORM (A.)

Conviction.

} BE it remembered, That on the Day of in the Year of our
to wit. } Lord , at in the said [County], *A.B.*, being charged before us the undersigned of Her Majesty's Justices of the Peace for the said [County], and consenting to our deciding upon the Charge summarily, is convicted before us, for that [he the said *A.B., &c., stating the Offence, and the Time and Place when and where committed*]; and we adjudge the said *A.B.* for his said Offence to be imprisoned in the [House of Correction] at in the said [County], [and there kept to Hard Labour] for the Space of .

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [County] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

FORM (B.)

Certificate of Dismissal.

} WE of Her Majesty's Justices of the Peace for the [County] of
to wit. } certify, That on the Day of in the Year of our Lord at in the said [County] *A.B.* being charged before us, and consenting to our deciding upon the Charge summarily, for that [he the said *A.B., stating the Offence charged, and the Time and Place when and where alleged to be committed*], we did, having summarily adjudicated thereon, dismiss the said Charge.

Given under our Hands and Seals, this Day of at in the [County] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

FORM (C.)

Conviction upon a Plea of Guilty.

} BE it remembered, That on the Day of in the Year of our
to wit. } Lord at in the said [County], *A.B.*, being charged before us, the undersigned of Her Majesty's Justices of the Peace for the said [County], for that [he the said *A.B., &c., stating the Offence, and the Time and Place when and where committed*], and pleading Guilty to such Charge, he is thereupon convicted before us of the said Offence; and we adjudge the said *A.B.* for his said Offence to be imprisoned in the [House of Correction] at in the said [County], [and there kept to Hard Labour] for the Space of .

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [County] aforesaid.

J.S. (L.S.)
H.M. (L.S.)

CAP. CXXVII.

An Act to make better Provision for the Union of contiguous Benefices, and to facilitate the building and endowing of new Churches in spiritually destitute Districts.

[14th *August* 1855.]

'WHEREAS an Act was passed in the Second Year of Her Majesty's Reign, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy;* and in such Act Provision is contained authorizing the Union, by Order of Her Majesty in Council, after such Inquiry and Notice, and with such Consent, and upon such Certificate as is therein mentioned, of Two or more Benefices, or One or more Benefice or Benefices, and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, in the same Parish, or contiguous to each other, of which the aggregate Population should not exceed One thousand five hundred Persons, and the aggregate yearly Value should not exceed Five hundred Pounds: And whereas another Act was passed in the Fourteenth Year of Her Majesty's Reign, intituled *An Act to amend the Law relating to the holding of Benefices in Plurality,* by which Act the Provision herein-before referred to was extended so as to be applicable to and for the Union of Benefices, Sinecure Rectories, and Vicarages in 1 & 2 Vict. c. 106. 13 & 14 Vict. c. 98.

'the same Parishes or contiguous to each other, and of which the aggregate Population should not 'exceed One thousand five hundred Persons, notwithstanding the aggregate yearly Value should exceed 'Five hundred Pounds: And whereas it is expedient to amend the said recited Acts, and further to 'extend the same, so as to make better Provision for the Union of contiguous Benefices in Cases where 'such Union may be advantageous to the Interests of Religion:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Contiguous Benefices may be united without regard to aggregate Population, &c.

I. Under the Provisions of this Act, it shall and may be lawful to unite Two or more Benefices or One or more Benefice or Benefices and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, contiguous to each other, without regard to aggregate Population or aggregate yearly Value, and without any Limitation as to the same, and that the Union of such Benefices shall and may be effected in the Manner herein-after provided.

On Representation of Inhabitants of any Two or more Parishes that their Benefices might be advantageously united, the Bishop shall inquire into the same.

II. Whenever it shall be represented in Writing to the Bishop of the Diocese by the Inhabitants of any Two or more of such Parishes in Vestry assembled, or the major Part of them respectively, due Notice of the Representation proposed to be made having been given in the usual Manner, that the Benefices of the Parishes of which they are Inhabitants may, with Advantage to the Interests of Religion, be united, the Bishop of the Diocese to whom such Representation in Writing may be made shall inquire into the Circumstances of the Case; and if on such Inquiry it shall appear to such Bishop that such Union may usefully be made, and that the Patron or Patrons of the Benefices, Rectories, or Vicarages proposed to be united are consenting thereto, such Consent being signified in Writing under the Hands of such Patron or Patrons, or that the Patronage of any new Church or Churches proposed to be erected under this Act is to be vested in such Patron or Patrons as herein-after is provided, the said Bishop shall cause a Statement in Writing of the Facts, certified and signed by himself, to be submitted to Her Majesty's Commissioners for building new Churches, and the said Commissioners shall institute Inquiry, and, if they see fit, may propose a Scheme for the Union of such Benefices and for the other Purposes of this Act; and Her Majesty's said Commissioners shall and may for the Purposes of this Act, exercise such Powers and Privileges as they now exercise or claim to exercise for the Purchase of Sites, the Erection of new Churches, and other Objects within the Commission of the said Commissioners, to the full Extent as such Powers and Privileges are now exercised or claimed to be exercised by the said Commissioners.

Church Building Commissioners may propose Scheme for Transfer of surplus Revenues to poor Parishes.

III. Whenever it shall appear to the Commissioners for building new Churches, upon Inquiry into the Circumstances of the Case, that the total Revenue of any Benefices proposed to be united would be more than sufficient for the due Maintenance and Support of the Incumbent of the Benefice when united, and of such Curate or Curates as may be needed for the same, and that the whole or some specified Part or Parts of the Glebe Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments in lieu of Tithes, belonging to the Benefice or Benefices proposed to be united, or any of them, might with Advantage to the Interests of Religion be made subject to a certain annual Rentcharge in perpetuity in favour of some other specified Benefice in the same Diocese, or be excepted out of such Union, and transferred and annexed to such other specified Benefice having no Provision or competent Provision belonging thereto, as an Endowment or a further Endowment for the same, the Church Building Commissioners, with the Consent of the Patron or Patrons of the Benefices proposed to be united, may entertain or propose a Scheme or Plan for such Rentcharge or Transfer and Annexation: Provided always, that the Consents of such Patrons shall be signified in Writing, and that in any Case where the Patronage of any such Benefice may be vested in any Individual not wholly entitled to dispose of the same, the Consent of the next Heir, being of full Age, to the Right of such Patronage, shall also be signified in Writing.

Scheme to be posted on Church Doors, &c.

IV. The Church Building Commissioners, so soon as they shall have prepared a Scheme for the Purpose of more effectively carrying out the proposed Union of Benefices, or a Scheme for the Transfer of Surplus Revenues, shall seal the same with their Seal, and shall cause to be affixed on or near to the principal outer Door of the Church or Churches of the Parishes proposed to be united, and in the usual Place of Notice in the said Parishes, a Copy or Copies of such Scheme, and shall deliver Copies of the same to the Bishop of the Diocese, and to the Patrons, Ministers, Churchwardens, Overseers, and Vestry Clerks of the Benefices proposed to be united, together with a Notice to any Person or Persons interested, that they or any of them may within Two Months show Cause to the said Commissioners against the proposed Union of Benefices, or the Transfer of surplus Revenues, or as to any Part or Parts of any Scheme relating thereto; and if within such Period of Two Months no Cause be shown, or if upon Consideration of any Objection, the Church Building Commissioners shall be of opinion that the Cause shown is not sufficient, the said Commissioners shall then certify the Statement and Certificate of the Bishop as aforesaid, together with their Scheme, to Her Majesty in Council, and thereupon it shall be lawful for Her Majesty in Council to make and issue any Order or Orders for uniting such Benefices into One Benefice with Cure of Souls for Ecclesiastical Purposes, and for such other Purposes as are herein provided: Provided always, that if any Petition or Statement is lodged by way of Protest, or any Appeal is made against the Scheme or any Part thereof, as herein-after is provided, no such Order or

Parties interested may show Cause against Scheme. If no sufficient Cause shown, Commissioners to certify to Queen in Council.

Proviso.

Orders

Orders in Council shall be made or issued until such Petition or Statement has been duly considered, or the Parties to such Appeal have been duly heard.

Protests against the Scheme may be considered by Judicial Committee.

V. It shall and may be lawful for any Person or Persons interested, who may have been heard by the said Commissioners against the proposed Union of any Benefices, or against subjecting the Endowments or Revenues thereof, or any Part of them, to any Rentcharge or Transfer or Annexation, or against any Part or Parts of any Scheme certified by them to Her Majesty in Council, to appeal to Her Majesty in Council against such Scheme or any Part thereof, in the usual Manner, or such Person or Persons may, at their Option, state in Writing, by way of Protest, his, her, or their Objections to such Union or any Part or Parts thereof, and the Commissioners shall annex such written Statement or Protest to their Certificate to the Queen in Council, and Her Majesty in Council may order and direct that such Objections shall be considered by the Judicial Committee of the Privy Council; and the said Judicial Committee shall make Report to Her Majesty in Council thereupon, and may propose to Her Majesty in Council to affirm, vary, or dismiss the Scheme certified by the Commissioners, or to return the same to the said Commissioners for Alteration or Amendment; and Her Majesty in Council may affirm, vary, or dismiss the Scheme accordingly, or return the same to the Commissioners to be reconsidered as to any Parts thereof.

Queen in Council may make Orders affirming or approving any Scheme.

VI. It shall be lawful for Her Majesty in Council, by any Order or Orders affirming or approving any Scheme of the Commissioners, and directing a Union of any Parishes, or by any other Order or Orders, to direct that such or such Part of any Lands, Tithes, Tenements, or Hereditaments, or other permanent Endowments of the Benefices proposed to be united, shall be subject to such Rentcharge, or excepted out of such Benefice when united, and be transferred and annexed to such other specified Benefice, and upon the Order or Orders directing such Rentcharge or Transfer and Annexation coming into operation the Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments, so directed to be subject to such Rentcharge, or to be transferred and annexed, shall, without any further Deed, Transfer, or other Assurance, become and be for ever subject to such Rentcharge or annexed to such Benefice, as the Case may be, and shall be held and enjoyed by the Incumbent thereof for the Time being as the Endowment or a Part of the Endowment thereof, subject and without Prejudice nevertheless, to all Leases, Grants, Rents, Charges, and Incumbrances existing at the Time of such Rentcharge or Transfer and Annexation legally affecting the same, except so far as any such Apportionment as aforesaid may affect the same respectively; and all such Lands, Houses, Tithes, Tenements, and Hereditaments, or other permanent Endowments, when so transferred or annexed as aforesaid, shall belong to and the same and the Rents and Profits thereof shall be recoverable by the Incumbent of such Benefice for the Time being, in the same Manner and by the same Remedies as were applicable thereto before such Transfer and Annexation.

Orders in Council to be gazetted and registered, and to have Force of Law.

VII. The Order or Orders in Council affirming any Scheme, or directing any Union of Parishes, Rentcharge, Transfer, or Annexation as aforesaid, shall, as soon as may be after the making thereof by Her Majesty in Council, be inserted and published in the *London Gazette*, and shall be registered in the Registry of the Diocese, and the Registrar of the Diocese is hereby required to make such Registry; and such Order in Council, so soon as the same shall have been gazetted, shall have full Force and Effect of Law in all respects and as to all Things therein contained, any Law, Statute, Canon, Grant, Usage, or Custom to the contrary notwithstanding: Provided always, that nothing in this Act contained shall be construed to affect the Rights and Interests of any of the Incumbents of Benefices united under the Provisions thereof who, at the Time of the making such Order in Council, were in possession respectively of such Benefices, without the Consent of such Incumbent expressed in Writing.

Commissioners may propose Scheme for Erection of new Church or Parsonage, Removal of old Church or Parsonage, Sale of Site, &c., for Purposes of this Act.

VIII. If for the Purposes and Objects of this Act it shall be found necessary or desirable to provide for the Erection of any new Church or Parsonage House, for the pulling down or Removal of any existing Church or Parsonage House, in either of the Benefices proposed to be united, for the Sale of the Materials or Site of the same, for the Appropriation of any Plate or other Property held in trust by the Churchwardens of any Church to be pulled down, for the Disposal of any Organ in such Church, for the Appropriation or Re-appropriation of any Pews or Sittings in the Church of the united Benefice left standing, for the Transfer of any Lectureships, the Sale of any Parsonage Houses, with their Appurtenances, for Compensation to Parish Clerks or other Officers, for Arrangement with respect to Fees or Vestry-rooms, it shall and may be lawful for the Church Building Commissioners to make Proposals thereupon as Part of their Scheme, and such Proposals or any of them shall be subject to Objection and Protest as herein provided: Provided nevertheless, that nothing in this Act contained shall authorize the Sale of any Plate heretofore used for the Purposes of the Holy Communion, but the same shall be transferred, with the Consent of the Bishop of the Diocese, to the Church of the united Benefice, or if such Plate be not needed for such Church then to any other Church or Chapel or Churches or Chapels within the Diocese which the said Bishop may select.

No Burial Ground, &c. to be sold under this Act.

Vaults and Tablets.

IX. Nothing in this Act contained shall be taken or construed to legalize the Sale or letting of any Burial Ground or Churchyard, or of the Site of any Church to be pulled down, if there shall have been any Interments or Deposits in any Grave or Vault under the Site of such Church; and if there shall be any Tablets or Monuments erected in such Church, such Tablets or Monuments, if not removed by the legal Representatives of the Parties to whom the same were erected, shall be carefully removed, at

at the Cost and Charge of the Parties removing the Church, and shall be fixed by them in some convenient Part of the Church thereafter to be constituted the Church of the united Parishes.

Church and Vestry of Church left standing to be the Church and Vestry of united Parishes.

X. From and after the Union of any Two or more Benefices under this Act, the Church left standing and remaining within such united Benefice shall be the Church of the united Parishes, and all Meetings of Vestry for Ecclesiastical Purposes within such Parishes shall be Vestry Meetings of the Parishes united under this Act; and the Vestry-room of the Church left standing within such united Parishes shall be held to be the Vestry-room of the united Parishes for the Use of the Parishioners thereof, and also the Vestry-room for secular Purposes for the Parishioners of each of the Parishes forming the united Parish, and for the Care and Preservation of the Deeds, Muniments, and Records belonging to the same: Provided always, that nothing in this Act contained shall be taken or construed to interfere with any Privileges or Liberties whatsoever reserved to any Parishes in the City of *London* by an Act of the Twenty-second Year of His Majesty King *Charles* the Second, commonly called the City of *London* Fire Act.

22 Car. 2. c. 11.

6 & 7 Vict. c. 77. Bishop of London may, under certain Circumstances, appropriate for Service in Welsh a Church in London otherwise to be pulled down.

XI. 'And whereas by the Act of the Session holden in the Sixth and Seventh Years of Her Majesty, 'Chapter Seventy-seven, it was enacted, that out of the Proceeds of any Lands, Tithes, Tenements, or 'other Hereditaments in the Principality of *Wales*, vested or to be vested in the Ecclesiastical Commis- 'sioners for *England* by or under the Provisions of the said recited Acts or that Act, it should be 'lawful, by the Authority therein mentioned, to make Provision, in whole or in part, for the competent 'Maintenance of any Spiritual Person or Persons (being a Native or Natives of the Principality afore- 'said) who might be licensed by the Bishop of the Diocese for the Time being to officiate in any 'Church or Chapel within *London* or *Westminster* or the Suburbs thereof, duly consecrated for the 'Performance of Divine Service according to the Rites and Ceremonies of the United Church of *England* 'and *Ireland*, in the *Welsh* Language, and such Bishop was thereby authorized to license any Spiritual 'Person or Persons accordingly:' It shall be lawful for the Bishop of *London*, if he sees fit, to appropriate for the Performance of Divine Service in the *Welsh* Language, so long as such Provision shall continue to be made by the Ecclesiastical Commissioners for *England*, One of the Churches within his Diocese which might under this Act be pulled down: Provided always, that before such Appropriation sufficient Provision shall be made to the Satisfaction of the said Bishop for the Repairs, Maintenance, and Support of the Fabric of the Church, so long as such Church remains so appropriated.

Bishop may prepare a Scheme for Transference of Lectures from Churches to be pulled down. 16 & 17 Vict. c. 137.

XII. 'And whereas Difficulties might arise in the Case of endowed Lectureships, when the Lectures 'have been customarily preached in a Church which may be taken down under the Authority of this 'Act:' It shall therefore be lawful for the Bishop of any Diocese for the Time being to prepare from Time to Time under his Hand and Seal a Scheme or Schemes for transferring such Lectures to other Churches, to be preached therein at such Times as to the said Bishop may appear convenient; and such Scheme shall be submitted by the said Bishop to the Charity Commissioners under the "Charitable Trusts Act, 1853," and such Scheme, if approved of by them, or subject to such Alterations therein as may appear to the said Commissioners advisable, and as shall be approved of by the said Bishop, shall be valid for effecting the Purposes therein mentioned, and shall be registered in the Registry of the Diocese: Provided nevertheless, that nothing in this Act contained shall give the Bishop any Power respecting the Appointment of a Lecturer without the Consent of the Incumbent of the Church in which such Lecturer is to officiate.

Commissioners may reappropriate Pews of Churches left standing in united Benefices.

XIII. When any Church is pulled down, under the Provisions of this Act, Her Majesty's Commissioners for building new Churches, with the Consent of the Bishop of the Diocese or Chancellor of the Diocese under his Hand and Seal, shall and they are hereby authorized to alter and readjust the Pews or Seats and the Appropriation thereof in the Church of the united Benefice left standing, so that not less than One Third of the Sittings in such Church shall be free and unappropriated, and the Remainder be placed at the Disposal of the Churchwardens, under the Control and Direction of the Bishop, of such Church, for the Use of the Parishioners of such united Benefice.

Sites of Churches to be pulled down to vest in Commissioners, in trust to sell, and apply the Proceeds to certain Purposes. Commissioners may make valid Conveyances of such Sites. Proviso.

XIV. After any Order in Council under this Act shall have obtained full Force of Law, the Fee Simple and Inheritance of the Site of any Church or Parsonage House by such Order in Council directed to be pulled down, and of the Building Materials of such Church or Parsonage House, shall, without any further Transfer, Conveyance, or other Form of Law being had, observed, or required, belong to and be vested in Her Majesty's Commissioners for building new Churches, in trust to make Sale or dispose of such Sites and Materials or any Part thereof, where the same may be sold, under the Powers and for the Purposes of this Act, and in further trust to apply the Proceeds of such Sale or Sales from Time to Time to such of the same Purposes as in the said Order in Council may be indicated; and the said Commissioners, with the Consent of the Bishop of the Diocese under his Hand and Seal, may make a valid Conveyance in Fee Simple to any Body or Person of the Site of any Church or Parsonage House pulled down under this Act, or by virtue of any Order in Council authorized hereby: Provided always, the said Commissioners shall give Two Calendar Months Notice in the *London Gazette* previous to the Sale or Disposal of such Site or any Part thereof, in order that thereby Facilities may be afforded for appropriating such Site to sanitary Purposes, public Improvements, or the Improvements of public Streets in the Vicinity; and if within Two Months from the Time such Notice shall have been inserted in the *London Gazette* the said Commissioners shall not receive an Offer which in their Judgment shall be satisfactory

satisfactory for the Purchase of such Land for the Purposes aforesaid, it shall be lawful for them to make Sale or to dispose of such Ground, at such Time and at such Prices and in such Manner as in their Discretion shall seem fit, and to apply the Proceeds of such Sale or Sales, from Time to Time, for or towards the Purposes herein-before mentioned.

Commissioners to report.

XV. The Church Building Commissioners shall make an annual Report to Parliament respecting their Proceedings in pursuance of this Act.

Extent of Act.

XVI. This Act shall extend only to that Part of the United Kingdom called *England* and *Wales*.

Continuance of Act.

XVII. The Operation of this Act shall be limited to Five Years from the Date of the same receiving the Royal Assent.

C A P. CXXVIII.

An Act further to amend the Laws concerning the Burial of the Dead in *England*.

[14th *August* 1855.]

15 & 16 Vict. c. 85. 16 & 17 Vict. c. 134. 17 & 18 Vict. c. 87.

'WHEREAS an Act was passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of Her Majesty (Chapter Eighty-five), "to amend the Laws concerning the Burial of the Dead in the Metropolis;" and an Act was passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty (Chapter One hundred and thirty-four), "to amend the Laws concerning the Burial of the Dead in *England* beyond the Limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis;" and an Act was passed in the last Session of Parliament (Chapter Eighty-seven), "to make further Provisions for the Burial of the Dead in *England*" beyond the Limits of the Metropolis:" And whereas it is expedient that further Provision should be made for the Burial of the Dead, and that the said Acts should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Orders in Council under the recited Acts may be varied by like Orders.

I. It shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, from Time to Time to postpone the Time appointed by any Order in Council for the Discontinuance of Burials, or otherwise to vary any Order in Council made under any of the said recited Acts or this Act, (whether the Time thereby appointed for the Discontinuance of Burials thereunder or other Operation of such Order shall or shall not have arrived,) as to Her Majesty, with such Advice as aforesaid, may seem fit; and every Order of Her Majesty in Council made before the passing of this Act for varying any Order previously made under the said Acts or any of them shall be deemed valid and effectual in Law.

Penalty on Persons burying contrary to the Provisions of Orders in Council.

II. If any Person, after the Time mentioned in any Order in Council under the said Acts or any of them, or this Act, for the Discontinuance of Burials, shall knowingly and wilfully bury any Body or in anywise act or assist in the Burial of any Body in any Church, Chapel, Churchyard, Burial Ground, or Place of Burial or (as the Case may be) within the Limits in which Burials have by such Orders been ordered to be discontinued, in violation of the Provisions of any such Order, every Person so offending shall, upon summary Conviction before Two Justices of the Peace, forfeit a Sum not exceeding Ten Pounds.

Churchwardens may call Vestry for providing Burial Grounds. Where Order in Council has been made, &c. Churchwardens shall call a Meeting of Vestry.

III. The Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry of any Parish in which no Burial Board has been appointed may, at any Time, at their Discretion, without Requisition of Ratepayers for that Purpose, convene a Meeting of such Vestry for the Purpose of determining whether a Burial Ground shall be provided for the Parish; and where any Order in Council has been made before the passing of this Act for discontinuing Burials (wholly or subject to any Exception or Qualification) in any Burial Ground of any Parish for which no Burial Board has been appointed, or Notice has been given of the Intention of the Secretary of State to make a Representation to Her Majesty in Council that Burials should be discontinued (wholly or subject to any Exception or Qualification) in any Burial Ground of any Parish, the Churchwardens or other Persons to whom it belongs to convene Meetings of Vestry shall, with all convenient Speed after the passing of this Act, convene a Meeting of the Vestry for the Purpose aforesaid; and where at any Time hereafter Notice is given of the Intention of the Secretary of State to make a like Representation in relation to a Burial Ground of any Parish, such Churchwardens or other Persons as aforesaid shall forthwith convene a Meeting of the Vestry for the Purpose aforesaid; and all the Provisions of the said Acts as amended by this Act relating to and consequent upon Vestry Meetings convened upon such Requisition as provided by the first-recited Act shall be applicable to Vestry Meetings convened under this Enactment.

Vacancies in Burial Board to be filled up by Vestry within a Month.

IV. Every Vacancy in any Burial Board shall be filled up by the Vestry appointing the same within One Month after such Vacancy shall have happened, and immediately on the Occurrence thereof the same shall be notified by the Burial Board to the Churchwardens or other Persons to whom it belongs to convene Meetings of the Vestry; and in case any such Vestry shall neglect to fill up any such Vacancy, the Vacancy may be filled up by the Burial Board at any Meeting thereof; and every Person to be appointed to supply any such Vacancy shall be a Ratepayer of the Parish for which the Burial Board is appointed; and every such Board may act for any Purpose, notwithstanding any Vacancies therein.

V. So

Monthly Meetings of Boards repealed.

V. So much of Section Thirteen of the said Act of the Fifteenth and Sixteenth Years of Her Majesty as requires that the Burial Board shall meet once at least in every Month shall be repealed.

Sanction of Vestry not required for Expenditure and other Acts of Burial Board in certain Cases.

VI. If the Vestry of any Parish shall refuse or neglect to authorize the Expenditure of such Sums as the Burial Board of such Parish shall have declared to be necessary for providing and laying out a Burial Ground, and building the necessary Chapel or Chapels therein, it shall be lawful for such Burial Board to represent such Refusal or Neglect to One of Her Majesty's Principal Secretaries of State; and in case it shall appear to the Secretary of State, after Inquiry into the Circumstances of the Case, that the Burial Board are unable to provide such Burial Ground, or to proceed effectually in the Execution of their Duties, by reason of such Refusal or Neglect, it shall be lawful for such Secretary of State, by Warrant under his Hand, to authorize such Burial Board, without further Authority, Sanction, or Approval of or by such Vestry, to expend such Sums of Money for providing and laying out a Burial Ground, and building the necessary Chapel or Chapels thereon, and to borrow and charge such Money for all or any of such Purposes, and to enter into and make such Contracts and Purchases, and do such other Acts as under the Sections Nineteen, Twenty, Twenty-six, and Forty-two of the said Act of the Fifteenth and Sixteenth Years of Her Majesty might have been expended, borrowed, and charged, entered into, made, and done with the Authority, Approval, and Sanction of such Vestry, subject, nevertheless, to such Limitation of Amount or other Limitation or Restriction as such Secretary of State may by his Warrant prescribe; and all Acts done in pursuance of such Warrant shall be as valid and effectual as if the Authority, Approval, and Sanction of such Vestry had in every Case been obtained.

Fees, &c. to be subject to Approval of Secretary of State.

VII. All such Fees, Payments, and Sums as may be fixed, settled, and received by any Burial Board under Section Thirty-four of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, shall be so fixed and settled subject to the Approval of One of Her Majesty's Principal Secretaries of State; and no such Fees, Payments, or Sums shall be altered or varied without such Approval.

Secretary of State may direct Inspection of Burial Grounds.

Penalty for obstructing Inspector or violating Regulations.

VIII. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint and authorize any Person to inspect any Burial Ground or Cemetery, parochial or non-parochial, or Place for the Reception of Bodies, to ascertain the State and Condition thereof, and where Regulations in relation thereto have been made or may be made by the Secretary of State under the said Acts or any of them, to ascertain whether such Regulations have been observed and complied with; and if any Person having the Care of any such Burial Ground or Cemetery or other Place shall obstruct any Person so authorized to inspect the same, or if any Person having the Care of any Burial Ground or Place for the Reception of Bodies subject to such Regulations as aforesaid shall violate or neglect or fail to observe and comply with any such Regulation, or any Regulation imposed by this Act, every Person so offending shall upon summary Conviction thereof before Two Justices forfeit and pay a Sum not exceeding Ten Pounds.

Part of s. 24. of 15 & 16 Vict. c. 85. repealed.

Burial Ground not to be within 100 Yards of Dwelling House.

IX. So much of the said Act of the Fifteenth and Sixteenth Years of Her Majesty as enacts that "no "Ground (not already used as or appropriated for a Cemetery) shall be appropriated as a Burial Ground "or as an Addition to a Burial Ground under that Act nearer than Two hundred Yards to any Dwelling "House, without the Consent in Writing of the Owner, Lessee, and Occupier of such Dwelling House," shall be repealed; but no Ground not already used as or appropriated for a Cemetery shall be used for Burials under the said Act or this Act, or either of them, within the Distance of One hundred Yards from any Dwelling House, without such Consent as aforesaid.

If Ratepayers resolve, Land for new Burial Ground may be conveyed and settled as old Burial Ground.

X. If the Ratepayers assembled at any Vestry duly convened under the Provisions of this Act shall, in pursuance of public Notice duly given in that Behalf, resolve unanimously that any new Burial Ground to be provided for their Parish, under the Provisions of this Act, shall be held and used in like Manner and subject to the same Laws and Regulations in all respects as the existing Burial Ground or Churchyard of the said Parish, the Land for such new Burial Ground may be conveyed and settled in accordance with such Resolution, anything in this or the said recited Acts notwithstanding, and in such Case it shall not be necessary to set apart to remain unconsecrated any Portion of the Land so conveyed and settled: Provided always, that if at any Time within Ten Years thereafter the Vestry, duly convened under the Provisions of this Act in pursuance of public Notice duly given in that Behalf, should determine that an unconsecrated Burial Ground should be also provided for such Parish, all the Powers and Provisions of the said recited Acts and this Act may be put in force and shall be applicable for providing such unconsecrated Burial Ground separately, in like Manner as they might have been put in force and been applicable for providing an ordinary Burial Ground for such Parish.

How Burial Grounds are to be provided for united Parishes.

XI. Where a Parish or Place has been united with any other Parish or Place, Parishes or Places, for all or any Ecclesiastical Purposes, or where Two or more Parishes or Places have heretofore had a Church or a Burial Ground for their joint Use, or where the Inhabitants of several Parishes or Places have been accustomed to meet in One Vestry for Purposes common to such several Parishes or Places, it shall be lawful for the Vestry or any Meeting in the Nature of a Vestry of such several Parishes or Places in any of the Cases aforesaid, and whether any One or more of such Parishes or Places do or do not separately maintain its own Poor, to appoint a Burial Board, and from Time to Time to supply Vacancies therein, and to exercise the same Powers of Authorization, Approval, and Sanction in relation to such Burial Board, and such other Powers as under the said Acts and this Act are vested in the Vestry of a Parish or Place separately maintaining its own Poor; and the Burial Board so appointed shall have all the Powers for

providing

providing a Burial Ground for the common Use of such several Parishes or Places, and for facilitating Interments, and otherwise, as if such several Parishes or Places had been a Parish separately maintaining its own Poor; and the Expenses of the Burial Board appointed under this Provision shall be borne by the several Parishes or Places for which such Board is appointed, and shall be apportioned among them by such Burial Board in proportion to the Value of the Property in such several Parishes or Places as rated to the Relief of the Poor; and the Sums required by the Burial Board in respect of the Portion of such Expenses to be borne by any such Parish or Place shall be paid out of the Rates for the Relief of the Poor in such Parish or Place, in like Manner as if such Burial Board had been appointed for such Parish or Place alone.

Burial Boards may be appointed for certain Townships, &c. which have had separate Burial Grounds.

XII. The Vestry or Meeting in the Nature of a Vestry of any Parish, Township, or other District not separately maintaining its own Poor, which has heretofore had a separate Burial Ground, may appoint a Burial Board, and from Time to Time supply Vacancies therein, and may exercise the same Powers of Authorization, Approval, and Sanction in relation to such Burial Board, and such other Powers as under the said Acts and this Act are vested in the Vestry of a Parish separately maintaining its own Poor; and the Burial Board so appointed shall have all the Powers for providing a Burial Ground and otherwise as if such Parish, Township, or other District had been a Parish separately maintaining its own Poor.

Provision for Expenses of Burial Boards of Places not separately maintaining their own Poor.

XIII. Where any District (whether a Parish or Township or other Subdivision) not separately maintaining its own Poor, but forming Part of a Parish maintaining its own Poor, or of an Incorporation or other Union maintaining the Poor of the Places comprised therein, by means of a common Rate, shall have a Burial Board, or shall form Part of a Place or Union of Places not co-extensive with the Area rated for the Relief of the Poor, and having One Burial Board, it shall be lawful for such respective Burial Board to issue their Certificate to the Overseers of such Parish, or the Overseers or other Persons authorized to make and collect or cause to be collected such common Rate (as the Case may be), for Payment of the Sums required for the Expenses of such Burial Board, or, where such District not separately maintaining its own Poor forms Part only of the Area of the Burial Board, of the Sums required in respect of the Portion of such Expenses to be borne by such District, in like Manner as if such District had been a Parish separately maintaining its own Poor, and such Overseers or Persons authorized as aforesaid had been the Overseers thereof; and such Overseers or Persons shall pay such Sums as shall be required by such Certificate, according to the Directions of such Burial Board, and shall levy such Sums as may be required for such Payments to the Burial Board by an Addition to the Parish Rate or common Rate, so far as the same affects the District in respect of which such Payments are required, or by separate Rates to be made from Time to Time on such District; and for levying such Additions or separate Rates as aforesaid, such Overseers or other Persons shall have the Powers, Remedies, and Privileges, and proceed in the same Manner, as in the Case of the Rates for the Relief of the Poor; provided that any such Rates may (notwithstanding any Restriction in relation to the Parish Rate or common Rate) be made and levied at such Times as may be necessary to provide for the Payments aforesaid.

No Obligation to build a Chapel for Persons not Members of the Church of England when Secretary of State declares it unnecessary.

XIV. ‘ And whereas Doubts have arisen whether in all Cases in which any Burial Board shall build ‘ in any Burial Ground provided by such Board a Chapel for the Burial Service according to the Rites ‘ of the United Church of *England* and *Ireland*, such Burial Board is not also bound by Law to build a ‘ Chapel or Chapels upon the unconsecrated Part of such Burial Ground for the Performance of Burial ‘ Service for Persons not being Members of the said Church :’ Be it enacted, That in any such Case as aforesaid, where it shall appear to One of Her Majesty's Principal Secretaries of State, upon the Representation of a Majority of the Vestry of any Parish, consisting of not less than Three Fourths of the Members of the same, that the building of a Chapel upon the unconsecrated Part of any such Burial Ground for the Use of Persons not being Members of the said Church is undesirable and unnecessary, it shall be lawful for the said Secretary of State, if he shall think fit, to signify his Opinion to that Effect to the Burial Board of the Parish, and the said Burial Board shall thereupon be relieved from all Obligation to build the same: Provided always, that such Secretary of State shall not signify his Opinion as aforesaid unless it be shown to his Satisfaction that Notice of the Intention to propose to such Vestry to make such Representation was given in manner required by Law for Notices of Vestry Meetings, and of the special Purposes thereof.

When Assessment to local Rates not to be increased after Purchases.

XV. No Land already or to be hereafter purchased or acquired, under the Provisions of any of the Acts herein-before recited, for the Purpose of a Burial Ground (with or without any Building erected or to be erected thereon), shall while used for such Purposes be assessed to any County, Parochial, or other local Rates at a higher Value or more improved Rent than the Value or Rent at which the same was assessed at the Time of such Purchase or Acquisition.

15 & 16 Vict. c. 85. 16 & 17 Vict. c. 134. Separate Burial Boards whose

XVI. That in any Case where the Burial Boards appointed under the said recited Acts of the Fifteenth and Sixteenth and the Sixteenth and Seventeenth Years of Her Majesty, or either of them, for any Two Parishes, shall provide separate Burial Grounds for such Parishes respectively, and such Burial Grounds shall adjoin each other, it shall be lawful for the said Burial Boards to concur in building, either on One of the said Burial Grounds or partly on One of such Grounds and partly on the other, such Chapels as are

Burial Grounds adjoin may contract with each other for specific Purposes.

are authorized to be built by the said Acts, and that such Chapels when erected shall be used in common by both of such Parishes, and be deemed and taken to be the Chapels of and belonging to each of such Burial Grounds respectively, in such Manner, consistent with the Provisions of the said Acts or either of them, as the said Burial Boards shall mutually agree upon; and that the said Burial Boards may agree as to the Proportions in which the Expenses of erecting such Chapel Accommodation shall be borne by each of the said Boards respectively; and the Proportion for each of such Parishes of such Expenses shall be chargeable upon and paid in the same Manner as the Costs of providing Burial Grounds under the said Acts; and where any Burial Board shall provide a Burial Ground, and cause Chapels to be built thereon, pursuant to the said recited Acts, it shall be lawful for such Burial Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, to contract with any other Burial Board whose Burial Ground shall adjoin the One on which such Chapels shall so have been built, for the Use of such Chapels, in such Manner and on such Terms as such respective Burial Boards shall mutually agree, and that during the Existence of any such Agreement such Chapels shall be deemed and taken to be the Chapels of and belonging to each of such Burial Grounds respectively.

Burial Board may let Land not required for Burials.

XVII. It shall be lawful for any Burial Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, and subject to Regulations approved of by him, to let any Land purchased by and vested in them under this Act or any of the Acts herein-before recited, and which has not been consecrated, and in which no Body has been at any Time interred, and which is not for the Time being required for the Purposes of a Burial Ground, in such Manner and on such Terms as such Board may see fit, but so nevertheless that Power shall be reserved to such Board to resume any such Land which may be required for the Purposes aforesaid, upon giving Six Months Notice.

Burial Board to keep in Order closed Burial Grounds, &c.

XVIII. In every Case in which any Order in Council has been or shall hereafter be issued for the Discontinuance of Burials in any Churchyard or Burial Ground, the Burial Board or Churchwardens, as the Case may be, shall maintain such Churchyard or Burial Ground of any Parish in decent Order, and also do the necessary Repair of the Walls and other Fences thereof, and the Costs and Expenses shall be repaid by the Overseers, upon the Certificate of the Burial Board or Churchwardens, as the Case may be, out of the Rate made for the Relief of the Poor of the Parish or Place in which such Churchyard or Burial Ground is situate, unless there shall be some other Fund legally chargeable with such Costs and Expenses.

Act not to abridge Powers of Local Boards of Health, &c.

XIX. Nothing in this Act contained shall in anywise abridge, lessen, or defeat any Power, Right, or Privilege of any Local Board of Health being the Burial Board of a Borough created or to exist under or by virtue of any Local Act of Parliament.

Local Boards of Health to exercise Powers of this Act.

XX. Any Local Board of Health acting as or created a Board under or by virtue of the Powers of any Local Act of Parliament shall and may have and exercise all the Powers, Rights, and Privileges which by this Act or by the secondly recited Act are or can or may be had, enjoyed, or exercised by any Burial Board therein named.

Acts to be construed together.

XXI. The said Acts of the Fifteenth and Sixteenth, Sixteenth and Seventeenth, and Seventeenth and Eighteenth Years of Her Majesty and this Act shall be read and construed together as One Act.

CAP. CXXIX.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-five, and to appropriate the Supplies granted in this Session of Parliament. [14th *August* 1855.]

§ I. There shall be applied for the Service of the Year 1855 the Sum of £26,006,352. 12*s.* 9*d.* out of the Consolidated Fund.

II. The Treasury may cause £26,006,352. 12*s.* 9*d.* of Exchequer Bills to be made out in manner prescribed by 48 *G.* 3. *c.* 1., 4 & 5 *W.* 4. *c.* 15., and 5 & 6 *Vict. c.* 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of *England* may advance £26,006,352. 12*s.* 9*d.* on the Credit of this Act, notwithstanding 5 & 6 *W.* & *M. c.* 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. Monies raised by Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may apply for the Service of the Year 1855 £5,599,112. 6*s.* 8*d.* Surplus of Ways and Means.

X. Appropriation of Ways and Means to Services hereafter expressed.—18 & 19 *Vict. c.* 5., 18 & 19 *Vict. c.* 6., 18 & 19 *Vict. c.* 8., 18 & 19 *Vict. c.* 37.

Consolidated Fund (Appropriation.)

§ XI. There shall be issued,

£77,099	0	0	For Excess of Naval Expenditure beyond the Grants for 1853–4.	
1,938,104	0	0	For Excess of Naval Expenditure beyond the Grants for 1854–5.	
XII. £19,379,013	0	0	For Navy Services; *viz.*	
2,885,567	0	0	For Wages to 70,000 Seamen and Marines	For the Year ending 31st *March* 1856.
1,374,081	0	0	For Victuals, &c. in the Navy	
140,469	0	0	For Salaries, &c. of the Admiralty Office	
50,000	0	0	For the Royal Naval Coast Volunteers	
51,676	0	0	For the Navy Scientific Departments	
142,571	0	0	For Naval Establishments at home	
26,919	0	0	For Naval Establishments abroad	
1,112,220	0	0	For Wages of Artificers, &c. at home	
60,500	0	0	For Wages of Artificers, &c. abroad	
3,991,969	0	0	For Naval Stores, &c.	
629,071	0	0	For new Works in Naval Establishments	
64,100	0	0	For Medicines, &c.	
74,086	0	0	For Naval Miscellaneous Services	
635,497	0	0	For Naval Half Pay, &c.	
469,222	0	0	For Military Pensions	
149,558	0	0	For Civil Pensions	
6,766,268	0	0	For Transport Service, Freight of Ships, &c., for Army and Ordnance Services, and for Expenses of Prisoners of War	
755,239	0	0	For Packet Service	
XIII. 18,789,532	0	0	For Army Services; *viz.*	
7,353,804	0	0	For Forces in United Kingdom and Stations abroad (except *East Indies*)	From 1st *April* 1855 to 31st *March* 1856.
314,984	0	0	For General Staff Officers, &c.	
151,108	0	0	For Allowances to Officers, &c. of Public Military Departments	
17,795	0	0	For Royal Military College	
23,367	0	0	For Royal Military Asylum, &c.	
88,000	0	0	For Volunteer Corps	
3,813,383	0	0	For Embodied Militia	
22,000	0	0	For Rewards for distinguished Military Services	
64,000	0	0	For Pay of General Officers	
55,000	0	0	For Full Pay for Retired Officers	
318,000	0	0	For Half Pay for Retired Officers	
32,707	0	0	For Half Pay for Officers of disbanded Foreign Corps, &c.	
124,454	0	0	For Pensions to Widows	
81,000	0	0	For Compassionate List, &c.	
31,787	0	0	For In-Pensioners of *Chelsea* and *Kilmainham* Hospitals	
1,188,589	0	0	For Out-Pensioners of *Chelsea* Hospital, &c.	
38,700	0	0	For Superannuations in Military Public Departments	
4,919,534	0	0	For Commissariat Department	For the Year ending 31st *March* 1856.
42,120	0	0	For Half Pay of Commissariat Department	
109,200	0	0	For Disembodied Militia	To 31st *March* 1856.
XIV. 1,402,961	0	0	For Excess of Ordnance Expenditure beyond the Grants for 1854–5.	
XV. 8,644,142	0	0	For Ordnance Services, *viz.*	
1,117,833	0	0	For Pay of Ordnance Military Corps	For the Year ending 31st *March* 1856.
1,406,883	0	0	For Commissariat and Barrack Supplies, &c.	
303,149	0	0	For Establishments at home and abroad	
443,378	0	0	For Wages, &c.	
3,558,980	0	0	For Ordnance Stores for Land and Sea Service	
1,387,500	0	0	For Works and Repairs	
158,196	0	0	For Scientific Branch	
197,657	0	0	For Non-effective Services	
70,566	0	0	For Ordnance Office	

Consolidated Fund (Appropriation).

§ XVI.	£17,183,000	0	0	To pay off Exchequer Bills of 1855.	
XVII.	3,000,000	0	0	For additional Expense in the War against *Russia*.	
XVIII.	100,000	0	0	For Civil Contingencies - - -	To 31st *March* 1856.
XIX.	176,400	0	0	For Excess of Expenditure for Printing, &c. beyond the Grant for 1854-5.	
	8,000	0	0	For Excess of Expenses of Ministers at Foreign Courts beyond the Grant for 1854–5.	
				CIVIL SERVICES.—*Class* 1.	
XX.	154,952	0	0	For Repairs of Royal Palaces, &c. - -	
	69,544	0	0	For Repairs of Royal Parks, &c. - -	
	122,209	0	0	For New Houses of Parliament - -	
	6,000	0	0	For Public Record Repository - - -	
	122,841	0	0	For *Holyhead* Harbour - - -	
	234,000	0	0	For Harbours of Refuge - - -	
	375	0	0	For *Port Patrick* Harbour - - -	
	30,963	0	0	For Public Buildings in Department of Public Works in *Ireland* - - - -	
	5,876	0	0	For *Kingstown* Harbour - - -	
				CIVIL SERVICES.—*Class* 2.	
XXI.	82,140	0	0	For Salaries, &c. of Houses of Parliament -	
	54,400	0	0	For the Treasury - - - -	
	27,595	0	0	For the Home Department - - -	
	83,849	0	0	For the Foreign Department - - -	
	35,897	0	0	For Department of Colonies - - -	
	75,733	0	0	For the Privy Council, Board of Trade, &c. -	
	2,700	0	0	For Lord Privy Seal - - - -	
	25,211	0	0	For Office of Paymaster General - -	
	7,314	0	0	For Department of Comptroller General of the Exchequer - - - - -	
	21,595	0	0	For Office of Commissioners of Works and Public Buildings - - - - -	
	21,862	0	0	For Office of Woods, Forests, &c. - -	
	14,098	0	0	For Public Records and State Paper Office -	
	205,383	0	0	For Administration of Poor Laws - -	To 31st *March* 1856.
	38,222	0	0	For the Mint - - - - -	
	15,530	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	5,156	0	0	For Civil Charges, &c. *Scotland* - -	
	6,431	0	0	For Officers, &c. of Lord Lieutenant of *Ireland* -	
	17,032	0	0	For Salaries of Chief Secretary, &c. *Ireland* -	
	6,889	0	0	For Paymaster of Civil Services, *Ireland* -	
	22,789	0	0	For Board of Public Works, *Ireland* - -	
	46,421	0	0	For Department of Commissioners for auditing Public Accounts - - - -	
	16,270	0	0	For Copyhold, &c. Commission - - -	
	12,190	0	0	For Imprest Expenses of Copyhold, &c. Commission - - - - -	
	42,500	0	0	For General Register Office, *England* and *Wales*	
	3,768	0	0	For General Register Office, *Dublin* - -	
	5,715	0	0	For Department of Registrar General of Births, &c. *Edinburgh* - - - -	
	14,986	0	0	For National Debt Office - - -	
	3,260	0	0	For Public Works Loan Commission - -	
	1,570	0	0	For *West India* Islands Relief Commission -	
	820	0	0	For Lunacy Commission - - -	
	3,000	0	0	For Office of Metropolitan Buildings - -	
	984	0	0	For General Superintendent of County Roads in *South Wales* - - - - -	
	1,610	0	0	For Department of Friendly Societies in *England*	
	32,000	0	0	For Foreign and Secret Services - -	
	360,470	0	0	For Stationery, &c. for Public Departments -	

CIVIL SERVICES.—*Class* 3.

§ XXII.	£35,941	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin, &c. - -	To 31st *March* 1856.
	250,000	0	0	For Prosecutions at Assizes and Quarter Sessions	
	1,100	0	0	For Crown Office, Chancery - - -	
	2,050	0	0	For Crown Office, Queen's Bench - -	
	15,900	0	0	For Expenses incurred by Sheriffs, and Deficiency of Fees in the Exchequer - - -	
	6,000	0	0	For Department of Registrar of the Admiralty -	
	8,415	0	0	For Insolvent Debtors Court - - -	
	13,850	0	0	For Treasurers of County Courts - -	
	23,254	0	0	For Police Courts of the Metropolis - -	
	101,218	0	0	For Metropolitan Police - - -	
	4,226	0	0	For Queen's Prison - - - -	
	3,342	0	0	For Lord Advocate and Solicitor General, *Scotland* - - - - - -	
	7,755	0	0	For Criminal Prosecutions by Lord Advocate -	
	7,198	0	0	For Court of Justiciary, *Scotland* - -	
	1,593	0	0	For certain Officers in the Exchequer in *Scotland*	
	57,000	0	0	For Criminal Prosecutions, &c. in *Scotland* -	
	11,530	0	0	For Procurators Fiscal in *Scotland* - -	
	4,318	0	0	For Sheriffs Clerks, *Scotland* - - -	
	2,250	0	0	For Salaries of Law Officers in *Scotland* -	
	11,166	0	0	For General Register House, *Edinburgh* -	
	1,119	0	0	For Department of Commissary Clerk, *Edinburgh*	
	51,720	0	0	For Criminal Prosecutions, *Ireland* - -	
	1,294	0	0	For Court of Chancery, *Ireland* - -	
	1,338	0	0	For Court of Queen's Bench, *Ireland* - -	
	1,311	0	0	For Court of Common Pleas, *Ireland* - -	
	1,320	0	0	For Court of Exchequer, *Ireland* - -	
	200	0	0	For Clerk to Taxing Officers for Law Courts, *Ireland* - - - - -	
	5,232	0	0	For Registrars to Judges, *Ireland* - -	
	1,906	0	0	For Office for Registration of Judgments in *Ireland* - - - - -	
	300	0	0	For Fees to Advocates, Court of Delegates, *Ireland* - - - - - -	
	3,146	0	0	For Salaries, &c. of Insolvent Debtors Court, *Ireland* - - - - -	
	267	0	0	For Salary of Clerk to Court of Errors, *Ireland*	
	1,600	0	0	For Salaries of Police Justices, *Dublin* -	
	31,000	0	0	For Metropolitan Police, *Dublin* - -	
	638,511	0	0	For Constabulary Force, *Ireland* - -	
	1,942	0	0	For Four Courts, *Marshalsea, Dublin* - -	
	17,526	0	0	For Salaries, Court of Session, *Scotland* -	
	18,770	0	0	For general Superintendence of Prisons, &c. -	
	375,479	0	0	For Government Prisons, and Convict Establishments at home - - - -	
	166,174	0	0	For Maintenance of Prisoners and Removal of Convicts - - - - -	
	59,405	0	0	For Transportation of Convicts - -	
	297,621	0	0	For Convict Establishments in the Colonies -	

CIVIL SERVICES.—*Class* 4.

XXIII.	396,921	0	0	For Public Education in *Great Britain* -	
	215,200	0	0	For Education in *Ireland* - - -	
	605	0	0	For Salary of Secretary to Commissioners of Education, *Ireland* - - - -	
	79,364	0	0	For Department of Practical Art, Royal *Dublin* Society, &c. - - - - -	
	3,858	0	0	For *London* University - - -	
	7,952	0	0	For Grants to *Scottish* Universities - -	

Consolidated Fund (Appropriation).

	£2,366	0	0	For Queen's University, *Ireland*	To 31st *March* 1856.
	9,552	0	0	For Expenses, Queen's Colleges, *Ireland*	
	647	0	0	For Royal *Irish* Academy	
	300	0	0	For Royal *Hibernian* Academy	
	2,600	0	0	For Royal *Belfast* Academical Institution, &c.	
	56,180	0	0	For Salaries and Expenses of *British* Museum	
	4,000	0	0	For Purchases from *Bernal* Collection.	
	27,520	0	0	For new Buildings, &c. at *British* Museum	
	500	0	0	For Royal Geographical Society	
	6,409	0	0	For Magnetic Observatories, &c.	
	17,696	0	0	For National Gallery	
				CIVIL SERVICES.—*Class* 5.	
§ XXIV.	4,050	0	0	For Civil Establishments of the *Bermudas*	To 31st *March* 1856.
	7,397	0	0	For Ecclesiastical Establishment, *British North American* Provinces	
	7,010	0	0	For *Indian* Department in *Canada*	
	24,728	0	0	For Salaries of Governors, &c. of *West India* Colonies, &c.	
	24,750	0	0	For Salaries, &c. of Stipendiary Justices in *West India* Colonies and the *Mauritius*	
	10,630	0	0	For Civil Establishments on the Western Coast of *Africa*	
	11,057	0	0	For *St. Helena*	
	976	0	0	For *Heligoland*	
	2,807	0	0	For *Falkland Islands*	
	3,800	0	0	For *British* Settlement at *Hong Kong*	
	16,720	0	0	For Colonial Land and Emigration Board, &c.	
	10,500	0	0	For Relief of Emigrants to *Canada* in 1847.	
	10,000	0	0	For Support of captured Negroes, &c.	To 31st *March* 1856.
	11,250	0	0	For Commissions for suppressing the Slave Trade	
	157,669	0	0	For the Consular Establishments abroad	
	25,000	0	0	For Missions abroad	
				CIVIL SERVICES.—*Class* 6.	
XXV.	138,609	0	0	For Superannuations, &c. of Public Officers	
	2,270	0	0	For *Toulonese* and *Corsican* Emigrants, &c.	
	2,000	0	0	For National Vaccine Institution in 1855.	
	325	0	0	For Refuge for Destitute in 1855.	
	4,200	0	0	For *Polish* Refugees, &c.	To 31st *March* 1856.
	4,371	0	0	To pay Miscellaneous Allowances	
	2,985	0	0	For Treasurers of Public Infirmaries, *Ireland*	
	1,295	0	0	For Foundling Hospital Department, House of Industry, *Dublin*	
	11,790	0	0	For House of Industry, *Dublin*	
	500	0	0	For Female Orphan House, *Dublin*	
	1,215	0	0	For *Westmoreland* Lock Hospital, *Dublin*	
	500	0	0	For Lying-in Hospital, *Dublin*	
	795	0	0	For Dr. *Steevens'* Hospital, *Dublin*	
	1,900	0	0	For House of Recovery, &c. *Dublin*	
	250	0	0	For Hospital for Incurables, *Dublin*	
	38,953	0	0	For Protestant Dissenting Ministers, *Ireland*	
	6,384	0	0	For Charitable Allowances, &c. *Ireland*	
				CIVIL SERVICES.—*Class* 7.	
XXVI.	10,945	0	0	For General Board of Health	
	3,498	0	0	For Ecclesiastical Commissioners, *England*	
	12,390	0	0	For Charity Commission for *England* and *Wales*	
	1,053	0	0	For certain Professors at *Cambridge*	
	22,572	0	0	For Compensations, &c. payable under the Patent Law Amendment Act	
	15,480	0	0	For Incumbered Estates Commission, *Ireland*	

Consolidated Fund (Appropriation).

	£900	0	0	For Commission for Publication of Ancient Laws of *Ireland*	To 31st *March* 1856.
	9,000	0	0	For Pay of Process Servers, *Ireland*	
	2,270	0	0	For Office for Registration of Joint Stock Companies	
	69,115	0	0	For Pensions to Masters and Seamen, &c. under the Merchant Seamen's Fund Act	
	25,500	0	0	For *Battersea* Park	
	25,000	0	0	For Embankment, &c. between *Battersea* and *Vauxhall* Bridges, &c.	
	10,700	0	0	For Lighthouses abroad	For the Year ending 31st *March* 1856.
	1,811	0	0	For Pay, &c. of Medical Men in *West Indies*	To 31st *March* 1856.
	10,300	0	0	For Collection of Agricultural Statistics	
	2,000	0	0	For Annuity to Board of Manufacturers, *Scotland*	
	14,000	0	0	For Board of Fisheries, *Scotland*	
	5,000	0	0	For Commissioners of *Highland* Roads and Bridges	
	12,000	0	0	For Bounties on Slaves and Slave Vessels captured	
	68,500	0	0	For Payments under Treaties of Reciprocity	
	17,850	0	0	For Revising Barristers in *England* and *Wales*	
	3,800	0	0	For Inspectors of Corn Returns, &c.	
	3,600	0	0	For Expenses of Quarantine Arrangements	
	5,752	0	0	For Consular Offices, Seamen's Hospital, &c. at *Constantinople*	
	4,578	0	0	For *British* Ambassador's Houses at *Constantinople*, &c.	
	1,550	0	0	For Courts of Law, &c. at *Douglas, Isle of Man*	
	9,000	0	0	For Preservation of Public Records	
	40,000	0	0	For Erection of a new Foreign Office	For the Year ending 31st *March* 1856.
	9,000	0	0	For Completion of *Irish* Census	
	52,500	0	0	For Mint for Medal Services	To 31st *March* 1856.
	68,131	0	0	For Amounts awarded to *American* Claimants under Convention of 3d *February* 1853	For the Year ending 31st *March* 1856.
	54,218	0	0	To *Thomas Porter*	
	17,000	0	0	For distressed Seamen abroad	
	3,000	0	0	For Gallery of Arts in *Dublin*	
	9,927	0	0	For Expenses relating to Burials in and beyond the Metropolis	To 31st *March* 1856.
	5,000	0	0	For Galleries of Art in *Edinburgh*	For the Year ending 31st *March* 1856.
	40,000	0	0	For Public Works, Education, &c. in *South Africa*	To 31st *March* 1856.
	5,800	0	0	For Expense of Continuation of *Pall Mall* to the *Green Park*	For the Year ending 31st *March* 1856.
	3,000	0	0	For Bridge at *Inverness*	
	11,000	0	0	For Purchase of *Buckingham House*	
	3,718	0	0	For Contractor, &c. of *Victoria and Albert* Bridges at *Windsor*	
	10,000	0	0	For Discoverers of North-west Passage	
	800	0	0	For Monument to Sir *John Franklin*, &c.	
	3,711	0	0	For Statute Law Commission	To 31st *March* 1856.
	300	0	0	As Compensation to Dr. *Southwood Smith*	For the Year ending 31st *March* 1856.
	15,000	0	0	For Museum at *Kensington Gore*	
				REVENUE DEPARTMENTS.	
§ XXVII.	1,638,861	0	0	For Post Office, &c.	
	835,182	0	0	For Customs Department	
	483,238	0	0	For the Coast Guard, &c.	
	1,365,950	0	0	For Inland Revenue Department	
	62,720	0	0	For Revenue Police, *Ireland*, and "Seamew" Steamer	

§ XXVIII. Supplies to be applied only for the Purposes aforesaid.

XXIX. Expenditure for Navy, Army, and Ordnance Services respectively to be confined to the separate Services for which granted. Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXX. Rules to be observed in the Application of the Sum appropriated to Half Pay. Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c. Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since *July* 1828. An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXXI. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXXII. Persons concerned in issuing, paying, and receiving Money for Payment of Half Pay, without the requisite Oaths, indemnified. 17 & 18 *Vict. c.* 121.

XXXIII. Half Pay allowed to Officers of the *Manx* Fencibles.

XXXIV. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXXV. Surplus of Sum by 17 & 18 *Vict. c.* 121. appropriated to Half Pay Officers to be disposed of as Her Majesty shall direct.

XXXVI. Widows, &c. claiming Pensions to make required Declaration.

XXXVII. Declarations to be made as specified in 5 & 6 *W.* 4. *c.* 62.

CAP. CXXX.

An Act for raising the Sum of Seven Millions by Exchequer Bills and Exchequer Bonds, for the Service of the Year One thousand eight hundred and fifty-five. [14th *August* 1855.]

CAP. CXXXI.

An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education. [14th *August* 1855.]

'WHEREAS it is expedient that greater Security should be afforded for the due Application of 'Money advanced in certain Cases to the Trustees or Managers of Schools by the Lords Com- 'missioners of the Treasury out of the Parliamentary Grant for the Promotion of Education in *Great* '*Britain*:' Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Where any Grant hath been made or shall hereafter be made out of any Sums of Money heretofore granted or hereafter to be granted by Parliament for the Purposes of Education in *Great Britain*, under the Advice of any Committee of the Council on Education for the Time being, to the Trustees, Managers, or other Persons applying on behalf of any School, with the Consent of the Trustees or Persons holding the legal Estate thereof, for or towards the Purchase of the Site or the Erection, Enlargement, or Repair of the School, or the Residence of the Master or Mistress, or the furnishing such School or Residence, no Sale, Exchange, or Mortgage of the Premises in respect of which such Grant hath been or may hereafter be made in exercise of any Power contained in the Conveyance or other Deed relating thereto, or under any other legal Authority, shall be valid unless either the Consent of the Secretary of State for the Home Department for the Time being, in Writing under his Hand be given to the same, or the Amount of the Grant which shall have been made as aforesaid shall be repaid to the Lords Commissioners of the Treasury for the Time being; and whenever any Grant as aforesaid shall be hereafter made, a Memorandum, to be signed by One of the Lords Commissioners of the Treasury for the Time being, shall be endorsed upon some One of the Title Deeds relating to the School, certifying the Fact of the Grant having been made upon such Application, and for some such Purpose as aforesaid, and referring to this Act; and in any Case in which any Grant as aforesaid shall have been already made, so soon as such Memorandum shall have been endorsed and signed on any such Deed, all Bonds, Covenants, or other personal Obligations heretofore given or entered into to prevent the Exercise of any such Power of Sale, Exchange, or Mortgage, without such Consent as aforesaid, shall, so far as they relate to such Exercise, but no further, be annulled.

Sale, &c. of Premises in respect of which Grant of Money has been made not to be valid without Consent of Secretary of State, &c.

II. Nothing herein contained shall affect any Purchaser for a valuable Consideration without Notice, nor be deemed to apply to any School in respect of any such Grant heretofore made without any such Bond, Covenant, or other personal Obligations or Conditions as to Sale, Exchange, or Mortgage having been entered into by the Trustees or Persons holding the legal Estate in such Schools and the Committee of Council on Education.

Purchasers not to be affected without Notice.

CAP.

CAP. CXXXII.

An Act for facilitating the Erection of Dwelling Houses for the Labouring Classes.

[14th *August* 1855.]

WHEREAS it is expedient that Facilities should be afforded for the Erection of healthful and commodious Dwellings for the Labouring Classes: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may for all Purposes be cited as "The Labourers Dwellings Act, 1855." Short Title.

Constitution of Company.

II. Any Number of Persons not less than Six may, by subscribing Articles of Association or a Schedule thereto, form themselves into a Company for the Purposes herein-after mentioned: The Articles shall be in the Form set forth in the Schedule hereto, or as near thereto as Circumstances permit: There shall be set opposite to the Name of each Subscriber the Sum subscribed for by him in the Capital of the Company, and his Subscription shall be deemed to imply a Covenant on the Part of himself, his Heirs, Executors, and Administrators, to pay to the Company the Amount so subscribed for. Power to form Company.

III. The Articles shall be registered by the Registrar of Joint Stock Companies, who shall charge in respect of such Registration such Fees as may from Time to Time be directed by the Lords of the Committee of Privy Council appointed for the Consideration of Matters relating to Trade and Plantations, herein-after called the Board of Trade; and upon such Registration being made, the Subscribers, together with such other Persons as may from Time to Time become Members of the Company, shall be a Body Corporate by the Name prescribed in the Articles of Association, having a perpetual Succession and a Common Seal; but no such Registration shall be made until it is proved to the Satisfaction of the said Registrar that Three Fourths of the proposed Capital has been subscribed for, and that Ten *per Centum* upon such Capital has been paid up. Registration of Articles.

IV. The said Registrar shall grant a Certificate stating the Date of the Incorporation of the Company, and such Certificate shall in all Cases be *primâ facie* Evidence of the Fact of such Incorporation. Certificate of Incorporation.

V. The Companies Clauses Consolidation Act, 1845, shall be incorporated into and form Part of this Act, with the Exception of the Provisions relating to the Recovery of Damages, and to the Provision to be made for affording Access to the Special Act; and in the Construction of the said Companies Clauses Act the Articles of Association shall be deemed to be the Special Act, and the Date of the Incorporation of the Company, as certified in manner aforesaid, shall be deemed to be "the Time of the passing of the Special Act;" and whenever the Term "prescribed" is used in this or in the said incorporated Act, it shall mean "prescribed by the Articles of Association." 8 & 9 Vict. c. 16. incorporated with this Act.

Rights and Obligations of Company.

VI. Every Company incorporated under this Act, and herein-after referred to as "the Company," shall be established for the Purpose of providing Dwellings for the Labouring Classes, with or without private Gardens, or with or without common Gardens or Places of common Recreation for the Use of the Inmates of such Dwellings, and for no other Purpose whatever; and for the above Purpose the Company shall have Power to accept Grants and Leases of and to purchase and hold Land, to erect thereon Dwellings for the Labouring Classes, and to let such Dwellings to Lodgers by the Week or Month, or to demise the same to Lessees for any Estate or Interest not greater than a Term of Twenty-one Years, upon such Terms of Remuneration as they think fit; subject to this Proviso, that the Company shall not be entitled to hold at any One Time more than Ten Acres of Land, except with the Licence of the Committee of Privy Council for Trade. Purpose of Company.

VII. The following Regulations shall be made respecting any Dwellings provided by the Company; that is to say, Regulations as to Dwellings.

(1.) All such Dwellings shall, as respects Drainage, Ventilation, Supply of Water, and necessary Conveniences, be constructed and provided in such Manner as may be approved by the General Board of Health, and shall be maintained by the Company in good and sufficient Repair:

(2.) Any Person appointed by the General Board of Health may at all reasonable Times inspect any such Dwellings as aforesaid.

VIII. The following Matters and Things may be prescribed by the Articles of Association, and if so prescribed, but not otherwise, shall be binding; that is to say, Permissive Rights of the Company.

(1.) That the Capital of the Company may, with the Approval of the Board of Trade, and subject to such Condition as they may impose, be increased by the Issue of a prescribed Number of Shares, and of a prescribed Amount:

(2.) That no Premium is to be taken in respect of any Lease granted by the Company:

(3.) That the Interest granted to any Lessee is not to exceed the prescribed Term, such Term being less than Twenty-one Years:

(4.) That the Interest of a Lessee is not to be disposed of without the Consent of the Directors:

But no Power hereby given shall be exercised in such Manner as to prejudice any Right under any subsisting Lease or Contract for a Lease.

Power to mortgage given in certain Cases.

IX. In Cases where it is prescribed by the Articles of Association that the Dwellings belonging to the Company are to be let only to Lodgers by the Week or Month and not for any greater Interval, the Company may, as soon as Half the subscribed Capital is paid up, borrow on the Security of their Property to the prescribed Amount, such Amount not to exceed One Third of such subscribed Capital; but no Mortgagee shall have Power to eject any Tenant before the Expiration of his Tenancy; and in no other Case shall the Company have Power to borrow Money.

Rules as to Demises by the Company.

X. The following Rules shall be observed with respect to Demises and Letting made by the Company:

(1.) The Dwellings provided by the Company, with the private Gardens (if any) appurtenant thereto, shall be divided into such Parcels as may be conveniently held in distinct Occupations:

(2.) The Parcels shall be numbered in Arithmetical Progression, beginning with the Figure One, each Parcel being distinguished by a separate Number:

(3.) The Interests of the Lessees, other than monthly or weekly Tenants, in the Property of the Company, shall be deemed to be Shares in a Capital consisting of the Dwelling Houses of the Company, with their Appurtenances; and in all Cases where such Interests are not restricted to the original Lessee, the Transfer or Transmission of such Interests shall take place in manner in which the Transfer or Transmission of Shares takes place in pursuance of the said Companies Clauses Consolidation Act, 1845, or as near thereto as Circumstances admit; and the Clauses of such last-mentioned Act with respect to the Transfer or Transmission of Shares shall, with the necessary Alterations, be held to apply to the Transfer or Transmission of the Interests of any such Lessees as aforesaid.

8 & 9 Vict. c. 16.

Power to Company to purchase Interests of Lessees.

XI. The Company may purchase the Interest of any registered Lessee, and upon such Purchase being made such Interest shall be deemed to be extinguished, and the Company may demise the Premises so purchased in the same Manner as if no previous Lease thereof had ever before been made.

Penalty on Misappropriation of Funds.

XII. If any Funds of the Company are advanced to any Person by way of Loan, or are with a view of gaining Profit appropriated to any Purpose other than the Purpose for which the Company is hereby declared to be established, every Director of the Company shall, in addition to any other Liabilities he may be under to replace such Funds, be liable, at the Suit of any Shareholder or other Person, whether implicated or not in such Loan or Misappropriation, to pay to such Shareholder or other Person, to be applied by him to his own Use, in respect of each such Advance or Misappropriation, a Sum by way of Penalty not greater in Amount than the Sum so advanced or misappropriated, and not less than Half such Sum.

Penalty in case Dwellings are not sufficiently drained, &c.

XIII. If any Dwelling belonging to the Company is insufficiently drained or ventilated, or insufficiently supplied with Water or necessary Conveniences, or is in a bad State of Repair, the General Board of Health may, by Order left at any Office of the Company, or served on any Director of the Company, require the Company, within a reasonable Time, to be specified in such Order, sufficiently to drain, ventilate, and supply with Water and necessary Conveniences, or put in a good State of Repair, such Dwelling; and if default is made in compliance with the Requisitions of such Notice, the Company shall incur a Penalty not exceeding Five Pounds for every Day during which such Default continues; and it shall be lawful for any Justices by whom such Penalty is imposed, if they think fit, to order the whole or any Part thereof to be laid out in executing the Works in respect of which the Penalty is incurred; and in addition to the above Remedy the said General Board may themselves do the Works required by such Notice, and recover from the Company in a summary Manner the Expenses of so doing the same; but any Order made by the General Board in pursuance of this Section may be appealed against, and, on Application by Motion, be set aside or otherwise modified by any of Her Majesty's Superior Courts of Law at *Westminster*.

Penalty on obstructing Inspector.

XIV. If any Person obstructs any Inspector of the General Board of Health in the Inspection of any Dwelling belonging to the Company, he shall for each Offence incur a Penalty not exceeding Five Pounds.

Miscellaneous.

Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

XV. The Provisions of the Lands Clauses Consolidation Act, 1845, with reference to the Purchase of Lands by Agreement, shall be incorporated with this Act, and shall apply to the Purchase of Land by the Company in pursuance of this Act.

Recovery of Penalties.

XVI. All Penalties imposed by this Act, or by any Byelaws made in pursuance of this Act or of any Act incorporated herewith, and all Sums of Money hereby directed to be recovered in a summary Manner, may be recovered in a summary Manner before Two Justices, as directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders.*

11 & 12 Vict. c. 43.

Extent of Act.

XVII. This Act shall not extend to *Scotland.*

SCHE-

SCHEDULE.

Articles of Association of the *Company.*

1. The Name of the Company shall be the Company.
2. The Capital of the Company shall be Pounds divided into Shares of Pounds each. Sect. 6.
3. The First Ordinary Meeting of the Company shall be held Days after the Date of the Incorporation of the Company. Sect. 66.
4. The Number of Directors shall be ; but the Company may reduce such Number to any Number not less than and may increase it to any Number not exceeding . Sect. 82.
5. The First Directors of the Company shall be the following Persons ; that is to say*, Sect. 83.

N.B.—The References in the Margin refer to the Sections of the Companies Clauses Consolidation Act, 1845.

**Insert Names of Directors.*

CAP. CXXXIII.

An Act for limiting the Liability of Members of certain Joint Stock Companies.

[14th *August* 1855.]

'WHEREAS it is expedient to enable Members of Joint Stock Companies to limit the Liability for 'the Debts and Engagements of such Companies to which they are now subject:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Mode of obtaining Limited Liability by future Companies under 8 Vict. c. 110.

I. Any Joint Stock Company to be formed under the Act of the Eighth Year of Her Majesty, Chapter One hundred and ten, (other than an Assurance Company,) with a Capital to be divided into Shares of a nominal Value not less than Ten Pounds each, may obtain a Certificate of Complete Registration with Limited Liability upon complying with the Conditions following, in addition to doing all other Matters and Things now required in order to obtain a Certificate of Complete Registration; that is to say,

(1.) The Promoters shall state on their Returns to the Office for Provisional Registration that such Company is proposed to be formed with Limited Liability:

(2.) The Word "Limited" shall be the last Word of the Name of the Company:

(3.) The Deed of Settlement shall contain a Statement to the Effect that the Company is formed with Limited Liability:

(4.) The Deed of Settlement shall be executed by Shareholders, not less than Twenty-five in Number, holding Shares to the Amount in the aggregate of at least Three Fourths of the nominal Capital of the Company, and there shall have been paid up by each of such Shareholders on account of his Shares not less than Twenty Pounds *per Centum:*

(5.) The Payment of the above Per-centage shall be acknowledged in or endorsed on the Deed of Settlement, and the Fact of the same having been *bonâ fide* so paid shall be verified by a Declaration of the Promoters, or any Two of them, made in pursuance of the Act made in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-two: 6 W. 4. c. 62.

And upon such Conditions being complied with, and such other Matters and Things done, the Registrar of Joint Stock Companies shall grant a Certificate of Complete Registration with Limited Liability to such Company.

Mode of obtaining Limited Liability by Companies now or hereafter registered.

II. Any Joint Stock Company, except as aforesaid, now or hereafter completely registered under the said Act of the Eighth Year of Her Majesty, may obtain a Certificate of Complete Registration with Limited Liability, in manner and subject to the Condition following; that is to say,

The Directors of such Company may, with the Consent of at least Three Fourths in Number and Value of its Shareholders who may be present, personally or by Proxy, at any General Meeting summoned for that Purpose, make such Alteration in the Name, nominal Value of Shares, and Deed of Settlement of the Company as may be necessary for enabling it to comply with the Conditions herein-before mentioned with respect to Joint Stock Companies seeking to obtain Certificates of Complete Registration with Limited Liability; and upon Compliance with such Conditions, the Registrar, after the Affairs of the Company shall at the Expense of the Company have been audited by some Person appointed by the Board of Trade, and on Certificate from the said Board that the complete Solvency thereof has been established on such Audit to its Satisfaction, shall grant to such Company, by its new Name, a Certificate of Complete Registration with Limited Liability, and thereupon all Privileges and Obligations hereby attached to Companies with Limited Liability, their Shareholders, Directors, and Officers, shall attach to the Company named in such Certificate, its Shareholders, Directors, and Officers.

Mode of obtaining Limited Liability by existing Companies constituted under Private Acts of Parliament.

III. Any Joint Stock Company, except as aforesaid, constituted under any Private Act of Parliament, whereof it shall be proved to the Satisfaction of the Board of Trade, after the Affairs of the Company shall, at the Expense of the Company, have been audited by some Person appointed by the Board of Trade, that the said Company is perfectly solvent, and that not less than Twenty *per Centum* of Three Fourths of the nominal Capital of such Company has been paid up, may obtain a Certificate of Complete Registration with Limited Liability, in manner and subject to the Condition following; that is to say,

The Directors of such Company may, with the Consent of at least Three Fourths in Number and Value of its Shareholders who may be present, personally or by Proxy, at any General Meeting summoned for that Purpose, make such Alteration in the Name and nominal Value of Shares as may be necessary for enabling it to comply with the Condition in that Behalf herein-before mentioned with respect to Joint Stock Companies seeking to obtain Certificates of Complete Registration with Limited Liability; and upon Compliance with such Condition the Registrar, on Receipt of a Certificate of the Solvency of the Company, and of the Payment of Capital as before mentioned, shall grant to such Company, by its new Name, a Certificate of Complete Registration with Limited Liability; and thereupon all Privileges and Obligations hereby attached to Companies with Limited Liability, their Shareholders, Directors, and Officers, shall attach to the Company named in such Certificate, its Shareholders, Directors, and Officers.

Regulations to be observed on Complete Registration with Limited Liability.

IV. Every Company that has obtained a Certificate of Complete Registration with Limited Liability shall paint or affix, and shall keep painted or affixed, its Name on the Outside of every Office or Place in which the Business of the Company is carried on, in a conspicuous Position, in Letters easily legible, and shall have its Name engraven in legible Characters on its Seal, and shall have its Name mentioned in legible Characters in all Notices, Advertisements, and other official Publications of such Company, and in all Bills of Exchange, Promissory Notes, Cheques, Orders for Money, Bills of Parcels, Invoices, Receipts, Letters, and other Writings used in the Transaction of the Business of the Company.

Penalties to be inflicted for Non-observance of such Regulations.

V. If such Company do not paint or affix, and keep painted or affixed, its Name, in the Manner aforesaid, each of the Directors thereof shall be liable to a Penalty not exceeding Five Pounds for not so painting or affixing its Name, and for every Day during which such Name is not so kept painted or affixed; and if any Director or other Officer of the Company, or any Person on its Behalf, use any Seal purporting to be a Seal of the Company whereon its Name is not so engraven as aforesaid, or issue or authorize the Issue of any Notice, Advertisement, or other official Publication of such Company, or of any Bill of Exchange, Promissory Note, Cheque, Order for Money, Bill of Parcels, Invoice, Receipt, Letter, and other Writing used in the Transaction of the Business of the Company, wherein its Name is not mentioned in the Manner aforesaid, he shall be liable to a Penalty of Fifty Pounds, and shall further be personally liable to the Holder of any such Bill of Exchange, Promissory Note, Cheque, or Order for Money, for the Amount thereof, unless the same shall be duly paid by the Company.

Every Increase in the nominal Capital to be registered under a Penalty.

VI. No Increase to be made in the nominal Capital of any Company that has obtained a Certificate of Complete Registration with Limited Liability shall be advertised or otherwise treated as Part of the Capital of such Company, until it has been registered with the Registrar of Joint Stock Companies; and no such Registration shall be made unless a Deed is produced to the Registrar, executed by Shareholders holding Shares of the nominal Value of not less than Ten Pounds to the Amount in the aggregate of at least Three Fourths of the proposed increased Capital of the Company, nor unless it is proved to the Registrar, by such Acknowledgment and Declaration as herein-after mentioned, that upon each of such Shares there has been paid up by the Holder thereof an Amount of not less than Twenty Pounds *per Centum;* and if any such Increase of Capital as aforesaid be advertised or otherwise treated as Part of the Capital of the Company before the same has been so registered, every Director of such Company shall incur a Penalty of Fifty Pounds; and the Payment of the above Per-centage shall be acknowledged in or endorsed on the Deed so produced, and the Fact of the same having been *bonâ fide* so paid shall be verified by a Declaration of the Directors, or any Two of them, made in pursuance of the said Act made in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-two.

Certificated Companies to be free from Liability notwithstanding 8 Vict. c. 110.

VII. The Members of a Joint Stock Company which has so obtained a Certificate of Complete Registration with Limited Liability, after such Certificate is granted, notwithstanding the Provisions contained in the said Act of the Eighth Year of Her present Majesty, shall not be liable, under any Judgment, Decree, or Order which shall be obtained against such Company, or for any Debt or Engagement of such Company, further or otherwise than is herein-after provided.

Effect of Execution against Company.

VIII. If any Execution, Sequestration, or other Process in the Nature of Execution, either at Law or in Equity, shall have been issued against the Property or Effects of the Company, and if there cannot be found sufficient whereon to levy or enforce such Execution, Sequestration, or other Process, then such Execution, Sequestration, or other Process may be issued against any of the Shareholders to the Extent of the Portions of their Shares respectively in the Capital of the Company not then paid up, but no Shareholder shall be liable to pay in satisfaction of any One or more such Execution, Sequestration, or other Process a greater Sum than shall be equal to the Portion of his Shares not paid up: Provided always, that no such Execution shall issue against any Shareholder except upon an Order of the Court, or of a Judge of the Court, in which the Action, Suit, or other Proceeding shall have been brought or instituted; and such Court or Judge may order Execution to issue accordingly, with the reasonable Costs of such Application,

Application, and Execution to be taxed by a Master of the said Court; and for the Purpose of ascertaining the Names of the Shareholders, and the Amount of Capital remaining to be paid upon their respective Shares, it shall be lawful for any Person entitled to any such Execution, at all reasonable Times, to inspect the Register of Shareholders without Fee.

If Dividends be made and Corporation insolvent, each Director consenting thereto liable.

IX. If the Directors of any such Company shall declare and pay any Dividend when the Company is known by them to be insolvent, or any Dividend the Payment of which would to their Knowledge render it insolvent, they shall be jointly and severally liable for all the Debts of the Company then existing, and for all that shall be thereafter contracted, so long as they shall respectively continue in Office; provided that the Amount for which they shall all be so liable shall not exceed the Amount of such Dividend, and that if any of the Directors shall be absent at the Time of making the Dividend, or shall object thereto, and shall file their Objection in Writing with the Clerk of the Company, they shall be exempted from the said Liability.

Notes of Shareholders not receivable in Payment of Calls; Liability of each Officer consenting to a Loan to Shareholders.

X. No Note or Obligation given by any Shareholder to the Company whereof he is a Shareholder, whether secured by any Pledge or otherwise, shall be considered as Payment of any Money due from him on any Share held by him, and no Loan of Money shall be made by any such Company to any Shareholder therein; and if any such Loan shall be made to a Shareholder, the Directors who shall make it, or who shall assent thereto, shall be jointly and severally liable to the Extent of such Loan, and Interest for all the Debts of the Company contracted before the Repayment of the Sum so lent.

Rights of Creditors of existing Companies preserved.

XI. Where any Company completely registered under the said Act of the Eighth Year of Her present Majesty, or any Company constituted under any Act of Parliament, shall obtain a Certificate of Complete Registration with Limited Liability, the Grant of such Certificate shall not prejudice or affect any Right which previously to the Grant of such Certificate has accrued to any Creditor or other Person against the Company in its Corporate Capacity, or against any Person then being or having been a Member of such Company, but every such Creditor or other Person shall be entitled to all such Remedies against the Company in its Corporate Capacity, and against every Person then being or having been a Member of such Company, as he would have been entitled to in case such Certificate had not been obtained.

Change in the Name of a Company under the Act not to affect the Rights of the Company or other Parties.

XII. No Alteration made by virtue of this Act in the Name of any Company shall prejudice or affect any Right which previously to such Alteration has accrued to such Company as against any other Company or Person, or which has accrued to any other Company or Person as against such Company, but every such Company as against any other Company or Person, and every other Company or Person as against such Company and the Members thereof, shall be entitled to all such Remedies as they or he would have been entitled to if no such Alteration had been made; and no such Alteration shall abate or render defective any legal Proceeding pending at the Time when such Alteration is made.

Companies to be dissolved and wound up when Three Fourths of the Capital lost.

XIII. In the Case of any Company which has obtained a Certificate of Limited Liability, whenever, on taking the yearly Accounts of such Company, or by any Report of the Auditors thereof, it appears that Three Fourths of the subscribed Capital Stock of the Company has been lost, or has become unavailable in the Course of Trade, from the Insolvency of Shareholders, or from any other Cause, the Trading and Business of such Company shall forthwith cease, or shall be carried on for the sole Purpose of winding up its Affairs; and the Directors of such Company shall forthwith take proper Steps for the Dissolution of such Company, and for the winding up of its Affairs, either by Petition to the Court of Chancery, or by Exercise of the Powers of the Deed of Settlement, or by such other lawful Course as they may think most fit.

8 Vict. c. 110. s. 38. Auditors to be appointed, subject to Approval of Board of Trade.

XIV. In Cases where a Certificate of Registration with Limited Liability has been obtained, when One Auditor only shall have been appointed under the Thirty-eighth Section of the Act of the Eighth of *Victoria*, Chapter One hundred and ten, that single Auditor, and when Two or more such Auditors shall have been so appointed, then One of such Auditors, shall be subject to the Approval of the Board of Trade; and such Board in case the Auditor submitted to them for Approval shall for any Reason appear unfit or objectionable, shall appoint another in his Place.

Recovery of Penalties.

XV. Every pecuniary Penalty imposed in pursuance of this Act shall be deemed a Debt due to the Crown, and shall be recoverable accordingly.

Act to be taken as Part of 7 & 8 Vict. c. 110. and 11 & 12 Vict. c. 78.

XVI. This Act shall, so far as is consistent with the Contents and Subject Matter thereof, be taken as Part of and construed with the said Act of the Eighth Year of Her present Majesty, Chapter One hundred and ten, and the Act of the Eleventh Year of Her Majesty, Chapter Seventy-eight; and all the Provisions of the said Acts, save in so far as they are varied by this Act, shall apply to Persons and Companies applying for or obtaining a Certificate of Complete Registration with Limited Liability.

Provisions of 7 & 8 Vict. c. 111., 11 & 12 Vict. c. 45., and 12 & 13 Vict. c. 108. to apply to this Act.

XVII. The Provisions of the Act of the Eighth Year of Her present Majesty, Chapter One hundred and eleven, and of the Joint Stock Companies Winding-up Act, 1848, and of the Joint Stock Companies Winding-up Amendment Act, 1849, shall apply to Persons and Companies obtaining a Certificate of Complete Registration with Limited Liability, subject only to such Variations as may be occasioned by the Provisions of this Act.

Act not to apply to Scotland.

XVIII. This Act shall not apply to *Scotland*.

Short Title.

XIX. This Act may be cited for all Purposes as "The Limited Liability Act, 1855."

CAP.

CAP. CXXXIV.

An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord Chancellor the Ground and Buildings of the said Court situate in *Southampton Buildings, Chancery Lane,* with Powers of leasing and Sale thereof. [14th *August* 1855.]

'WHEREAS, for the Prevention of Delays and Inconveniences in the carrying on of such Portion of the Business of the High Court of Chancery as is transacted by the Master of the Rolls and the Vice Chancellors respectively sitting at Chambers, it is requisite that an Addition to the Number of Junior Clerks attached to the Courts of the said Judges respectively should be forthwith made, and a further like Addition may hereafter become necessary:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Additional Junior Clerk to each Chief Clerk may be appointed.

I. It shall be lawful for the Master of the Rolls and every of the Vice Chancellors to appoint forthwith after the passing of this Act One additional Junior Clerk to each of their respective Chief Clerks, and for the Master of the Rolls and the Vice Chancellors for the Time being respectively to fill up from Time to Time such Vacancies as may occur in the respective Offices of the Junior Clerks so appointed.

Duties, &c. of the Junior Clerks under this Act. 15 & 16 Vict. c. 80. applicable in part to them.

II. Such of the Provisions contained in the Sections numbered respectively XIX., XX., XXII., XXIII., XXIV., XLIV., and XLV. of the Act, intituled *An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court,* passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, (Chapter Eighty,) as relate to the Removal from Office, striking off the Rolls, Tenure of Office, Attendances, Duties, Prohibitions, Prosecutions, Penalties and Punishments, Salaries and Annuities, of and respecting the Junior Clerks by the same Act authorized to be appointed, are hereby extended and applied to and in the Case of the Junior Clerks to be appointed under this Act.

Lord Chancellor may increase Salaries of Chief Clerks.

III. That notwithstanding anything in the Master in Chancery Abolition Act, of the Fifteenth and Sixteenth *Victoria,* Chapter Eighty, to the contrary, it shall be lawful for the Lord Chancellor, if he shall so think fit, upon the Certificate therein mentioned to order and direct the Salaries of the present Chief Clerks appointed thereunder to be increased to the full Amount authorized by the said Act, as from the Second Day of *November* One thousand eight hundred and fifty-five.

Salaries of Junior Clerks may be apportioned among them.

IV. Notwithstanding anything in the said Act or this Act contained concerning the Salaries to be paid to the Junior Clerks respectively, it shall be lawful for the Lord Chancellor to apportion from Time to Time the aggregate Amount of the Salaries which the Junior Clerks to any one Chief Clerk shall for the Time being be entitled collectively to receive, to and between the same Junior Clerks, in such Proportion and Manner as the Lord Chancellor, with the Advice and Assistance of the Judge to whose Court such Chief Clerk shall be attached, may think fit, but so nevertheless that the apportioned Part which shall be directed to be paid to any Person appointed to the Office of Junior Clerk before the passing of this Act shall not at any Time be of less Amount than the Salary to which he would have been at that Time entitled if this Act had not been passed.

'And whereas better Provision is required for the due Despatch of the Business now transacted in the Report Office of the Court of Chancery:' Be it therefore enacted as follows:

Office of Master of Reports and Entries abolished from first Vacancy.

V. The Office of Master of Reports and Entries shall be and the same is hereby abolished from the first Occurrence of a Vacancy therein after the passing of this Act, or from such other Period before the Occurrence of a Vacancy as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, may by Order direct.

Report Office to be thenceforth under Superintendence of Clerks of Records and Writs, the Entering Clerks to be under that of the Senior Registrar.

VI. From and after the Time when such Abolition shall take effect, the Business of the Report Office (except such Part thereof as is transacted by the Entering Clerks) shall be conducted and carried on under the Superintendence, Direction, and Control of the Clerks of Records and Writs, who shall thenceforth discharge all such Duties relative to the Report Office as may then belong to the Office of the Master of Reports and Entries, as far as the same may be from Time to Time necessary or proper to be discharged; and such Part of the Business of the Report Office as is transacted by the Entering Clerks shall be conducted and carried on by such Entering Clerks (who shall be thenceforth styled "The Entering Clerks to the Registrars") under the Superintendence, Direction, and Control of the Senior Registrar for the Time being, subject nevertheless, as to all and every Part of the Business now transacted in the Report Office, to such Rules and Regulations as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, may from Time to Time think fit by Order to make concerning the same.

Repeal of Part of 15 & 16 Vict. c. 87. s. 29.

VII. The Provision contained in the Section numbered XXIX. of the Act, intituled *An Act for the Relief of the Suitors of the High Court of Chancery,* passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty (Chapter Eighty-seven), directing that the Duties of the Clerk of Reports (whose Office was before by the same Act abolished) should be performed

performed by such Person or Persons as the Lord Chancellor should appoint for that Purpose, and providing for his or their Salary or Salaries, shall be and the same is hereby repealed, without Prejudice, nevertheless, to any Appointment already made under the same Provision.

Number, &c. of Clerks in Report Office.

VIII. The Offices of the Two Clerks appointed under the last-mentioned Provision to perform the Duties of the Clerk of Reports shall be continued under this Act, and upon any Vacancy in either of those Offices it shall be lawful for the Lord Chancellor to fill up the Vacancy; and if and when the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall deem the Appointment of more than Two Persons to be requisite for the due Performance of the Duties of the Clerk of Reports or otherwise for the due Despatch of the Business of the Report Office, it shall be lawful for the Lord Chancellor to appoint from Time to Time, in addition to such Two Clerks and their Successors as aforesaid, so many Clerks of and in the Report Office as Occasion may require and the Lord Chancellor, with the Advice and Assistance last aforesaid, may direct, and from Time to Time to fill up all or any of the Vacancies which may occur in the Offices of the Clerks so appointed in addition as aforesaid.

Provision respecting other Duties of the Master of Reports and Entries not repealed as to present Master. 15 & 16 Vict. c. 87. ss. 34., 35., 36.

IX. Nothing in this Act contained shall be taken to repeal or alter, as far as regards *James Thomas Fry*, the present Master of Reports and Entries, any of the Provisions contained in the Sections numbered respectively XXXIV., XXXV., and XXXVI. of the said Act "for the Relief of the Suitors of the High Court of Chancery," relating to the countersigning by the Master of Reports and Entries of Notes or Cheques drawn by the Accountant General of the Court of Chancery upon the Bank of *England*, and the Payment thereof by the same Bank, and directing that the Master of Reports and Entries should also perform all such other Duties (as well as the Duties in the same Act mentioned) as the Lord Chancellor should from Time to Time by any Order direct, and the same Provisions shall respectively continue in full Force as far as regards the said *James Thomas Fry*, and the Lord Chancellor is hereby required to continue the said *James Thomas Fry* as an Officer of the Court of Chancery for the Performance of the Duties herein-before mentioned, or such other Duties as aforesaid, after and notwithstanding that the Abolition of the said Office may have taken effect under this Act.

Provision for Continuance of present Master's Salary.

X. As long as the said *James Thomas Fry* shall continue to perform or shall be ready and willing to perform any Duty now belonging to the Office of Master of Reports and Entries, or any Duty which under the last-mentioned Provision he may be directed by the Lord Chancellor to perform, he shall continue to be entitled to receive the Salary attached to the Office of Master of Reports and Entries as if this Act had not been passed.

Additional Salary to present Clerks of Records and Writs in certain Cases.

XI. In case, upon the Abolition of the Office of the Master of Reports and Entries taking effect, any of the Persons now respectively holding the Offices of Clerks of Records and Writs shall be required under this Act to discharge the Duties of the Office of the Master of Reports and Entries, or any of them, and the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall deem the Duties then devolving upon the said Persons to be too extensive in proportion to their present Salaries, they respectively may receive, in addition to their respective Salaries as Clerks of Records and Writs, such Salaries, not exceeding the Sum of Two hundred Pounds *per Annum* each, as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall by Order direct; but such additional Salaries shall cease in the event of the Vacancy now existing being filled up by the Appointment of a Fourth Clerk of Records and Writs, or in the event of the said Persons now respectively holding the Offices of Clerks of Records and Writs being relieved from the Duties of the Office of Master of Reports and Entries.

Salaries of the Clerks in the Report Office.

XII. The Two Clerks already appointed and the Clerks who may be hereafter appointed to perform the Duties of the Clerk of Reports or to act in the Report Office shall respectively be entitled under this Act to receive such Salaries as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, shall from Time to Time by Order direct, but so that the whole Amount payable for all such Salaries shall not in any One Year exceed the Sum which, if equally divided between or among all such Clerks for the Time being, would admit of a Salary of Two hundred and fifty Pounds for each of them.

Power to Lord Chancellor to grant Retiring Allowance to Alexander McKean.

XIII. 'And whereas *Alexander McKean*, One of the Two Persons already appointed by the Lord 'Chancellor under the Provision herein-before mentioned to perform the Duties of the Clerk of Reports, 'has been employed as a Clerk or as a Writer in the Report Office for a Period of Twenty-five Years in 'the whole, and had been employed previously thereto as a Writer attached to the Registrars Office of 'the Court of Chancery for a Period of Thirteen Years, and he is now of the Age of Sixty-seven Years, 'and is no longer capable of discharging efficiently the Duties which have been hitherto assigned to him 'in the Report Office: And whereas under the Circumstances aforesaid it is desirable that the Lord 'Chancellor should be empowered to order a suitable Retiring Allowance to be paid to the said *Alexander* '*McKean* on his ceasing to be employed in the Report Office:' Be it therefore enacted, That it shall be lawful for the Lord Chancellor by Order to direct that, from and after the said *Alexander McKean* ceasing to be employed in the Report Office, there shall be paid to him during his Life such Retiring Allowance, not exceeding the Sum of One hundred Pounds *per Annum*, as the Lord Chancellor shall think fit, upon such Terms and Conditions, if any, as the Lord Chancellor may in such Order think fit to annex thereto.

How Salaries, Compensations, &c. to be paid. 15 & 16 Vict. c. 87. ss. 48. & 50.

XIV. All Salaries given under this Act shall grow due and be payable in such Manner, at such Times, to such Parties, and out of such Fund, as are in the Section numbered XLVIII. of the said Act "for the Relief of the Suitors of the High Court of Chancery" mentioned respecting Salaries under that Act, and such Retiring Allowance as may be ordered to be paid to the said *Alexander McKean* under this Act, shall grow due and be payable in such Manner, at such Times, to such Parties, and out of such Interest and Dividends as are in the Section numbered L. of the same Act mentioned respecting Retiring Allowances under that Act, subject nevertheless to the Payment of all such Salaries and other Sums of Money as are now payable out of such Fund, Interest, and Dividends respectively.

Persons taking false Oaths before Solicitors appointed under this and recited Acts guilty of Perjury.

XV. If any Person shall wilfully take or make any false Oath, Affirmation, or Declaration before any Solicitor authorized as in the Act of the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter Seventy-eight, is mentioned, such Person shall be subject to all the Pains and Penalties of Perjury, whether the same Oath, Affirmation, or Declaration shall or shall not have been taken or made at a Place at which, under the Provisions of the said last-mentioned Act, the same Oath, Affirmation, or Declaration might lawfully be taken or made; but every Solicitor before whom any Oath, Affirmation, or Declaration shall be taken or made under the last-mentioned Act shall state truly in the Jurat or Attestation at what Place the same Oath, Affirmation, or Declaration has been taken or made.

Business which Court is empowered to dispose of in a summary Way, may be disposed of at Chambers.

XVI. 'And whereas by divers Acts of Parliament the Court of Chancery is empowered to make Orders 'in respect of the Disposition of Trust Funds, and other Matters under its Jurisdiction, upon Petition 'presented or Motion made in a summary Way, without Bill, but such Orders cannot be made in respect 'of the same Matters upon Application at Chambers:' Be it therefore enacted, That the Business to be disposed of by the Master of the Rolls and the Vice Chancellors respectively while sitting at Chambers shall comprise such of the Matters in respect of which the Court of Chancery is so as aforesaid empowered to make Orders in a summary Way as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls and the Vice Chancellors or of any Two of them, may by any General Order direct.

32 G. 3. c. 42.

'And whereas by an Act passed in the Thirty-second Year of the Reign of His late Majesty King 'George the Third (Chapter Forty-two), intituled *An Act to empower the High Court of Chancery to* 'lay out a further Sum of the Suitors Money upon proper Securities, and for applying the Interest 'towards discharging the Expenses of the Office of the Accountant General, and for building Offices 'for the Masters in Ordinary in Chancery, and a Publick Office for the Suitors of the said Court, and 'Offices for the Secretaries of Bankrupts and Lunaticks, and for building Repositories for securing 'the Title Deeds of the Suitors of the said Court and the Records and Proceedings of the Commis- 'sioners of Bankrupts and Lunaticks, it was enacted (amongst other things) that out of the common 'and general Cash belonging to the Suitors of the Court of Chancery which then lay or should there- 'after lie dead and unemployed in the Bank of *England*, a Sum not exceeding Three hundred thou- 'sand Pounds should, by virtue of any Order or Orders of the said Court to be made for that Purpose, 'be placed out in the Name of the Accountant General of the said Court on Government or Parliamentary 'Securities, and should be carried to an Account of Monies placed out for the Benefit and better Security 'of the Suitors of the High Court of Chancery; and further, that out of the Interest and Dividends of 'the Securities so to be purchased as aforesaid there should be paid (amongst other Sums) such Sum or 'Sums of Money, not exceeding the Sum of Thirty thousand Pounds, as the Lord High Chancellor of 'Great Britain or the Lord Keeper or the Lords Commissioners for the Custody of the Great Seal 'of Great Britain for the Time being should by any Order or Orders of the Court of Chancery direct to 'be applied in purchasing Ground for and in building and completing the Offices and Repositories 'therein-after directed to be built and completed, and in paying the other Expenses relating to the 'Execution of the Act now in recital not otherwise provided for, and such further Sum and Sums of 'Money, either yearly or in gross, as should be necessary for (amongst other Purposes) keeping the same 'Offices and Repositories in repair and insured from Fire; and further, that under the Direction of the 'Lord High Chancellor of *Great Britain* or the Lord Keeper or Lords Commissioners for the Custody of 'the Great Seal of *Great Britain* for the Time being, by any Order or Orders of the Court of Chancery 'to be made for that Purpose, proper and convenient Offices for the Masters in Ordinary in Chancery 'and their Clerks, and for the Secretaries of Bankrupts and Lunatics and their Clerks, and safe and secure 'Repositories for the Deeds, Books, Papers, and Writings of and belonging to the Suitors of the said 'Court delivered or to be delivered to the Masters, and the Records, Proceedings, Deeds, Books, Papers, 'and Writings delivered or to be delivered to or left in the Custody of the Secretaries of Bankrupts and 'Lunatics respectively, together with a Public Office for the Suitors of the said Court in the Stead or 'Place of the then present Public Office, should be built and made fit for the Reception of the said 'Masters and Secretaries, and the Transaction of their respective Business therein, and that for those 'Purposes a proper Piece of Ground should be purchased, and such Houses or Buildings as might 'be upon such Ground, and that the Ground and Houses so to be purchased should be from Time to 'Time conveyed to and the same were thereby declared to be vested in His then Majesty, His Heirs 'and Successors, for the Purposes of the same Act; and further, that it should be lawful for the Lord 'High Chancellor of *Great Britain* or the Lord Keeper or the Lords Commissioners for the Custody of

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'the Great Seal of, *Great Britain* for the Time being, from Time to Time by any Order of the Court of 'Chancery, to apply such Sum or Sums of Money as should be necessary in keeping the said Offices and 'Repositories so to be built and completed as aforesaid in good and sufficient Repair, and in insuring the 'same from Damage by Fire; and in the Act now in recital was contained a Proviso, and it was thereby 'further enacted and declared, that if at any Time thereafter the whole or any Part of the Money 'thereby directed or authorized to be placed out as aforesaid should be wanted to answer any of the 'Demands of the Suitors of the said Court of Chancery, then and in such Case the said Court might 'and should direct the same or any Part thereof to be called in, or the Securities in which the same 'should be placed to be disposed of, in order that the Suitors of the said Court might at all Times be 'paid their respective Demands out of the common and general Cash belonging to such Suitors: And 'whereas, under the Authority and for the Purposes of the same Act, and by means of the Monies thereby 'provided, a piece of Ground situate in *Southampton Buildings*, *Chancery Lane*, in the County of *Middle-* 'sex, has been purchased, and a Building has been erected on Part thereof and kept in repair and insured, 'in which are or lately were placed the Offices of the Masters and the other Offices and Repositories in 'the same Act mentioned: And whereas by the first-mentioned Act of Her present Majesty (in the 15 & 16 Vict. 'Section numbered LI.) it was enacted as follows: "Such of the Masters Offices in *Southampton* c. 80. s. 51. '"*Buildings*, *Chancery Lane*, as shall not be assigned by the Lord Chancellor as Chambers for the '"Master of the Rolls and Vice Chancellors respectively, or shall not be required for the Masters, shall be '"appropriated to any other Purposes connected with the Court of Chancery as the Lord Chancellor may '"from Time to Time direct, or the same may be let as Chambers and the Rent thereof paid to the '"Suitors Fund; and when all the Masters have resigned, died, or have been released under this Act, the '"Offices may be sold by Order of the Lord Chancellor, and the Proceeds of such Sale paid to the Suitors '"Fund, in such Manner and to such particular Account as the Lord Chancellor shall by any Order '"direct; and it shall be lawful for the Lord Chancellor by any Order to direct that the Premises so to '"be sold and the Fee Simple and Inheritance thereof shall vest in the Purchaser or Purchasers of the '"same, his or their Heirs and Assigns, or as he or they shall direct, and such Order shall have the '"Effect of vesting the same accordingly, without any Conveyance or other Assurance from Her Majesty '"in whom the same are now vested by virtue of an Act passed in the Thirty-second Year of the Reign '"of King *George* the Third, Chapter Forty-two:" And whereas fuller Powers than those given by the 'last-recited Enactment are requisite for enabling the Lord Chancellor to let, sell, or dispose of the 'Masters Offices therein mentioned, and it is desirable that the like Powers should extend not only over 'the said Masters Offices, but also over the whole of the Ground acquired under the said Act of His 'late Majesty King *George* the Third, and of the Building already erected on Part thereof, and such 'other Buildings as may be hereafter erected thereon:' Be it therefore enacted as follows:

Repeal of s. 51. of 15 & 16 Vict. c. 80.

XVII. The last-recited Enactment is hereby repealed.

The Ground and Buildings vested in the Lord Chancellor in trust.

XVIII. The said Piece of Ground situate in *Southampton Buildings* aforesaid, and the Building now being thereon, with their and every of their Rights, Members, and Appurtenances, are hereby conveyed to and vested in the Right Honourable *Robert Monsey* Baron *Cranworth*, the now Lord High Chancellor of *Great Britain*, to hold the same Premises to him and his Successors in that Office for ever, in as full and ample a Manner as the same are now vested in Her Majesty the Queen by force of the said Act of His late Majesty King *George* the Third, in trust, nevertheless, for the Purposes of the same Act, or such of the same Purposes as are now capable of taking effect, and are not inconsistent with the Purposes of this Act, and, subject thereto, for the Uses of the Court of Chancery and the Purposes of this Act.

Power of leasing.

XIX. It shall be lawful for the Lord Chancellor from Time to Time to demise or let all or any Part of the said Piece of Ground, and with or without the same all or any Part of the Buildings for the Time being erected thereon, for such Consideration, to such Person or Persons, for such Period, subject to such Rent, Covenants, and Conditions, and in such Manner and Form as the Lord Chancellor shall from Time to Time think fit.

Power of Sale.

XX. It shall be lawful for the Lord Chancellor from Time to Time to sell and absolutely dispose of all or any Part of the said Piece of Ground, and with or without the same all or any Part of the Buildings for the Time being erected thereon, upon such Terms and in such Manner as he shall think fit.

Power to vest the Ground, &c. in a Purchaser.

XXI. For effectuating any such Sale as aforesaid, it shall be lawful for the Lord Chancellor by any Order to direct that the said Piece of Ground and the Buildings for the Time being erected thereon, or such Part thereof respectively as shall be comprised in the Sale, and the Fee Simple and Inheritance thereof, shall vest in the Purchaser or Purchasers thereof, his or their Heirs and Assigns, or as he or they shall direct; and any such Order shall have the Effect of vesting the same accordingly, without any Conveyance or other Assurance whatsoever.

Application of the Rents, Purchase Monies, &c.

XXII. The Rents, Purchase Monies, and other Monies which shall be payable upon or in respect of any such Demise, Letting, or Sale as aforesaid shall be respectively paid by such Person, and in such Manner as the Lord Chancellor shall from Time to Time direct, into the Bank of *England*, with the Privity of the Accountant General of the Court of Chancery, to such Account or Accounts already opened or to be opened as the Lord Chancellor shall from Time to Time direct; and thereupon such

Rents, Purchase Monies, and other Monies respectively shall become and be dealt with as Part of the respective Funds (if any) theretofore standing to such Account or Accounts as aforesaid, or be otherwise subject to the Order of the Lord Chancellor for the Benefit of the Suitors of the said Court, according to the said Provision contained in the said Act of His late Majesty King *George* the Third respecting the Money thereby directed or authorized to be placed out as aforesaid.

"The Lord Chancellor."

XXIII. In this Act the Expression "the Lord Chancellor" shall be construed to mean the Lord High Chancellor of *Great Britain* for the Time being, and to include or be applicable to the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

LOCAL ACTS.

Cap. i.

AN Act to amend "The *Pudsey* Gas Act, 1845," and to enable the Company thereby incorporated to raise a further Sum of Money. [26th *April* 1855.]

[*Capital*, £48,000, *with Power to borrow* £20,000, §§ 17 *and* 25.]

Cap. ii.

An Act for incorporating the *Woolwich, Plumstead, and Charlton* Consumers Gas Company. [26th *April* 1855.]

[*Capital*, £24,000, *with Power to borrow* £6,000, §§ 16 *and* 20. *Saving Rights of Metropolitan Commissioners of Sewers*, § 36.]

Cap. iii.

An Act to enable the *Cambridge* University and Town Waterworks Company to raise further Money. [26th *April* 1855.]

[*Additional Capital*, £7,500, *with Power to borrow One Third of Capital created by this Act*, §§ 2 *and* 10.]

Cap. iv.

An Act to enable the *Taunton* Gaslight and Coke Company to raise a further Sum of Money, and for other Purposes. [26th *April* 1855.]

[*Additional Capital*, £14,000, *with Power to borrow* £2,600, §§ 2 *and* 10.]

Cap. v.

An Act for erecting and maintaining a Bridge over the River *Wye* at a Place called *Hoarwithy Ferry*, in the Parishes of *Hentland* and *King's Caple* in the County of *Hereford*, and for making convenient Approaches thereto. [26th *April* 1855.]

[*Capital*, £4,000, § 4. *Power to borrow* £2,000, § 7. *Power to purchase "Hoarwithy Ferry,"* § 29. *Penalty for crossing the River within* 1,000 *Yards of the Bridge*, § 45. *When Debt paid off and Shares cancelled, Powers of Act, under certain Circumstances, to cease*, § 58.]

Cap. vi.

An Act to transfer to the Corporation of the Town of *Brighton* the Property, Powers, Privileges, and Liabilities of the *Brighton* Improvement Commissioners. [5th *May* 1855.]

[*Cesser of Commissioners acting under* 13 *Vict. c.* v. § 1. *Appointment of Town Corporation as Commissioners for carrying into execution Provisions of* 6 *Geo.* 4. *c.* clxxix. *and* 13 *Vict. c.* v. *Transfer of Property to Commissioners, but without Prejudice to Corporate Powers*, § 2.]

Cap. vii.

An Act for granting further Powers to the *Folkestone* Waterworks Company. [5th *May* 1855.]

[*Power to contract for Purchase of additional Lands*, § 3. *Additional Capital*, £6,000, § 4. *Power to borrow* £2,000, § 13.]

Cap. viii.

An Act for more effectually lighting with Gas the Town of *Stalybridge* and the Neighbourhood thereof in the Counties of *Chester* and *Lancaster* and in the West Riding of the County of *York*. [5th *May* 1855.]

[*Capital*, £20,000, § 14. *Power to raise* £30,000 *by new Shares*, § 21. *Power to borrow* £10,000, § 27. *Power to re-borrow*, § 28. *Power to purchase Lands*, § 32. *Saving of Rights*, § 39.]

Cap. ix.

An Act for supplying with Gas the Townships of *Ossett-cum-Gawthorpe* in the Parish of *Dewsbury*, and *Horbury* in the Parish of *Wakefield*, all in the West Riding of the County of *York*. [5th *May* 1855.]

[*Capital*, £12,000, *Power to borrow* £3,000, §§ 6 *and* 8.]

Cap. x.

An Act for enabling the *Monmouthshire* Railway and Canal Company to raise further Capital, and for other Purposes. [5th *May* 1855.]

[*Power to raise* £202,500 *by new Shares*, § 3. *Power to borrow* £67,500, § 12.]

Cap. xi.

An Act for constructing a Railway from *Bridport* to *Maiden Newton*, on the *Wilts, Somerset, and Weymouth* Railway, in the County of *Dorset*. [5th *May* 1855.]

[*Capital*, £65,000, *Power to borrow* £21,600, §§ 4 *and* 7. *Rights of Great Western Railway Company*, § 51.]

Cap. xii.

An Act to consolidate and amend the Provisions of the Act relating to the *Ratcliff* Gaslight and Coke Company. [5th *May* 1855.]

[*Capital*, £100,000, § 22. *Power to borrow* £20,000, § 25. *Saving Rights of Metropolitan Commissioners of Sewers*, § 40.]

Cap. xiii.

An Act to enable the *Leeds, Bradford, and Halifax Junction* Railway Company to raise additional Capital; and for other Purposes. [5th *May* 1855.]

[*Additional Capital*, £150,000, *Power to borrow* £160,000, §§ 2 *and* 10.]

Cap. xiv.

An Act for merging the *Sheffield* Gas Consumers Company in the *Sheffield* United Gaslight Company, and for other Purposes. [5th *May* 1855.]

[*Capital*, £264,984, § 29. *Power to borrow* £80,000, § 48. *Saving Rights of Corporation, Improvement Commissioners, Waterworks Company, and the Duke of Norfolk*, §§ 107 *to* 109.]

Cap. xv.

An Act to authorize the *Glossop* Gas Company to raise Money, and for other Purposes. [25th *May* 1855.]

[*Power to raise* £18,000 *by new Shares, Power to borrow* £7,000, §§ 2 *and* 10.]

Cap. xvi.

An Act to enable the *South-eastern* Railway Company to raise a further Sum of Money, and to create Preferential Stock, for the Purpose of paying off their Mortgage Debt. [25th *May* 1855.]

[*Power to raise additional Capital*, £500,000, *by new Shares or borrowing*, § 2. *Amount borrowed not to exceed One Third of Capital*, § 6.]

Cap. xvii.

An Act for making a Railway from the *Midland* Railway in the Parish of *Cam* in the County of *Gloucester* to the Town of *Dursley*. [25th *May* 1855.]

[*Capital*, £12,000, *Power to borrow* £4,000, §§ 5 *and* 10. *Power to Earl Fitzhardinge to require Removal of Persons appointed to superintend Railway in his Estate*, § 29.]

Cap. xviii.

An Act to enable the *Belfast and County Down* Railway Company to extend their Railway in the County of *Down*. [25th *May* 1855.]

[*Capital*, £500,000, *Power to borrow* £166,666, §§ 15 *and* 20. *Saving Rights of Commissioners of Donaghadee Harbour*, § 28. *Plans to be deposited with Admiralty*, § 29. *Works not to be constructed across River Quoile, or altered, without Consent of Admiralty*, § 30. *Admiralty may order local Survey at Expense of Company*, § 31. *Board of Trade may require a double Line of Rails to be laid down*, § 35.]

Cap. xix.

An Act to grant further Powers to "The *Colchester, Stour Valley, Sudbury, and Halstead* Railway Company." [25th *May* 1855.]

Cap. xx.

An Act to enable the *Heywood* Waterworks Company to extend their Undertaking, and to increase their Capital. [25th *May* 1855.]

[*Additional Capital*, £22,000, § 20. *Power to borrow*, § 26. *Power to Justices to repair Reservoirs and to direct the Water to be lowered in certain Cases*, § 53. *Power to Company to appeal*, § 54. *Working of Mines of James Dearden, Esq.*, § 58. *Protection of Lancashire and Yorkshire Railway Company*, § 59. *Saving Rights of the Lancashire and Yorkshire Railway Company*, § 60.

Cap. xxi.

An Act for enabling the *Grand Junction* Waterworks Company to raise further Capital, and for other Purposes. [25th *May* 1855.]

[*Capital*, £700,000, § 5. *Power to raise* £200,000 *by new Shares*, § 6. *Power to borrow* £150,000, § 16. *Saving Rights of Bishop of London*, § 23.

Cap. xxii.

An Act to re-incorporate *Price's* Patent Candle Company, and to extend its Powers. [25th *May* 1855.]

[*Capital*, £1,000,000, § 21. *Power to borrow* £100,000, § 26. *Saving the Rights of Charles Humfrey under Indenture of 17th April* 1844, § 44.]

Cap. xxiii.

An Act to enable the *South Wales Mineral* Railway Company to grant a Lease of their Undertaking. [25th *May* 1855.]

[*Railway Company empowered to lease their Undertaking to the Glyncorrwg Coal Company*, § 1. *Leases not to affect Third Parties*, § 4.]

Cap. xxiv.

An Act for enabling the *Southwark and Vauxhall* Water Company to raise additional Capital, and for other Purposes. [25th *May* 1855.]

[*Capital*, £900,000, § 10. *Power to raise* £288,500 *by new Shares*, § 11; *Part of which, viz.*, £150,000, *may be borrowed*, § 21.]

Cap. xxv.

An Act to empower the *Vale of Neath* Railway Company to raise further Money for the Purposes of their Undertaking. [25th *May* 1855.]

[*Additional Capital*, £120,000, *by new Shares*, § 2. *Power to borrow* £40,000, § 11.]

Cap. xxvi.

An Act to incorporate the *Woolwich Equitable* Gas Company, and to enable them to raise further Money; and for other Purposes. [25th *May* 1855.]

[*Capital*, £48,000, § 18. *Power to raise additional Capital*, £30,190, § 22. *Power to borrow* £12,000, § 26.

Cap. xxvii.

An Act to enable the *Torquay* Market Company to raise a further Sum of Money, to sell or lease their Undertaking, and for other Purposes. [25th *May* 1855.]

[*Additional Capital*, £3,000, § 24. *Company to pay off* £1,000 *out of First Monies raised*, § 30. *Power to enlarge Market Place*, § 33. *Restriction as to Sale*, § 35; *of Fish*, § 38. *Slaughter-houses*, §§ 39, 40, 44, *and* 46. *Saving Rights of Lords of Manors*, § 52; *and of Board of Health*, § 53.]

Cap. xxviii.

An Act to extend the *Great North of Scotland* Railway from *Huntly* to *Keith*. [25th *May* 1855.]

[*If Railway not completed and opened for public Traffic within Five Years, Dividends to be suspended*, § 12.]

Cap. xxix.

An Act to enable the *Chesterfield* Waterworks and Gaslight Company to extend their Undertaking; and for other Purposes. [25th *May* 1855.]

[*Style of new Company*, "*The Chesterfield Waterworks and Gaslight Company*," § 2. *Capital*, § 13. *Power to create new Stock of* £8,000, *to bear a perpetual Dividend of Five per Cent.*, § 14. *Power to raise new Capital*, £20,000, § 15. *Power to borrow* £10,500, § 18. *Compensation to the Duke of Devonshire*, § 22. *Completion of Works*, § 23.]

Cap. xxx.

An Act for making a Railway from the Town of *Jedburgh* to the *Kelso* Branch of the *North British* Railway at or near the *Roxburgh* Station, and for other Purposes. [25th *May* 1855.]

[*Capital*, £35,000, § 5. *Power to borrow* £11,500, § 7. *Junction with Kelso Branch*, § 23. *North British Railway not to be interfered with except by Consent*, § 24. *Certain Roads to be crossed on a Level*, § 25. *Conveyance of Feu Right of Part of Roxburgh Glebe*, § 29. *Arrangement with North British Railway*, §§ 43 *to* 47.]

Cap. xxxi.

An Act for constructing a Market House, Market Place, and other Buildings for public Accommodation at *Bangor* in the County of *Carnarvon*, and for the better Regulation and Maintenance of the Markets there, and for other Purposes. [25th *May* 1855.]

[*Capital*, £7,000, § 7. *Power to borrow* £2,000, § 9. *Works*, § 16. *Compensation to Bishop of Bangor, Owner of Tolls*, § 19.]

Cap. xxxii.

An Act for more effectually supplying with Gas the Parish of *Rotherham* and certain Places adjacent thereto in the West Riding of the County of *York*. [25th *May* 1855.]

[*Capital*, § 14. *Additional Capital*, £20,000, § 20. *Saving of Rights*, § 42. *Company may sell their Undertaking to Local Board*, § 43. *South Yorkshire Railway and River Dun Company not prevented from executing Works*, § 66; *but not to interfere with Gas Company*, § 67.]

Cap. xxxiii.

An Act for better enabling the Medical, Invalid, and General Life Assurance Society to sue and be sued, and for other Purposes with relation to the Society. [25th *May* 1855.]

Cap. xxxiv.

An Act to enable the Company of Proprietors of the *Birmingham* Waterworks to construct new Waterworks; and for other Purposes. [25th *May* 1855.]

[*Capital*, £420,000, § 18. *Power to borrow* £105,000, § 34. *Power to divert Water; Reservoir not to be within Fifty Yards of River Blythe; Deposit of Earth, &c. restricted; Saving of Mr. Dugdale's Rights, except as to Two Cottages*, §§ 51 *to* 54. *Aqueduct at Salford Bridge*, § 55. *No Interference with Birmingham Canal Navigations*, §§ 56 *to* 59. *Breaking up certain Turnpike Roads*, § 60. *No Interference with Culverts under Tame Valley Canal*, § 62. *Perry Barr Mill, &c. to be removed*, § 63. *No Buildings to be erected on Perry Hall Estate*, § 64. *Saving of Rights of Sir Thomas Gooch, Bart.*, § 68. *Limits of Act for Water Supply*, § 80.]

Cap. xxxv.

An Act for extending the Powers of the *Plymouth and Stonehouse* Gaslight and Coke Company; and for other Purposes. [25th *May* 1855.]

[*Capital*, £75,000, § 20. *Power to borrow* £20,000, § 37.]

Cap. xxxvi.

An Act for paving, draining, cleansing, lighting, and otherwise improving the District of *Saint Mark, Surbiton*, in the Parish of *Kingston-upon-Thames* in the County of *Surrey*; and for other Purposes. [25th *May* 1855.]

[8 & 9 *Vict. c.* 18., 10 & 11 *Vict. c.* 16., *and Parts of* 10 & 11 *Vict. cc.* 34. *and* 89. *incorporated with this Act*, § 1. *Provisions for protecting London and South-western Railway*, §§ 28 *to* 32. *Extension of Sect.* 31. *of* 10 & 11 *Vict. c.* 34., § 34. *Extending Sect.* 53. *of* 10 & 11 *Vict. c.* 34., § 35. *Provisions as to Turnpike Roads within District*, §§ 39 *to* 44. *Transferring to Commissioners Powers of Inspectors of Lighting under* 3 & 4 *Will.* 4. *c.* 90. § 64.]

Cap. xxxvii.

An Act to incorporate the *Stourbridge* Gas Company, and to enable them to light with Gas the Town of *Stourbridge* in *Worcestershire* and other Places. [25th *May* 1855.]

[8 & 9 *Vict. cc.* 16. *and* 18., *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 1. *Capital*, £12,000, § 8. *Power to borrow*, § 16. *Saving Rights of Commissioners under* 6 *Geo.* 4. *c.* xix., § 29.]

Cap. xxxviii.

An Act to enable the *East Indian* Railway Company to issue and register Shares and Securities in *India*; and for other Purposes in relation to such Company. [25th *May* 1855.]

[*Recital of* 12 & 13 *Vict. c.* xciii., § 1.]

Cap. xxxix.

An Act for authorizing the Sale of the *Uxbridge* Burgage Lands, and directing the Application of the Proceeds thereof, and for other Purposes. [25th *May* 1855.]

[*Recital of* 51 *Geo.* 3. *c.* 66. *Trustees to sell Trust Lands*, § 3. *Time and Mode of Sale*, § 4. *Application of Money by Trustees*, § 7; *by Local Board*, § 10.]

Cap. xl.

An Act to enable the *Madras* Railway Company to issue and register Shares and Securities in *India*, and for other Purposes in relation to such Company. [15th *June* 1855.]

[*Board of Directors may establish Offices in India for Issue and Registration of Shares*, § 1; *and appoint Persons to issue Shares*, § 2.]

Cap. xli.

An Act to enable the Corporation of *Newport* in *Monmouthshire* to purchase the Interest of the Freemen in *Newport Marshes*, and for other Purposes. [15th *June* 1855.]

[*Newport Marshes vested absolutely in Corporation*, § 2. *Saving Rights of certain Freemen of the Borough*, § 5. *Annuity charged on Borough Fund*, § 6. *Corporation may borrow on Security of Borough Fund*, § 12.]

Cap. xlii.

An Act to amend "The *Lancaster* Waterworks and Gas Act, 1852," and to raise an additional Sum of Money for the Purposes of the said Act; and for other Purposes. [15th *June* 1855.]

[*Local Board of Health to raise* £20,000, § 1. *Power to borrow to pay off Mortgages*, § 7. *Part of Sect.* 18. *of* 15 & 16 *Vict. c.* lxvii. *repealed as to Waterclosets*, § 8. *Sect.* 19. *of* 15 & 16 *Vict. c.* lxvii. *repealed*, § 12. *Power to Corporation, with Sanction of Treasurer, to lend Money to Local Board of Health*, § 14. *Saving Rights of R. Garnett*, § 15; *and of Crown and Duchy of Lancaster*, § 16.]

Cap. xliii.

An Act to amend the Provisions and extend the Limits of the Act relating to the *Over Darwen* Gaslight Company. [15th *June* 1855.]

[2 & 3 *Vict. c.* lxxx. *repealed*, § 1. 8 & 9 *Vict. cc.* 16. *and* 18., *and* 10 & 11 *Vict. c.* 15. *incorporated with this Act*, § 4. *Capital*, £60,000, § 15. *Power to borrow* £10,000, § 24.]

Cap. xliv.

An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to make a new Street from *Manchester* across the River *Irwell* into *Salford;* and authorizing Arrangements with the Corporation of *Salford* in reference thereto; and for other Purposes. [15th *June* 1855.]

[*Council to execute Act*, § 3. *May make Contracts, &c.* §§ 5 *and* 6; *and issue Notices*, § 7. *Power to make new Street according to deposited Plans*, § 9. *Errors corrected by Justices*, § 10. 8 & 9 *Vict. c.* 18. *incorporated*, § 13. *Corporation not to take "New Botany Warehouse,"* § 14. *Regulating Construction of Bridge over the Irwell*, §§ 15 *and* 16. *Regulations respecting River Irwell*, §§ 17, *and* 19 *to* 21. *Saving of Rights of Mersey and Irwell Navigation*, § 22. *Respecting new Street*, §§ 24 *to* 26.]

Cap. xlv.

An Act to extend the Limits of the Borough of *Kingston-upon-Thames*, and to provide for the better paving, lighting, draining, and otherwise improving the said Borough; and for other Purposes. [15th *June* 1855.]

[*Inhabitants of Borough, as extended, incorporated*, § 5. *Constitution of Council of Borough*, § 9. *Qualification of Burgesses and Division of Borough*, §§ 10 *to* 12. *Proceedings as to Burgess Lists*, §§ 13 *to* 17. *Burgess Roll*, § 18. *As to Election of Officers*, §§ 19 *to* 25. 13 *Geo.* 3. *c.* lxi. *repealed*, § 27. *Property secured to Corporation*, § 28. *Continuing Liability of old Corporation and Trustees*, § 35. *Provisions of* 10 & 11 *Vict. c.* 16. *as to Contracts incorporated*, § 39. 8 & 9 *Vict. c.* 18. *incorporated*, § 41. *Construction of Terms in* 10 & 11 *Vict. c.* 34., § 66. *Corporation may borrow* £5,000 *on Credit of Highway, Lighting, and General Improvement Rate*, § 76. 10 & 11 *Vict. c.* 89. *incorporated*, § 80. *Saving of Rights of Mayor, &c. as Lords of Manor*, § 89.]

Cap. xlvi.

An Act for extending the Powers of The *Plymouth Great Western* Dock Company, and for other Purposes. [15th *June* 1855.]

[*Power to raise* £96,000, § 2. *Saving of Rights of Duchy of Cornwall*, § 8.]

Cap. xlvii.

An Act to authorize the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* to construct additional Waterworks; and for other Purposes. [15th *June* 1855.]

[*Parts of* 6 *Geo.* 4. *c.* cxci. *and* 16 & 17 *Vict. c.* xlii. *repealed*, § 3. *Part of* 10 & 11 *Vict. c.* 15. *incorporated*, § 6. 10 & 11 *Vict. c.* 17. *incorporated*, § 9. 8 & 9 *Vict. c.* 18. *incorporated*, § 17. *Part of* 8 & 9 *Vict. c.* 20. *applied to this Act*, § 19. *For the Protection of Property of John Skelton*, § 38. *Intended Road not to interfere with Supply of Water to Ogden Mill*, § 43. *Limitation of Higher Ogden Conduit*, § 45. *Sect.* 58. *of* 16 & 17 *Vict. c.* xlii. *repealed; but Corporation may grant gratuitous Supplies of Gas and Water for public Purposes*, § 60. *Power to borrow* £140,000, § 61. *Provisions of* 10 & 11 *Vict. c.* 16. *as to borrowing incorporated*, § 62. *Power to borrow on Mortgage of Borough Fund*, § 66.]

Cap. xlviii.

An Act to confer further Powers on the *Birmingham* Gaslight and Coke Company. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 2. 59 *Geo.* 3. *c.* lxviii. *repealed*, § 5. *Capital*, £300,000, § 19. *Power to raise Money by new Shares*, § 24. *Power to borrow* £90,000, § 42. *Saving General Rights of Corporation of Birmingham and Staffordshire Gas Company, and of Birmingham Canal Company*, §§ 62 *to* 64.]

Cap. xlix.

An Act for repealing an Act called "The *Hartlepool* Gas and Waterworks Act, 1849," and granting other Powers in lieu thereof; and for enabling the *Hartlepool* Gas and Water Company to raise further Money, and for other Purposes; the Short Title of which is "The *Hartlepool* Gas and Waterworks Act, 1855." [15th *June* 1855.]

[12 & 13 *Vict. c.* xxv. *repealed*, § 1. 8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. cc.* 15. *and* 16. *incorporated*, § 2. *General Saving of Rights*, § 16. *Capital*, £100,000, § 18. *Power to raise* £66,000 *by new Shares*, § 20. *Power to borrow* £25,000, § 28.]

Cap. l.

An Act to consolidate and amend the Acts relating to the *Llynvi Valley* Railway Company; to enable them to construct a new Railway from *Llangonoyd* to *Bridgend*, and to extend their present Line

from *Foce* Toll House to *Saint Bride's Minor*, to abandon Parts of their existing and authorized Lines, to dissolve the *Bridgend* Railway Company, and to abandon their Railway; and for other Purposes. [15th *June* 1855.]

[6 *Geo.* 4. *c.* civ., 10 *Geo.* 4. *c.* xxxviii., 3 & 4 *Vict. c.* lxx., 9 & 10 *Vict. c.* cccliii., 10 & 11 *Vict. c.* lxxix., 10 & 11 *Vict. c.* ccxcv., 14 & 15 *Vict. c.* cxxv., 16 & 17 *Vict. c.* cxlvi., 9 *Geo.* 4. *c.* xcii., *and* 8 & 9 *Vict. c.* cxc. *repealed*, § 2. *General Saving of Rights*, § 3. *Sect.* 106. *of* 6 *Geo.* 4. *c.* civ. *to remain in force*, § 5. 8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 20. *Capital*, £200,000, § 22. *Power to raise additional Capital by new Shares*, § 28. *Power to borrow* £66,600, § 34. *Part of old Railway preserved for Use of W. Coffin and others*, § 54. *Company to purchase Undertaking of Bridgend Railway Company*, § 66. *Arrangements with that Company*, §§ 67 *to* 71. *Locomotives not to be used in Newton Nottage without Consent*, § 80. 10 & 11 *Vict. c.* 27. *incorporated*, § 92. *Works connected with the Harbour not to be constructed without Authority of Commissioners of Woods, &c., and of the Admiralty*, § 96. *Provisions as to Rates and Dues for using the Harbour, and upon Goods, &c.*, §§ 99 *to* 104. *Arrangements to be made with South Wales Railway Company for working the Lines*, §§ 108 *to* 110. *Saving of Rights of Companies*, § 111 *and* 120. *Saving Rights of the Crown*, § 117.]

Cap. li.

An Act for further and more effectually repairing and maintaining the Bridge over the River *Tweed* at or near the Town of *Kelso* in the County of *Roxburgh*. [15th *June* 1855.]

[39 *Geo.* 3. *c.* liii. *in part repealed*, § 2. *Police Commissioners of Kelso added as Trustees*, 13 & 14 *Vict. c.* 33., § 3. *Tolls to be let, and accumulate for Three Years, and then to cease, unless Surplus reduced*, §§ 4 *to* 6.]

Cap. lii.

An Act to amend "The *St. George*'s Harbour Act, 1853." [15th *June* 1855.]

[*St. George's Harbour Act*, 1853, *not repealed, except as hereby altered*, § 9.]

Cap. liii.

An Act to enable the *Ulster* Railway Company to make a Railway from *Armagh* to *Monaghan*, and to enlarge their Station at *Belfast*; and for other Purposes. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *and* 14 & 15 *Vict. c.* 51. *incorporated*, § 1. *Rights of Ulster Canal Company saved*, §§ 15 *to* 21. *As to Tolls*, §§ 22 *and* 23. *Power to raise Capital of* £150,000, § 25; *by new ordinary Shares*, § 26. *Power to borrow* £50,000, § 32.]

Cap. liv.

An Act for enabling the Mayor, Aldermen, and Burgesses of *Londonderry* to raise a further Sum of Money; and for other Purposes. [15th *June* 1855.]

[*Power to raise Money on Security of Rates*, § 2. *Provisions of* 10 & 11 *Vict. c.* 16. *as to Mortgages incorporated*, § 3. *Power to re-borrow Sums that have been paid off*, § 6.; *and to borrow for Payment of Mortgages*, § 7.]

Cap. lv.

An Act to incorporate "The *Kilmarnock* Gaslight Company," established to supply with Gas the Town of *Kilmarnock*, and the Parishes of *Kilmarnock* and *Riccarton*, and Places therein, all in the County of *Ayr*. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 17. *and* 19., *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 3. *Objects and Purposes of Company*, § 7. *Capital*, £30,000, § 16. *Power to borrow* £5,000, § 28.]

Cap. lvi.

An Act for consolidating into One Act and amending the Provisions of the several Acts relating to the *Dundee and Perth and Aberdeen* Railway Junction Company; and for enabling the Company to raise Money for the Payment of Debts; and for other Purposes. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 17., 19., *and* 33. *incorporated*, § 3. 8 & 9 *Vict. c.* clvii., 9 & 10 *Vict. c.* ccxxviii., 10 & 11 *Vict. c.* lxxxix., 10 & 11 *Vict. c.* cvi., 11 & 12 *Vict. c.* lii., 11 & 12 *Vict. c.* cliv., *and* 13 & 14 *Vict. c.* xxxix. *repealed*, § 4. *General Saving of Rights*, § 16. *Capital* £650,000, § 24. *Power to issue* £120,000 *Shares*, § 35. *Tolls*, § 51. *Regulations*, § 57. *Conveyance of Goods and Cattle*, § 58; *of Passengers*, § 59.]

Cap. lvii.

An Act for making a Railway from the *Great North of Scotland* Railway to *Turriff* in the County of *Aberdeen*. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 16., 17., *and* 33. *incorporated*, § 1. *Capital*, £120,000, § 4. *Power to borrow* £40,000, § 7. *Avoiding R. Leslie's Lands*, § 24., *and Mr. Duff's Park*, § 25. *As to Communications with Great North of Scotland Railway*, §§ 36 *to* 40. *Tolls*, § 41. *Conveyance of Passengers*, § 45; *of Goods*, § 46.]

Cap. lviii.

An Act to authorize certain Arrangements with respect to the Capital of the *Swansea* Dock Company. [15th *June* 1855.]

[*Power to issue new Shares*, § 6. *Board of Trade may appoint an Auditor*, § 11.]

Cap. lix.

An Act for extending the Time for the Completion of the *Cornwall* Railway and Works; and for making further Provisions as to the Share Capital of the *Cornwall* Railway Company; and for other Purposes. [15th *June* 1855.]

[*Time extended for Completion of Works*, § 3. *Power for Surrender of Shares*, § 6. *New Shares may be issued in their Place*, § 10. 8 & 9 *Vict. c.* 16. *and* 9 & 10 *Vict. c.* cccxxxv. *to apply to new Shares*, § 12. *Amending Power to lease Railway*, § 15.]

Cap. lx.

An Act to enable the *Swansea Vale* Railway Company to extend their Railway, and to maintain and work the same as a Passenger Railway, and for other Purposes connected therewith. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 1. *Company incorporated*, § 4. *Saving of previous Rights*, § 5. *Capital*, £147,000, § 13. *Power to borrow* £49,000, § 24. *Tolls*, §§ 42 *to* 50. *Agreement with South Wales Company confirmed*, § 51. *New Cut*, § 52. *Works not to be without Leave of Admiralty*, § 55. *Ballast and Spoil*, § 60. *Rights of Harbour Trustees saved*, § 61. *Saving of Rights of Duke of Beaufort*, § 64. *Communication with Swansea Canal*, § 65.]

Cap. lxi.

An Act to repeal the Act relating to the *Leominster and Ledbury* Turnpike Trust, and to make other Provisions in lieu thereof. [15th *June* 1855.]

[6 *Geo.* 4. *c.* xxvi. *repealed*, § 1. *Monies and Property to vest in new Trustees*, § 4. *Debts of Trust*, § 17. *No more Money to be borrowed on Tolls*, § 20. *Mode of discharging Debt*, § 21.]

Cap. lxii.

An Act to enable the *Salisbury and Yeovil* Railway Company to make a Deviation in the Line of their Railway; and for other Purposes. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 1. *Deviation*, §§ 3, 4, 5, *and* 7.]

Cap. lxiii.

An Act to enlarge some of the Powers of the Acts relating to the *Bristol and Exeter* Railway Company; and to enable such Company to raise further Sums of Money, to acquire additional Lands, to lease the *Somerset Central* Railway, to hold additional Shares in the *Exeter and Crediton* Railway; and for other Purposes. [15th *June* 1855.]

[*Preference Capital*, £2,000,000, § 4; *subject to same Provisions as original Capital*, § 12. *Power to borrow* £2,000,000 § 20. *Somerset Central Railway may lease Undertaking to Bristol and Exeter Railway*, § 25. *Power to hold additional Shares in Exeter and Crediton Railway*, § 30. 8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 33.]

Cap. lxiv.

An Act to incorporate the *Hyde* Gas Company, and to grant more effectual Powers for supplying with Gas the several Townships of *Hyde, Werneth, Bredbury, Romiley, Newton*, and *Godley* in the County of *Chester*. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 1. *Capital*, £25,000, *may be increased by* £11,000, §§ 16 *and* 18. *Purchase of Mr. Booth's Works*, § 21. *Payment of his Debts*, § 23. *Power to borrow* £9,000, § 28. *Mr. Mottram's Rights saved under* 1 *Will.* 4. *c.* liii., § 44. *Protection of Manchester, Sheffield, and Lincolnshire Railway*, § 45.]

Cap. lxv.

An Act for making a Railway from and out of the *Great North of Scotland* Railway in the Parish of *Inverury* to the Town of *Old Meldrum*, all in the County of *Aberdeen;* and for other Purposes. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 17., 19., *and* 33. *incorporated*, § 1. *Capital*, £22,000, § 4. *Power to borrow* £7,000, § 9. *Power for Great North of Scotland Railway to subscribe*, § 11; *and appoint a Representative at Meetings of Company*, § 12. *Tolls*, §§ 32 *to* 36. *Passengers, &c.* §§ 36 *to* 40. *Junction with Great North of Scotland Railway*, § 41. *Inverury and Forgue Road*, § 45. *Rights of Great North of Scotland Railway Company saved, &c.*, §§ 46 *to* 49.]

Cap. lxvi.

An Act for amending the several Acts relating to the *Liverpool* Corporation Waterworks, and for authorizing Deviations and the Construction of Works; and for other Purposes. [15th *June* 1855.]

[*Power to make Works*, § 2. *Protection of Lancashire and Yorkshire Railway Company*, § 10.]

Cap. lxvii.

An Act for amending "The *Commercial Roads* Act, 1828," and "The *Commercial Roads* Continuation Act, 1849," and for other Purposes. [15th *June* 1855.]

Cap. lxviii.

An Act for repairing the Road from the Town of *Kingston-upon-Hull* to the Western Boundary of the Parish of *Hessle* in the East Riding of the County of *York*. [15th *June* 1855.]

[6 *Geo.* 4. *c.* clii. *repealed*, § 1. *Tolls*, §§ 10 *to* 16. *As to Part of Road in Borough of Hull*, § 23.]

Cap. lxix.

An Act for making a Railway from the *Oxford* Branch of the *Great Western* Railway to *Abingdon*. [15th *June* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*' § 1. *Capital*, £15,000, § 4. *Power to borrow* £5,000, § 8. *Broad Gauge*, § 19. *Communications with Great Western Lines*, § 20. *Not to take their Lands without Consent*, § 21. *Saving their Rights*, § 22. *Power to lay down Narrow Gauge*, § 23. *Tolls*, §§ 29 *to* 34. *Luggage*, § 35.]

Cap. lxx.

An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Ashton-under-Lyne* in the County of *Lancaster* to purchase and maintain Waterworks; and for other Purposes. [15th *June* 1855.]

[*Power to Corporation to sell and Company to purchase*, § 2. *Waterworks maintained by Rates*, § 25. *Houses rented at* £10 *and under liable to Water Rates*, § 26. 10 & 11 *Vict. c.* 16. *incorporated* (*as to Mortgages*), § 27. *Power to borrow* £50,000, § 28. *Sinking Fund*, § 29. *Section* 88 *of* 5 & 6 *Will.* 4. *c.* lxi. *repealed*, § 36.]

Cap. lxxi.

An Act to repeal the Act relating to the *Nottingham and Loughborough* Turnpike Road, and to make other Provisions in lieu thereof. [15th *June* 1855.]

[5 *Geo.* 4. *c.* xlvi. *repealed*, § 1. *Power to take new Tolls, &c.*, §§ 10 *to* 17.]

Cap. lxxii.

An Act for establishing and maintaining an efficient System of Police for the Royal Burgh of *Renfrew*, for improving the said Burgh, and for other Purposes in relation thereto. [15th *June* 1855.]

[*Parts of* 8 & 9 *Vict. c.* 18. *and Parts of* 13 & 14 *Vict. c.* 33. *incorporated*, §§ 5 *and* 6. *Magistrates and Council to be Commissioners, and Magistrates to be Magistrates of Police*, § 7; *and may appoint Police Officers*, § 11; *and make Rules*, § 12; *and borrow* £3,000 *on Cash Account*, §§ 13 *and* 14. *Town Council may advance Money*, § 16. *Auditors*, §§ 20 *and* 21. *Accounts*, § 21. *Regulations for Dwelling Houses, &c.*, §§ 24 *to* 26. *Slaughter-houses*, § 27. *Water*, §§ 29 *and* 30. 10 & 11 *Vict. c.* 15. *incorporated*, § 31. *Lighting*, §§ 32 *to* 39.]

Cap. lxxiii.

An Act to enable the *Waterford and Limerick* Railway Company to raise further Money; and for other Purposes. [26th *June* 1855.]

[*Power to raise* £90,000 *by new Shares*, § 2. *Power to borrow* £30,000, § 11. 8 & 9 *Vict. c.* 16. *incorporated*, § 14. *Board of Trade may require Bridges instead of Crossings*, § 23. *Saving of Rights of Waterford and Kilkenny Canal*, § 24.]

Cap. lxxiv.

An Act for the Improvement of the Town of *Saint Helen's*, and for other Purposes. [26th *June* 1855.]

[14 & 15 *Vict. c.* cxxxii. *repealed*, § 7. 10 & 11 *Vict. c.* 16. *incorporated*, § 18. *Saint Helen's Improvement Commissioners incorporated*, § 19. *Division of Town into Wards, and Rules for Election thereto*, §§ 21 *to* 33. 8 & 9 *Vict. c.* 18. *incorporated*, § 34. *Commissioners may purchase Waterworks and Town Hall*, § 35. *Powers of Commissioners*, §§ 36 *to* 40. *Parts of* 10 & 11 *Vict. c.* 34. *incorporated*, § 41. *Drains*, § 48. *Paving*, § 51. *New Streets*, § 52. *Courts*, § 59. *Footways*, § 60. *Gutters*, § 62. *Vaults*, § 63. *Cesspools and Privies*, §§ 65 *and* 66. *Urinals*, § 84. *Lodging Houses*, § 85. *Officer of Health*, § 86. *Nuisances*, §§ 87 *to* 92. *Manure to be sold*, § 95. *Knackers Yards*, § 98. *Bad Meat*, §§ 99 *and* 100. 10 & 11 *Vict. c.* 34. (*Consumption of Smoke*) *modified*, § 101. *Lighting Streets, &c.*, §§ 102 *to* 108. *Town Police*. 10 & 11 *Vict. c.* 89. *incorporated*, § 109. *Inspectors of Weights and Measures*, § 118. *Town Crier*, § 119. 10 & 11 *Vict. c.* 14. *incorporated*, § 120. *Markets*, §§ 121 *to* 131. *Waterworks*, §§ 132 *to* 149. *Public Library*, § 150. *Rates*, §§ 155 *to* 169. *Power to borrow* £30,000 *on Water Rates*, § 177; *and* £10,000 *on other Rates*, § 178. *Saving Rights of Saint Helen's Canal and Railway and Waterworks and Gaslight Companies*, § 193. *Compensation to British Plate Glass Company*, § 194.]

Cap. lxxv.

An Act to alter and extend the Line of the *Cromford and High Peak* Railway, and to amend and consolidate the Provisions of the Acts relating thereto. [26th *June* 1855.]

[6 *Geo.* 4. *c.* xxx. *and* 6 & 7 *Vict. c.* xviii. *repealed*, § 2. 8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 3. *Power to raise* £20,000 *for Railway Works*, § 23. *Preference Shares*, § 32, *to be subject to* 8 & 9 *Vict. c.* 16, § 34. *Debenture Stock of Two Classes—its Creation and Allotment*, §§ 36 *to* 41. *Power to raise*

£6,000, § 42. *Crossing Manchester and Buxton Road*, § 59. *Company to keep Bridge in repair*, § 60. *Drains at Crossings*, § 62. *Tolls*, §§ 66 *to* 69. *Luggage and Passengers*, §§ 70 *to* 73. *Railway subject to Inspection by Board of Trade, pursuant to* 5 & 6 *Vict. c.* 55., § 77. *Saving Rights of Crown and Duchy of Lancaster*, § 81.]

Cap. lxxvi.

An Act for making a Railway from the *Waterford and Limerick* Railway at *Killonan* to *Castleconnell*, to be called "The *Limerick and Castleconnell* Railway;" and for other Purposes. [26th *June* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20. *and* 14 & 15 *Vict. c.* 70. *incorporated*, § 1. *Capital*, £25,000, § 4. *Power to borrow* £8,000, § 7. *Waterford and Limerick Railway may subscribe*, § 22. *Junction with Waterford and Limerick Railway*, § 28. *Saving Rights, &c. of Waterford and Limerick Railway*, §§ 31 *and* 32. *Board of Trade may require Bridges at Crossings*, § 35, *and a double Line of Rails*, § 37. *Tolls*, §§ 43 *to* 51. *Luggage*, § 52. *Waterford and Limerick and Limerick and Castleconnell Railways may make Traffic Arrangements*, §§ 53 *to* 59.]

Cap. lxxvii.

An Act to extend the Limits of the *Newcastle-under-Lyme* Gaslight Company's Act for the Supply of Gas, and to authorize the raising of a further Sum of Money, and for other Purposes. [26th *June* 1855.]

[59 *Geo.* 3. *c.* cvii. *repealed*, § 1. 8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 3. *Capital*, £15,800, § 17. *Power to increase Capital to* £20,000, § 22. *Power to borrow* £4,000, § 29. *Powers of Company as to Gasworks*, §§ 42 *to* 49. *General Saving of Rights*, § 50.]

Cap lxxviii.

An Act to increase the borrowing Powers of the *Limerick and Foynes* Railway Company. [26th *June* 1855.]

[*Power to borrow* £43,000, § 3.]

Cap. lxxix.

An Act to consolidate and amend the Acts relating to the *Maryport and Carlisle* Railway; to authorize the Company to improve their existing Railway; to make new Branches, Stations, and other Additions to their Works; to raise further Monies; and for other Purposes. [26th *June* 1855.]

[1 *Vict. c.* ci., 6 & 7 *Vict. c.* lxx., 7 *Vict. c.* xxxvi., *and* 14 & 15 *Vict. c.* lxxii. *repealed*, § 3. *General Saving of Rights*, § 6. 8 & 9 *Vict. cc.* 16., 18. *and* 20. *incorporated*, § 20. *Capital, old and new*, £420,000, § 22. *Additional Capital to be raised by new Shares*, § 28. *Power to borrow* £135,000, § 36. *Company not to construct Works below High-water Mark*, § 49. *Justices may appoint Special Constables*, § 55. *Tolls*, §§ 56 *to* 62. *Luggage*, § 63.]

Cap. lxxx.

An Act for better lighting with Gas the Town and Borough of *Newport*, and the Neighbourhood thereof, in the County of *Monmouth*. [26th *June* 1855.]

[6 *Vict. c.* xxxi. *repealed*, § 1. 8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 3. *Capital*, £12,600, § 18. *Power to raise* £40,000 *additional Capital by new Shares*, § 21. *Power to borrow* £10,000, § 37.]

Cap. lxxxi.

An Act for more effectually supplying with Gas the Town of *Weston-super-Mare* in the County of *Somerset*. [26th *June* 1855.]

[8 & 9 *Vict. c.* 16. *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 2. *Capital*, £8,000, § 11. *Power to borrow* £2,000, § 14. *Saving of Rights*, § 30.]

Cap. lxxxii.

An Act to renew the Term and continue the Powers of an Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road from* Alford *to* Boston, *and from thence to* Cowbridge *in the Township of* Frithville, *in the County of* Lincoln. [26th *June* 1855.]

[8 *Geo.* 4. *c.* xvii. *repealed*, § 1. *Tolls*, §§ 9 *to* 26. *Power to continue the stopping of certain Roads* (5 *Geo.* 3. *c.* 96.), § 12. *Reservation of Rights*, § 13. *Inhabitants of Well*, § 14. *Burton's Corner*, § 22.]

Cap. lxxxiii.

An Act to repeal so much of the Act relating to the *Wigan* and *Preston* Roads as relates to the District of the said Roads North of *Yarrow*, and to make other Provisions in lieu thereof. [26th *June* 1855.]

[3 *Geo.* 4. *c.* iii. *repealed in part*, § 3. *Some Roads South of Yarrow vested*, § 5. *Tolls*, §§ 11 *to* 21. *Trustees not to take Tolls North of River Darwen; Act not to repeal Provisions of Chorley Improvement Act*, 1853, (16 & 17 *Vict. c.* clxxxi.), § 20. *Gate at Hartwood Green to be removed, and another erected*, § 21.]

Cap. lxxxiv.

An Act to alter and amend "The Lands Improvement Company's Act, 1853." [26th *June* 1855.]

[16 & 17 *Vict. c.* cliv. *to be incorporated*, § 1; *except Section* 37, *which is repealed*, § 9. *Power to borrow not exceeding One Third of the Capital for the Time being paid up*, § 16.]

Cap. lxxxv.

An Act to renew the Term and continue the Powers of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to continue the Term and alter and enlarge the Powers of an Act of the Fortieth Year of His late Majesty's Reign, for repairing the Road leading from the Turnpike Road in* Witney *to the Road on* Swerford Heath, *and the Road leading from the Road from* Woodstock *to* Birmingham *through* Charlbury *to the Road from* Chipping Norton *to* Burford, *all in the County of* Oxford. [26th *June* 1855.]

[1 *Geo.* 4. *c.* lxxxii. *repealed*, § 1. *Tolls*, §§ 7 *to* 15.]

Cap. lxxxvi.

An Act for making a Railway from *Oswestry* in the County of *Salop* to *Welchpool* and *Newtown* in the County of *Montgomery*. [26th *June* 1855.]

[8 & 9 *Vict. cc.* 16., 18. *and* 20. *incorporated*, § 1. *Capital*, £50,000, § 4. *Power to borrow* £83,000, § 7. *Owner for Time being of Powis Castle to appoint a Director*, § 16. *Board of Trade may require Bridges in lieu of Crossings*, § 23. *Plans, &c. relating to Crossings of River Severn to be deposited at Admiralty before Commencement of Works at Crossings*, § 27. *No Works to be commenced across any navigable Water without Consent of Admiralty*, § 28. *Communications with Great Western Railway*, § 31. *Saving Rights of Great Western Railway*, § 34. *Milbrook Bridge*, § 35. *Protection of Canal*, § 36. *Protection to Shropshire Union Railways and Canal Company*, § 40. *Saving their Rights*, § 41. *Company not to oppose Application for Act to make Railway from Shrewsbury to Welchpool*, § 43. *Tolls*, §§ 45 *to* 52. *Passengers Luggage*, § 53.]

Cap. lxxxvii.

An Act for repairing, widening, and maintaining several Roads in the Counties of *Dorset* and *Devon* leading to and from the Borough of *Lyme Regis*, and from the Turnpike Road on *Raymond's Hill* to the Turnpike Road at the *Three Ashes* in the Parish of *Crewkerne* in the County of *Somerset*. [26th *June* 1855.]

[1 & 2 *Geo.* 4. *c.* cviii. *repealed*, § 2. *Roads to which Act is applicable: Lyme Regis Branch; Crewkerne Branch*, § 9. *Tolls*, §§ 10 *to* 25.]

Cap. lxxxviii.

An Act for making a Railway from the Town of *Dundalk* in the County of *Louth* to the Town of *Black Rock* in the said County. [26th *June* 1855.]

[8 & 9 *Vict. c.* 16., 18. *and* 20. *incorporated*, § 1. *Capital*, £12,000, § 4. *Power to borrow* £4,000, § 8. *All Advertisements to be inserted in a County Louth Newspaper*, § 14. *Line of Railway*, §§ 17 *to* 19. *Not to interfere with Works of Dundalk and Enniskillen Railway*, § 20. *Interchange of Traffic*, § 21. *Saving of Rights of Dundalk and Enniskillen Railway*, § 23. *Tolls*, §§ 28 *to* 37. *Power to arrange with Dundalk and Enniskillen Railway Company*, §§ 38 *to* 44.]

Cap. lxxxix.

An Act for the better Supply of the City of *Gloucester* and the Neighbourhood thereof with Water; and for other Purposes. [26th *June* 1855.]

[8 & 9 *Vict. c.* 18. *and* 10 & 11 *Vict. c.* 17. *incorporated*, § 6. *Saving of Provisions of Public Health Act* (11 & 12 *Vict. c.* 63.), § 8. *Power for Local Board to make new Waterworks, and to take Lands for the Purpose*, § 30, *and Waters of Witcombe Brook and the Abbots Wood Brook*, § 34, *But not from Abbot's Wood unless sufficient Water*, § 35. *Power to take Brockworth Mill and Pitt Mill*, § 39. *Works for Witcombe Farm*, § 44. *Saving Rights of Lady Cromie*, § 45, *and Witcombe Estate*, §§ 46 *to* 51. *Regulations for Supply of Water*, §§ 63 *to* 72. *Power to make Rates; Rules for Rating*, §§ 74 *to* 79. *Power to borrow* £65,000 *on Sale or Mortgage, with Consent of Treasury*, §§ 80, 83, 84. *Saving Rights of Corporation and Local Board*, § 90.]

Cap. xc.

An Act for enabling the *London and Blackwall* Railway Company to widen certain Portions of their Railways, and for amending some of the Provisions of the Acts relating to such Railways. [26th *June* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 3. *Compulsory Purchase of Lands*, § 6. *Compensation*, §§ 7 *to* 9. *Provisions of* 2 & 3 *Vict. c.* xcv. *as to Pavements, &c. in London, extended to this Act*, § 11. *Certain Clauses of* 8 & 9 *Vict. c.* cciii. *to apply to Works under this Act*, § 13. *Provisions of* 8 & 9 *Vict. c.* 18., *as to certain Parishes, to apply to Works under this Act*, § 14. *Crossing Streets in Parish of St. Anne*, § 15. *Saving Rights of Regent's Canal Company*, §§ 17 *to* 20. *Metropolitan Sewers protected*, § 21. *Same Tolls as on London and Blackwall Railway*, § 23. *Power to raise* £100,000 *additional Capital*, § 25. *Power to borrow* £33,000, § 28.]

Cap. xci.

An Act for enabling the *Manchester, Sheffield, and Lincolnshire* Railway Company to make a Branch Railway to *Lincoln*, and for other Purposes. [26th *June* 1855.]

[8 & 9 *Vict cc.* 18. *and* 20. *incorporated*, § 3. *Communications with Great Northern Railway*, §§ 5 *and* 6. *Its Rights saved*, § 7. *Power to cross Barnsley Branch over Doncaster and Saltersbrooke Turnpike Road*, § 8. *Board of Trade may require Bridge instead of Crossing*, § 10. *Tolls*, § 14.]

Cap. xcii.

An Act for continuing the Term of the *Nottingham and Newhaven* Turnpike Road and Districts Act, and for other Purposes. [26th *June* 1855.]

[32 *Geo.* 2. *c.* 38., 20 *Geo.* 3. *c.* 74., 40 *Geo.* 3. *c.* 45., *and* 3 *Geo.* 4. *c.* x. *repealed*, § 1. *Certain Parts of old Road abandoned, &c.*, § 2. *Road divided into Three Districts*, § 4. *Tolls*, §§ 12 *to* 21. *Toll Gates* (9 *Geo.* 4. *c.* 77.), § 22. *Road from the Cross Post on Wirskworth Moor to Steeple House to be repaired at joint Expense of Second and Third Districts*, § 32. *Fence to be maintained to guard the Precipice between Cross Post and Steeple House*, § 33.]

Cap. xciii.

An Act for extending the Powers of the *Warrington* Waterworks Company, and for other Purposes. [26th *June* 1855.]

[8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 17. *incorporated*, § 3. 9 & 10 *Vict. c.* cxii. *and* 12 & 13 *Vict. c.* v. *repealed*, § 7. *Capital*, £45,000, § 19. *Power to borrow* £14,000, § 34. *Reservoir and Works on Daresbury Brook to be constructed to the Approbation of Samuel Beckett Chadwick, whose Rights are reserved*, §§ 46 *and* 49. *Supply of Water for Daresbury Brook*, §§ 47 *and* 48. *Company to repair Damage to Warrington Bridge*, § 53. *Alteration of Works, &c. by Company to be subject to Approval of Duke of Bridgewater's Trustees*, §§ 54 *to* 57. *Power to maintain and regulate Supply of Water*, §§ 61 *to* 78. *Saving Rights of Corporation of Warrington*, § 79.

Cap. xciv.

An Act to amend the *East Kent* Railway Act, 1853. [26th *June* 1855.]

[*Sections* 30 *and* 48 *of* 16 & 17 *Vict.* c. cxxxii. *repealed*, § 1. *Application of Money deposited for Medway Bridge and Approaches*, § 2. *Saving Admiralty Rights*, § 5.]

Cap. xcv.

An Act to authorize the Company of Proprietors of the *Regent's* Canal to purchase the *Hertford Union* Canal; and for other Purposes. [26th *June* 1855.]

[*Parts of* 5 *Geo.* 4. *c.* xlvii. *repealed*, § 6.]

Cap. xcvi.

An Act to enable the *Caledonian* Railway Company to raise a further Sum of Money. [26th *June* 1855.]

[*Power to raise* £375,000 *by Shares*, § 2. *Power to borrow* £124,900, § 3. 8 & 9 *Vict. c.* 17. *incorporated*, § 4. *Power to issue Debenture Stock instead of borrowing*, § 5.]

Cap. xcvii.

An Act to consolidate and amend the Acts relating to the *Glasgow and South-western* Railway, and for other Purposes. [26th *June* 1855.]

[*Certain Acts repealed; viz.*, 9 & 10 *Vict. cc.* lxi., lxii., *and* cccxcii.; 10 & 11 *Vict. cc.* clxxxiv., clxxxv., ccxxxiv., clxxxvi., *and* ccxxix.; 5 & 6 *Will.* 4. *c.* lxxxv.; 9 & 10 *Vict. c.* ccclxxii.; 10 & 11 *Vict. cc.* clxxxi., clxxxii., *and* clxxxiii.; *and* 16 & 17 *Vict. c.* xciv., § 3. *Remaining Acts relating to the Glasgow, Paisley, Kilmarnock, and Ayr Railway repealed, except as to the Joint Line from Glasgow to Paisley, and the Line from Kilmarnock to Troon*, § 4. *Repeal of Provisions in certain Acts relating to the Kilmarnock and Troon Railway*, § 5; *and of Provisions in certain Acts relating to the Ayrshire and Bridge of Weir Railway, and Paisley, Barrhead, and Hurlet Railway*, § 6.; *and of Provisions in certain Acts relating to the Ayr and Dalmellington Railway*, § 7.; *and of Provisions in certain Acts relating to the Ardrossan Railway*, § 8. *Provisions of* 8 & 9 *Vict. cc.* 17., 19., *and* 33. *and* 10 & 11 *Vict. c.* 27. *to apply to this Act*, § 9. *Certain Documents, &c. to be deemed Documents, &c. of the Company*, § 14. *Maps, &c. to be open to Inspection*, § 15. *Capital*, £3,500,000, § 17. *Proprietors of Glasgow and South-western Railway (Ardrossan) Guaranteed Stock to have a Lien over the Ardrossan Railway*, § 26. *Power to borrow* £1,166,666, § 42. *Confirmation of the Acquisition by the Glasgow and South-western Railway Company of Shares in certain Railways herein named. Power to the Company to purchase further Shares in the Ayr and Dalmellington Railway Company, and in the Ayr and Maybole Junction Railway Company*, § 65. *Power to appoint a Director in Ayr and Maybole Company*, § 68. *Saving Agreements*, § 74. *Saving Rights of Paisley, Barrhead, and Hurlet Railway*, § 75. *Power of certain Acts relating to Railway from Kilmarnock to Troon vested in the Company*, § 79. *Undertaking of Company*, § 80. *Company to abide by Rules of Board of Trade*, § 82. *Power to enlarge Tradeston Station*, § 84. *Providing for Obligations under Conveyance by William Baird and others to the Company*, § 91. *Authorizing the Company to acquire by Agreement Land on Branches of Ardrossan Railway*, § 93. *Wharfs in connexion with Paisley and Renfrew how to be used*, § 94. *Trustees on Clyde to make Byelaws*, § 95. *Works not to prejudice Improvements on Clyde*, § 97. *Tolls to be paid to Burgh of Renfrew*, § 98. *Saving Rights of Royal Burgh of Renfrew*, § 100. *Licence for Carriages on Railway from Paisley to Renfrew*, § 101, *and Rates leased*, § 102. *Power to work Ayr and Dalmellington Railway*, § 103. *Tolls*, §§ 105 *to* 111. *Rates and Duties on Wharves*, § 113.]

Cap. xcviii.

An Act to consolidate and amend the Acts relating to the *South Wales* Railway Company, and to authorize the Construction of new Works, and Alterations of existing Works, and for other Purposes. [26th *June* 1855.]

[*Certain Acts repealed; viz.*, 8 & 9 *Vict. c.* cxc.; 9 & 10 *Vict. c.* ccxxxix.; 10 & 11 *Vict. c.* cix.; 13 & 14 *Vict. cc.* vii. *and* xliv.; 14 & 15 *Vict. cc.* lxxiv. *and* lii.; 15 & 16 *Vict. c.* cxvii.; 16 & 17 *Vict. cc.* ccx., cciv., *and* ccix.; *and* 17 & 18 *Vict. c.* clviii., § 2 *Certain Sections of Acts hereby repealed, and set forth in Schedules A. and B., continued*, § 3. 8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 5. *Original Capital*, £3,680,000. *Power to create new Capital*, £379,980, § 16. *Power to borrow* £1,226,600, § 17. *Saving Rights of Preference Shareholders*, § 32. *Undertaking of Company*, § 48. *Alteration of Swansea Vale Railway not to be made in certain Manner without Consent of that Company*, § 50. *Limiting Lands to be taken for Bute Dock Branch*, § 51. *Requirements of Board of Trade*, § 55. "*Bute Trustees*," § 63. *Leases for Land for Bute Docks Branch*, § 64. *Rights and Powers of Bute Trustees*, §§ 65 *to* 71. *Company not to take certain Lands of Earl of Cawdor*, § 72. *Regulating Construction of Viaduct across River Cleddau*, § 73. *Landing Place at Neyland Point*, § 77. *Powers of Deviation in Bush Estate*, § 78. *Not to interfere with Crown Land without Consent of Board of Ordnance*, § 79. *Not to abandon a certain Portion of Line from Pembroke Dock*, § 80. 16 & 17 *Vict. c.* clxxiii.; *Board of Trade may, on Application of Company, fix Point of Termination of Railway*, § 84. *Power to contract for Construction and Maintenance at the Neyland Pill Terminus of Accommodation for landing of Passengers*, § 85. *Power to stop Road No.* 7. *on Plans*, § 86. *Tolls*, §§ 87 *to* 96. *Powers for Company and Swansea Vale Railway Company to make Arrangements as to Use of Swansea Vale Railway*, § 97. *Great Western Railway Company to guarantee Interest*, § 99. *Powers of Great Western Railway Company*, §§ 100 *to* 103. *Power to lease and sell Railway*, §§ 104 *and* 105. *Works below High-water Mark not to be executed without Consent of Admiralty*, § 110. *Saving Rights of Crown*, § 114.]

Cap. xcix.

An Act to authorize Improvements in the Borough of *Newcastle-upon-Tyne*. [26th *June* 1855.]

[8 & 9 *Vict. c.* 18. *incorporated*, § 5. *Additional Works at Union Street*, § 8. *Power to levy a new Street Rate*, § 13. *Certain Provisions of* 10 & 11 *Vict. c.* 34. *incorporated*, § 14. *Certain Parts of* 16 & 17 *Vict c.* clxxxii. *incorporated*, § 15. *Power to borrow* £60,000, § 18. 8 & 9 *Vict. c* 20. *incorporated*, § 31. *Property of North-eastern Railway not to be taken without Consent*, § 32. *Saving Rights of Tyne Improvement Commissioners*, § 33. *Certain Plans to be approved by Admiralty*, § 34. *Saving Rights of Crown*, § 37.]

Cap. c.

An Act for the Improvement of the Town of *Newton in Mackerfield* and Neighbourhood in the County of *Lancaster*. [26th *June* 1855.]

[*Certain Provisions of* 8 & 9 *Vict. c.* 18. *and* 10 & 11 *Vict. cc.* 16. *and* 34. *incorporated*, § 1. *Certain Provisions of* 10 & 11 *Vict. c.* 15. *incorporated*, § 28. *When Gasworks established, Provisions of* 10 & 11 *Vict. c.* 15. *to be incorporated*, § 32. *Certain Provisions of* 10 & 11 *Vict. c.* 17. *incorporated*, § 34. *When Waterworks established, Provisions of* 10 & 11 *Vict. c.* 17. *to be incorporated*, § 36. *Certain Provisions of* 10 & 11 *Vict. c.* 14. *to be incorporated*, § 57. *Market Places and Tolls*, §§ 58 *and* 59.]

Cap. ci.

An Act to enable the *Cork and Youghal* Railway Company to make a Branch Railway to *Queenstown*, and to make certain Deviations in and an Extension of their Line; and for other Purposes. [2d *July* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20., *and* 14 & 15 *Vict. c.* 70. *incorporated*, § 1. *Board of Trade may require Bridges in lieu of level Crossings*, § 10. *Section* 14. *of* 17 & 18 *Vict. c.* ccvi. *repealed*, § 11. *On* 1*st August* 1860, £10,000 *to be paid to the Cork Harbour Commissioners, and to be a Charge on the Undertaking*, § 12. *Certain Works not to be undertaken without Consent of Admiralty*, §§ 15 *to* 24. *Deposits in Court of Chancery to be forfeited to the Crown in a certain Event*, § 27. *Power to raise* £50,000 *by new Shares*, § 28. *Power to borrow* £16,000, § 32. *Certain Clauses of* 8 & 9 *Vict. c.* 16., *as to borrowing, extended to this Act*, § 33. *Commissioners of Public Works may make Advances* (14 & 15 *Vict. c.* 23.), § 38].

Cap. cii.

An Act to alter certain Portions of the *Metropolitan* Railway, and to amend the Provisions of the Act relating thereto. [2d *July* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 3. *Junctions with Great Northern Railway*, § 10. *Saving Rights of Commissioners of Sewers*, § 11. *Site of Smithfield Market not to be used*, § 13. *Saving Rights of the Corporation of London*, § 15. *Questions of disputed Compensation in London to be heard in the Lord Mayor's Court*, § 16. *Provision as to the Rights of the Crown*, § 19.]

Cap. ciii.

An Act to amend and extend the Provisions of the Act relating to the *Gomersal* and *Dewsbury* Turnpike Roads, and to create a further Term therein; and for other Purposes. [2d *July* 1855.]

[7 *Geo.* 4. *c.* xciii. *repealed*, § 1. *Tolls*, §§ 16 *to* 26. *No Money to be laid out on Streets of Dewsbury*, § 30. *Burr Walls to be maintained on the Sides of the Road*, § 31.]

Cap. civ.

An Act to repeal certain Acts relating to the *Basingstoke*, *Stockbridge*, and *Lobcomb Corner* Turnpike Roads, and to make other Provisions in lieu thereof. [2d *July* 1855.]

[29 *Geo.* 2. *c.* xlvi., 16 *Geo.* 3. *c.* lxvii., 37 *Geo.* 3. *c.* cl., *and* 58 *Geo.* 3. *c.* lxxiii., (*Local and Personal,*) *repealed*, § 1. *Tolls*, §§ 10 *to* 21.]

Cap. cv.

An Act to enable the *Dundalk and Enniskillen* Railway Company to construct Extension Railways; and for other Purposes. [2d *July* 1855.]

[8 & 9 *Vict. c.* 20. *and* 14 & 15 *Vict. c.* 70. *incorporated*, § 3. *Certain Provisions of* 8 & 9 *Vict. c.* 17. *incorporated*, § 5. *Power to create* £90,000 *new Shares*, § 7. *Power to borrow* £30,000, § 20. *Deferring Branch at Dundalk*, § 28. *For securing Construction of Railway to Monaghan*, § 37. *Tolls*, §§ 38 *to* 42. *Junction with other Railways*, § 43. *Power to use Station of Midland Great Western Company*, § 46; *and to Midland Great Western Company to use Stations of this Company*, § 48. *Board of Trade to settle Differences*, § 49.]

Cap. cvi.

An Act to repeal the Acts relating to the Road from *Lightpill* to *Birdlip*, and make other Provisions in lieu thereof. [2d *July* 1855.]

[40 *Geo.* 3. *c.* xliii. *and* 1 *Geo.* 4. *c.* xx. *repealed*, § 1. *Tolls*, §§ 9 *to* 17.]

Cap. cvii.

An Act to repeal the Act relating to the *Peterborough and Wellingborough* Turnpike Road, and to make other Provisions in lieu thereof. [2d *July* 1855.]

[4 *Geo.* 4. *c.* viii. *repealed*, § 1. *Tolls*, §§ 10 *to* 21. *Application of Monies on General Branch and Elton Branch*, § 25.]

Cap. cviii.

An Act to repeal the Act for making and maintaining a Turnpike Road from *Cainscross* through *Stroud* over *Rodborough* and *Minchinhampton* Commons to the Town of *Minchinhampton*, with some Branches therefrom, all in the County of *Gloucester*, and to make other Provisions in lieu thereof. [2d *July* 1855.]

[6 *Geo.* 4. *c.* xxiii. *repealed*, § 1. *Tolls*, §§ 10 *to* 19.]

Cap. cix.

An Act to repeal an Act for making and maintaining certain Roads from the Town of *Stroud* and several other Places therein mentioned, all in the County of *Gloucester*, and to make other Provisions in lieu thereof. [2d *July* 1855.]

[54 *Geo.* 3. *c.* lxxx. *repealed*, § 2. *Tolls*, §§ 9 *to* 19.]

Cap. cx.

An Act to enable the *Rhymney* Railway Company to extend their Railway to the *Taff Vale* Railway, to construct Branch Railways, and for other Purposes. [2d *July* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 1. *Power to raise* £100,000 *additional Capital*, § 3. *Power to borrow* £30,000, § 5. *Communication with Taff Vale Extension Line*, § 9. *Tolls*, §§ 14 *and* 15. *Certain Provisions of* 8 & 9 *Vict. c.* 20. *to apply to Portion of Taff Vale Railway used by the Company*, § 24. *Money deposited under* 9 & 10 *Vict. c.* 20. *not to be repaid till Line opened, &c.*, § 33. *Communication with Newport, Abergavenny, and Hereford Railway*, § 34. *Saving their Rights*, § 35. *Communication with Taff Vale Railway*, § 36. *Saving their Rights*, § 37. *Saving Rights of South Wales Railway Company under Agreements with the Bute Trustees*, § 40. *Saving Rights of South Wales Railway Company under Agreement with Company*, § 41. *Power as to Bute Docks*, § 42. *Construction of Railway through the Lands of Charles Crofts Williams, Esq.*, § 48. *Construction of Sidings by Charles Crofts Williams, Esq.*, § 49. *Company not to interfere with Glamorganshire Canal*, § 50. *To erect a Bridge over it*, § 51. *To protect Canal from Drainage at Craig-yr-Alt*, § 58.]

Cap. cxi.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the First District of the *Bridport* Turnpike Roads in the County of *Dorset*. [2d *July* 1855.]

[5 *Geo.* 4. *c.* xcvii. *repealed*, § 2. *Tolls*, §§ 9 *to* 19.]

Cap. cxii.

An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Bridport* and *Broadwinsor* Turnpike Roads. [2d *July* 1855.]

[9 & 10 *Geo.* 4. *c.* xix. *repealed*, § 2. *Tolls*, §§ 8 *to* 17. (9 *Geo.* 4. *c.* 77.)]

Cap. cxiii.

An Act for incorporating the *Bombay, Baroda, and Central India* Railway Company; and for other Purposes connected therewith. [2d *July* 1855.]

[*Company to continue regulated by Deed of Settlement, except as varied by any Agreement under the Companies Clauses Consolidation Act* (7 & 8 *Vict. c.* 16.), § 4. *Power to create new Shares*, § 6. *Regulations*, §§ 7 *to* 13.]

Cap. cxiv.

An Act for extending the Time for the Purchase of Lands and for the Completion of a Railway from *Chichester* to *Bognor*. [2d *July* 1855.]

[*Preamble recites* 16 & 17 *Vict. c.* xli. (*Bognor Railway Act*).]

Cap. cxv.

An Act for incorporating the *Scinde* Railway Company, and for other Purposes connected therewith. [2d *July* 1855.]

[*Company to continue regulated by Deed of Settlement, except as varied by any Agreement, or by* 8 & 9 *Vict. c.* 16,—§ 5. *Entering into Terms with East India Company*, § 6. *Power to create new Shares*, § 7.]

Cap. cxvi.

An Act to enable the *North Yorkshire and Cleveland* Railway Company to make a Branch from their Railway to the *Middlesbrough and Guisbrough* Railway, and also a Branch to *Whorlton*, and other Works; and to alter and amend the Act relating to the said Company; and for other Purposes. [2d *July* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 1. *Company to abide by Rules of Board of Trade*, § 8. *Tolls of North Yorkshire and Cleveland Railway Act*, 1854, (17 & 18 *Vict. c.* cli.,) *to be taken*, § 10. *Power to raise* £40,000 *additional Capital*, § 11. *Certain Provisions of* 8 & 9 *Vict. c.* 16. *extended to this Act*, § 13. *Company not to interfere with Middlesbrough and Guisbrough Railway Works*, § 19. *Communications therewith*, § 20. *Tolls*, §§ 23 *and* 24. *Power to North-eastern Railway Company to attend and vote at Meetings of the North Yorkshire and Cleveland Railway Company*, § 26. *Power to North-eastern Company to subscribe and hold Shares*, § 35. *Power to West Hartlepool Harbour and Railway Company to subscribe and hold Shares*, § 36.]

Cap. cxvii.

An Act to change the Name of "The *National* Loan Fund Life Assurance Society" to the Name of "The *International* Life Assurance Society;" and to enable the said Society to sue and be sued in the Name of the Chairman or Secretary or any One Director of the said Society; and to give additional Powers to the said Society. [2d *July* 1855.]

[1 & 2 *Vict. c.* xcii. *repealed*, § 1.]

Cap. cxviii.

An Act to authorize and empower the Magistrates and Council of the City of *Glasgow* to supply with Water the said City and Suburbs thereof, and Districts and Places adjacent; to purchase and acquire the *Glasgow* Waterworks, and the *Gorbals* Gravitation Waterworks; and to introduce an additional Supply of Water from *Loch Katrine*; and for other Purposes. [2d *July* 1855.]

[8 & 9 *Vict.* c. 19. *incorporated*, § 3. *Certain Parts of* 10 & 11 *Vict. cc.* 16. *and* 17. *incorporated*, §§ 4 *and* 5. *Undertakings of Glasgow Water Company and the Gorbals Gravitation Water Company vested in Commissioners*, § 11. *Compensation to Companies*, § 12. *Payment to be made to Glasgow Water Company if Rate of Annuities not fixed*, § 38. *Extent to which Level of Loch Katrine and Loch Venacher may be raised or lowered*, § 55. *Works to prevent the Water of Loch Venacher being raised or lowered beyond prescribed Limits*, § 56. *Extent to which Water may be taken from Loch Katrine*, § 57. *Works to prevent Excess being taken*, § 58. *Regulating Supply to River Teith*, §§ 59 *and* 60. *Protection of Renfrewshire Roads*, § 70. *Works affecting Forth and Clyde Canal to be executed at Sight of the Engineer of the Company*, § 72. *Rights of Canal Company saved*, § 76. *Rights of Proprietors of Estates of Upper and Nether Pollok saved*, § 77. *Commissioners not to erect Houses on Lands of Invertrosachs*, § 78. *Compensation to Owners of certain Fishings*, § 79. *Saving Agreement between Gorbals Water Company and Burgh of Renfrew, and Provisions in Gorbals Company's Acts in reference thereto*, § 80. *Supply of Water regulated*, §§ 83 *to* 108. *Power to borrow* £700,000, § 109.]

Cap. cxix.

An Act for maintaining and improving the Harbour of *Ayr*, and for the better Regulation and Management thereof. [2d *July* 1855.]

[5 & 6 *Will.* 4. *c.* lxxix. *repealed*, § 2. 10 & 11 *Vict. c.* 16. *incorporated*, § 11. *Power to borrow* £25,000, § 35. *Power of Trustees as to Harbour*, § 40. *Plans must be submitted to Admiralty*, § 42. *Pilots*, §§ 46 *to* 48. *Rates*, §§ 52 *to* 57. *Trustees to expend* £10,000 *within Ten Years from Commencement of Act*, § 59. *Payment to Magistrates and Town Council of Ayr in respect of Anchorage Rates*, § 60. *Harbour Master, his Duties*, § 74. *Rights of Alexander Oswald, Esq., saved*, § 78. *Saving of Rights of the Crown*, §§ 79 *and* 80; *and of Rights and Jurisdiction of Admiralty*, § 81. *Reservation of Merchant Shipping Acts* (1853 *and* 1854) *as to Pilotage, Lighthouses, &c.*, § 82.]

Cap. cxx.

An Act for making a Railway through Part of the *Aberdare Valley* in the County of *Glamorgan*, to join the *Vale of Neath* Railway. [2d *July* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 1. *Capital*, £12,000, § 4. *Power to borrow* £4,000, § 7. *Company not to enter on Lands of Aberdare Railway Company without Consent of Taff Vale Railway Company*, § 18. *Junction with Vale of Neath Railway*, § 22. *Saving Rights of Vale of Neath Railway Company*, § 26. *Tolls*, §§ 27 *to* 34. *Company to abide by Rules of Board of Trade*, §§ 38 *to* 40.]

Cap. cxxi.

An Act for enabling the Company of Proprietors of the *Birmingham* Canal Navigations to make and maintain additional Canals and Works, and for other Purposes. [2d *July* 1855.]

[8 & 9 *Vict. c.* 18. *incorporated*, § 2. *Company to maintain the Dudley Canal Tunnel in working Order*, § 16. *Certain Provisions of* 8 & 9 *Vict. c.* 20. *incorporated*, § 18. *Power to Owners of Mines, &c. and Company, with Consent, to make Branch Canals and Tramways*, § 21. *Power to raise additional Capital*, £238,300., § 33. *Certain Provisions of* 8 & 9 *Vict. c.* 16. *incorporated*, § 37. *Guarantee of London and North-western Railway Company extended to Capital under this Act*, § 38. *No Shares to be raised under Birmingham Canal Act*, 1854 (17 & 18 *Vict. c.* cxii.) *without a certain Consent*, § 40. *Tolls*, §§ 41 *to* 65. *Provision for Construction of Boats*, §§ 69 *to* 72. *Regulations*, §§ 73 *to* 82. *Not to interfere with Springs, &c. belonging to Lord Ward*, § 90. *Saving Rights of Stourbridge Canal Company*, § 91. *Saving Rights of Staffordshire and Worcestershire Canal Company*, § 92.]

Cap. cxxii.

An Act for making Railways from the *South Devon* Railway to *Exmouth*, and to the Basin of the *Exeter* Canal, to be called The *Exeter and Exmouth* Railway. [2d *July* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 1. *Capital*, £70,000, § 3. *Power to borrow* £23,000, § 5. *Company to abide by Rules of Board of Trade*, § 21. *Bridge over Exeter Canal*, § 22. *Crossing and Viaduct over Estuary of Exe*, §§ 23 *and* 24. *Viaduct over River Clyst*, § 25. *Consent of Admiralty necessary to Works*, §§ 28 *to* 33. *Saving of Rights of Canal*, § 34; *and of Exeter Town Council*, § 36. *Tolls*, §§ 43 *to* 53. *South Devon Railway*, § 55. *Bristol and Exeter Railway*, § 56.]

Cap. cxxiii.

An Act to consolidate the Capital Stock of the *Electric Telegraph* Company and of the *International Teleyraph* Company, and to grant further Powers to the *Electric Telegraph* Company. [2d *July* 1855.]

[*Electric Telegraph Company to exercise the Powers of the Two Companies*, § 8. *Power to borrow* £50,000, § 11.]

Cap. cxxiv.

An Act to enable the *Great Northern* Railway Company further to increase their Capital; and for other Purposes with relation to the same Company. [2d *July* 1855.]

[*Power to raise additional Capital*, § 1. *Power to borrow* £333,000, § 5. *Provisions of* 8 & 9 *Vict. c.* 16. *as to borrowing extended to this Act*, § 7. *Conversion of Royston and Hitchin Rails*, §§ 9 *and* 10. *Re-issue of Witham Navigation Bonds* (9 & 10 *Vict. c.* lxxi.), § 14. *Agreement with Lancashire and Yorkshire Railway confirmed*, § 15. *Agreement with North-eastern Railway Company, dated 25th February* 1850, *confirmed*, § 17. *Vesting undivided Moiety of Line in Great Northern Railway Company*, § 18. *Provisions of* 8 & 9 *Vict. c.* 20. *as to Arbitration incorporated*, § 20. *Certain Powers to Great Northern Railway to enter into Agreements*, § 21. *Joint Committees with North-eastern Railway Company*, § 22.]

Cap. cxxv.

An Act for incorporating the "*Colonial* Life Assurance Company;" for enabling the said Company to sue and to be sued, to take and hold Property; and for other Purposes relating to the said Company. [2d *July* 1855.]

[*Company may lend Money on Security*, § 27. *Certain Clauses of* 8 & 9 *Vict. c.* 17. *incorporated in this Act*, § 43.]

Cap. cxxvi.

An Act for the Improvement, Maintenance, and Regulation of the Port of *Hartlepool*, for the Construction of a Harbour of Refuge there, and for other Purposes. [16th *July* 1855.]

[*Saving Rights of Duke of Cleveland's Trustees and Dock Companies*, § 6. 8 & 9 *Vict. c.* 18., *certain Parts of* 10 & 11 *Vict. c.* 16., *and* 10 & 11 *Vict. c.* 27. *incorporated*, §§ 7 *to* 9. *Hartlepool Pier and Port Act*, 1851 (14 & 15 *Vict. c.* cxvii.), *repealed*, § 12. *Sects.* 48 *and* 49, *and Parts of Sects.* 50, 51, 52, *and* 53, *of* 14 & 15 *Vict. c.* xvi. *repealed*, § 22. *General Saving of Rights under such repealed Sections*, § 23. *Hartlepool Port and Harbour Commissioners*, § 25. *Docks*, § 26. *Commissioners*, §§ 27 *to* 67. *Consent of Admiralty necessary to Works*, § 68. *Sect.* 12 *of* 53 *Geo.* 3. *c.* xxxv., *as to taking of Lands of Corporation and G. Pocock, Esq., continued, notwithstanding Repeal of Act*, § 69. *Power to make Works authorized by Act of* 1851 (14 & 15 *Vict. c.* cxvii.) *continued*, § 70. *Duke of Cleveland's Road to the Shore not to be interfered with*, § 71. *Consent of Admiralty to Works necessary*, § 73. *Saving of Property of Trustees of late William Sedgewick, Esq.*, § 80. *Saving of Property of Trustees of Duke of Cleveland*, § 81. *Power to make Landing Places and establish Boats at Ferry*, § 82. *Harbour Master and other Officers*, § 89. *Ballast*, §§ 91 *to* 100. *Ferry Tolls*, §§ 101 *to* 116. *Duties on Vessels*, § 117. *Rent to be paid to Corporation*, § 121. *Power to borrow* £835,000. *Saving Rights of Crown*, § 147. *Saving Rights of Bishop of Durham and Duke of Cleveland's Trustees*, § 148. *Saving Rights of Trinity House*, § 149; *and of Corporation*, § 150; *and of Fishermen of Hartlepool*, § 151; *and of Dock Companies*, § 152. *Act not to prejudice Wet Docks in the Port*, § 153.]

Cap. cxxvii.

An Act for making a Railway from *Ladybank* on the Line of the *Edinburgh, Perth, and Dundee* Railway, by *Auchtermuchty* and *Strathmiglo*, to *Milnathort* and *Kinross*. [16th *July* 1855.]

[8 & 9 *Vict. cc.* 16., 18., *and* 20. *incorporated*, § 1. *Capital*, £70,000, § 4. *Power to borrow* £23,000. § 9. *Connexion with Edinburgh, Perth, and Dundee Railway Company*, § 21. *Lands and Works not to be interfered with, except by Consent*, § 22. *Company to abide by Rules of Board of Trade*, § 25. *Tolls*, §§ 30 *to* 37. *Saving Rights of the Edinburgh, Perth, and Dundee Railway Company*, § 44.]

Cap. cxxviii.

An Act to authorize the *Sunderland* Dock Company to make further Works; and to amend and consolidate the Acts relating to the said Company; and for other Purposes. [16th *July* 1855.]

[*Certain Parts of* 8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 27. *incorporated*, § 2. *Acts of* 1846 (9 & 10 *Vict. c.* xiii.), 1849 (12 & 13 *Vict. c.* xxxi), *and* 1853 (16 & 17 *Vict. c.* lxxvi.) *repealed*, § 4. *Saving of Private Rights under repealed Acts*, § 5. *Capital*, £450,000; *Power to raise* £112,500, §§ 24 *and* 25. *Saving Rights of Mortgagees, &c.*, § 44. *Works not to be without Consent of Admiralty*, §§ 62 *and* 63. *Obstruction in River Wear*, § 68. *As to Admission and Exit of Vessels to and from the Northern Basin of the Docks* (11 *Geo.* 4. & 1 *Will.* 4. *c.* xlix.), § 73. *Powers of Dock Master*, § 74. *Damage to Works of River Wear to be made good by Company*, § 77. *Saving Rights of Commissioners*, § 85. *Facilities to Proprietors of Railway from Seaham to Sunderland*, § 87. *Power to Commissioners of River Wear, acting under* 11 *Geo.* 4. & 1 *Will.* 4. *c.* xlix., *to take certain Rates*, § 101. *Penalty on Persons casting Ballast into River Wear*, § 114. *Extending Jurisdiction of* 3 & 4 *Vict. c.* lxii. *to the Dock*, § 118. *Company to pay Dues to Trinity House of Newcastle, and to exercise the Powers of that Corporation for the Recovery thereof*, § 120. *Saving Rights of the said Trinity House*, § 121. *Company to provide a suitable Site for a new Battery*, § 122. *Works not to encroach upon the Barrack Enclosure*, § 123.]

Cap. cxxix.

An Act for regulating the Share Capital of the *Manchester, Sheffield, and Lincolnshire* Railway Company; and for other Purposes. [16th *July* 1855.]

[*Power to create* £3. 5*s. Preference Stock*, § 2. *Power to create new Shares for Redemption of* £6. *Preference Shares*, § 15.]

Cap. cxxx.

An Act to enable the *Stockport, Disley, and Whaley Bridge* Railway Company to construct a Junction Line to the *Cromford and High Peak* Railway, and for other Purposes. [16th *July* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 1. *Company to abide by Rules of Board of Trade*, §§ 8 *and* 11. *Crossing Manchester and Buxton Road*, § 13. *Power for London and North-western Railway Company to subscribe*, § 17. *Cromford and High Peak Railway Company to contribute*, § 18. *Saving Rights of Manchester, Sheffield, and Lincolnshire Railway Company*, § 28.]

Cap. cxxxi.

An Act to enable the *Carmarthen and Cardigan* Railway Company to make a Deviation in their Line of Railway; and for other Purposes. [16th *July* 1855.]

[8 & 9 *Vict. cc.* 18. *and* 20. *incorporated*, § 1.]

Cap. cxxxii.

An Act for the Improvement of the Town of *Leek* in the County of *Stafford*, for purchasing the Market Tolls, and for providing more commodious Markets and Cemeteries, and for better supplying the Inhabitants with Water; and for other Purposes. [16th *July* 1855.]

[6 *Geo.* 4. *c.* lxxi. *repealed*, § 7. 8 & 9 *Vict. c.* 16. *incorporated*, § 9. 8 & 9 *Vict. c.* 18. *incorporated*, § 40. 10 & 11 *Vict. c.* 17. *incorporated*, § 49. *Power to supply Water*, § 50. 10 & 11 *Vict. c.* 15. *incorporated*, § 60. *Power to supply Gas*, § 61. 10 & 11 *Vict. c.* 65. *incorporated*, § 69. *Power to make Cemetery*, § 70. *Market Tolls*, § 81. 10 & 11 *Vict. c.* 14. *incorporated*, § 82. 10 & 11 *Vict. c.* 34. *incorporated*, § 100. *Sect.* 31 *of* 10 & 11 *Vict. c.* 34. *extended to this Act*, § 103. *Sewers*, § 104. 10 & 11 *Vict. c.* 89. *incorporated*, § 130. *Power to borrow* £40,000, § 133. *Saving Rights of Lord of Manor of Leek*, § 167; *of Owners of Market Tolls*, § 168.]

Cap. cxxxiii.

An Act to enable the *Weymouth* Waterworks Company to increase and extend their Supply of Water, and to construct new Works, and for other Purposes. [16th *July* 1855.]

[37 *Geo.* 3. *c.* cxxix. *repealed*, § 1. 8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 17. *incorporated*, § 3. *Capital*, £40,000, § 19. *Power to borrow* £10,000, *or to raise it by new Shares*, §§ 23 *and* 24. *Company shall, if required by Admiralty, remove the Pipe across the Bridge, and lay down one under the Bed of the Harbour*, § 58.]

Cap. cxxxiv.

An Act for changing the Corporate Name of the Company of Proprietors of the *Grand Surrey* Canal; for consolidating their Acts; for authorizing them to make a new Entrance from the *Thames*, additional Docks and other Works, and to raise further Moneys; and for other Purposes. [16th *July* 1855.]

[8 & 9 *Vict. cc.* 16. *and* 18. *incorporated*, § 5. *Certain Clauses of* 10 & 11 *Vict. c.* 27. *incorporated*, § 6. *Certain Parts only of* 10 & 11 *Vict. c.* 27. *to apply to Canal*, § 7. *Certain Parts of* 10 & 11 *Vict. c.* 17. *incorporated*, § 8. 41 *Geo.* 3. *c.* xxxi., 47 *Geo.* 3. *Sess.* 2. *c.* lxxx., 48 *Geo.* 3. *c.* xcix., *and* 51 *Geo.* 3. *c.* clxx. *repealed*, § 9. *Sections of Acts in Schedule A. to remain in force*, § 10. *Capital*, £351,100, § 22. *Power to raise more Capital by new Shares*, § 26. *Power to borrow* £150,000, § 41. *Company to provide new Stairs instead of Surrey Canal Stairs*, § 65. *To widen Rotherhithe Street*, § 76. *For Protection of Kent Waterworks and Surrey Consumers Gas Companies*, § 77. *Works on Thames not to be constructed without Authority of the Commissioners of Woods, &c., the Admiralty, and the Lord Mayor*, § 80. *Saving Rights of Crown*, § 83, *and of Commercial Dock Company*, § 84. *Property of Messrs. Mangles*, § 85. *Docks to form Part of Port of London*, § 89. *Saving Rights of Lord Mayor as Conservator*, § 92. *Provision as to Mill Hole Lower Tier*, § 93, *and to other Collier Tiers in Thames*, § 94. *Power to vary Canal Rates from Time to Time*, § 115. *Saving Rights of Corporation of London*, § 134. *Rights of Corporation of London in respect of Metage and Porterage*, § 135. *Saving Rights of Commissioners acting under* 23 *Geo.* 3. *c.* 31., *and* 57 *Geo.* 3. *c.* xxix., § 136. *Saving Rights of Metropolitan Commissioners of Sewers*, § 137, *and of Watermen's Company*, § 138.]

Cap. cxxxv.

An Act for granting further Powers to the *Torquay, Tor, and Saint Mary Church* Gas Company. [16th *July* 1855.]

[*Company empowered to construct their Works upon Land called "Little Goosemore" in the Parish of Paignton*, § 2.]

Cap. cxxxvi.

An Act to repeal the Acts passed for repairing the Road from *Hedon* through *Preston* and *Bilton* to *Hull*, and other Roads in the County of *York*, and to make other Provisions in lieu thereof. [16th *July* 1855.]

[18 *Geo.* 2. *c.* vi., 7 *Geo.* 3. *c.* lxxi., 33 *Geo.* 3. *c.* clvii., *and* 52 *Geo.* 3. *c.* xxi., *repealed*, § 1.]

Cap. cxxxvii.

An Act for incorporating the "Gaslight Company of *Sligo*," and for other Purposes. [16th *July* 1855.]

[8 & 9 *Vict. cc.* 16. *and* 18. *and* 10 & 11 *Vict. c.* 15. *incorporated*, § 1. *Limits of Act* (2 & 3 *Will.* 4. *c.* 89.), § 6. *Capital*, £9,000, § 14. *Power to borrow* £2,000, § 16.]

Cap. cxxxviii.

An Act to amend the Provisions of "The *West Bromwich* Improvement Act, 1854," with relation to the Prevention of Smoke. [16th *July* 1855.]

[*Section* 108 *of* 10 & 11 *Vict. c.* 34. *as to Consumption of Smoke not to apply to Works herein mentioned*, § 1. *Power of Justices to remit Penalties in certain Cases*, § 2.]

Cap. cxxxix.

An Act to vary the Mode of carrying the *Staines, Wokingham, and Woking* Railway across certain Roads, and for other Purposes. [16th *July* 1855.]

[*Certain Parts of* 8 & 9 *Vict. c.* 20. *incorporated*, § 3. *Consent of Board of Trade to Works*, § 6. *As to Reading Railway*, §§ 10 *and* 11.]

Cap. cxl.

An Act for incorporating "The *Cape Town* Railway and Dock Company," and for other Purposes connected therewith. [16th *July* 1855.]

[8 & 9 *Vict. c.* 16. *incorporated*, § 3. *Power to enter into Terms with the local Government of the Colony of the Cape of Good Hope*, § 4. *Capital*, £600,000, § 5. *Power to borrow* £200,000, § 8.]

Cap. cxli.

An Act to amalgamate the *Glasgow and Inchbelly Bridge* and *Possil and Balmore* Turnpike Road Trusts, and to make Branch Roads; and for other Purposes. [16th *July* 1855.]

[6 & 7 *Vict. c.* lxxx., 1 & 2 *Vict. c.* xlvii., *and so much of* 11 *Geo.* 4. *c.* cxxviii. *as relates to Possil Road, repealed*, § 1. *Provisions of Public General Act*, 1 & 2 *Will.* 4. *c.* 43. *applied to this Act*, § 3. *Regulating Crossing of Edinburgh and Glasgow Railway, and Saving of Rights*, §§ 14 *and* 15. *Present Tolls continued until First Term of Whitsunday after passing of Act*, § 20. *Maintenance of Road between Balmore and Inchbelly, and Exemption from Tolls, &c.*, § 23. *Act to commence on Third Wednesday of the Month after passing*, § 35.]

Cap. cxlii.

An Act for making and maintaining a Turnpike Road from *Charlestown of Aboyne*, by *Ballater*, *Crathie*, and *Castletown of Braemar*, to *Cairnwell Hill*, with a Branch at *Crathie*, in the County of *Aberdeen*; and for other Purposes. [16th *July* 1855.]

[*Roads regulated, &c. under* 39 & 40 *Geo.* 3. *c.* xlii., 43 *Geo.* 3. *c.* 80., *and* 59 *Geo.* 3. *c.* 135. *to be managed, &c. by Trustees under this Act*, § 3. *Number of Tolls to be taken limited*, § 21. *Penalties on giving Tickets to other Persons, and for obstructing Toll Collectors*, §§ 24 *and* 25. *Arrangements may be entered into with Proprietors of Balmoral*, § 30. *Act to commence on Fourth Wednesday after passing, and to continue for Thirty-one Years*, § 38.]

Cap. cxliii.

An Act for constructing and maintaining a Quay and other Works in the Borough of *Gateshead* in the County of *Durham*, and for other Purposes. [16th *July* 1855.]

[*Provisions as to levying of Rates*, §§ 28 *to* 33. *Power to borrow on Mortgage of Rates and on Borough Fund*, §§ 42 *and* 43. *Power to levy a Borough Rate*, § 44. *Saving of Rights*, §§ 52 *to* 55. *Act not exempt from Provisions of General Acts*, § 56. *Saving Rights of North-eastern Railway, Messrs. Haggie, and Local Board of Health*, §§ 58 *to* 61.]

Cap. cxliv.

An Act to enable the *Halifax* Gaslight and Coke Company to transfer their Undertaking and Powers to the *Halifax* Local Board of Health; and for other Purposes. [16th *July* 1855.]

Cap. cxlv.

An Act to amend an Act of the First Year of the Reign of King *George* the Fourth, Chapter 100, to enable Her Majesty's Commissioners of Lieutenancy for the City of *London* to purchase certain Lands and Houses for building more convenient and requisite Head Quarters, Storehouses, and other proper Accommodation for the Royal *London* Militia, and to confer certain other Powers. [16th *July* 1855.]

17 & 18 Vict. c. 105.
1 G. 4. c. 100.

'WHEREAS an Act was passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Militia in* England *and* Wales: 'And whereas an Act was passed in the First Year of the Reign of His Majesty King *George* the Fourth, 'intituled *An Act for amending and reducing into One Act of Parliament Two several Acts passed in the 'Thirty-sixth and Thirty-ninth Years of the Reign of His late Majesty King* George *the Third, for the 'better ordering and further regulating of the Militia of the City of* London: And whereas by the Thirty-'fifth Section of the said last-recited Act Her Majesty's Commissioners of Lieutenancy for the City of 'London are authorized to continue to raise and levy as heretofore in every Year a certain Tax called 'the Trophy Tax: And whereas by the said first-recited Act the Justices of the Peace, in General or 'Quarter Sessions assembled, are authorized to borrow on Mortgage of the County Rate of the several 'Counties such Sum or Sums as shall be necessary for the Expenses of purchasing, building, enlarging, 'or altering the Place for keeping the Arms, Accoutrements, Clothing, and other Stores belonging to any 'Regiment, Battalion, or Corps of Militia, together with the Sums required for the Cost of Fuel and 'other necessary Expenses incidental to the Use and Maintenance of the Premises: And whereas by the 'Tenth Section of the said first-recited Act all and every the Powers, Authorities, and Directions in and 'by the said Act given to or vested in the Lords Lieutenant, Deputy Lieutenants, and Treasurers of 'Counties, and the Justices of the Peace in their General or Quarter Sessions assembled, are extended 'to and include the Commissioners of Lieutenancy for the City of *London*, and their Treasurer for the 'Time being, so far as the same may be applicable to the Militia of the said City: And whereas Doubts 'have arisen whether the said Trophy Tax so authorized to be raised by the said Commissioners of 'Lieutenancy can be deemed to be a County Rate according to the Intent and Meaning of the said first-'recited Act, on which the said Commissioners should be entitled to raise any Sum or Sums on Mortgage 'for the Purposes aforesaid, and it is expedient that the said Doubts should be removed: And whereas 'the Place provided for the Purpose of keeping therein the Arms, Accoutrements, Clothing, and other 'Stores belonging to the Royal *London* Militia has become insecure and insufficient, and the Public Ser-

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'vice requires the Site of the same to be changed, and that more convenient and requisite Head Quarters 'and Storehouses should be constructed, and other proper Accommodation should be procured and pro- 'vided for the assembling, training, and mounting Guard of the said Royal *London* Militia, and it is 'expedient to vest in the said Commissioners further Powers for the Purchase and Use of Lands for the 'said several Purposes; but the same cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Trophy Tax to be deemed a County Rate, and Power to borrow on Mortgage of the Trophy Tax.

I. That the said Trophy Tax shall, for the Purposes of the said recited Act of the Seventeenth and Eighteenth Years of Her present Majesty, be deemed and taken to be a County Rate, and that it shall be lawful for Her Majesty's Commissioners of Lieutenancy that now are and shall be hereafter constituted and appointed for the City of *London* to borrow all or any Part of the Money necessary for the aforesaid Purposes upon Mortgage of the said Trophy Tax to be raised in and for the City of *London* under and by virtue of the Act passed in the Thirteenth and Fourteenth Years of the Reign of His Majesty King *Charles* the Second, intituled *An Act for ordering the Forces in the several Counties of this Kingdom*, and of the Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred.

Powers to be exercised according to deposited Plans.

II. 'And whereas Plans showing the Lands and Buildings which will be required by the said Com- 'missioners, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, 'or reputed Owners, Lessees, and Occupiers, of Lands or Buildings which will be required by the said 'Commissioners as aforesaid, have been deposited with the Clerk of the Peace for the County of *Mid- 'dlesex*:' Be it enacted, That it shall be lawful for the said Commissioners to enter upon, take, and use such of the said Lands and Buildings as shall be necessary for the Purposes aforesaid as are comprised in the Schedule hereto annexed.

Power for the Artillery Company to execute Leases, &c.

III. The Words "the Artillery Company," where used in this Act, shall be held to mean the Society exercising Arms in the Artillery Garden, *London*, commonly called or known by the Name of "the Artillery Company," and in all Contracts, Agreements, Leases, or other legal Instruments entered into or to be entered into by the said Society for the Purposes of this Act, it shall be sufficient to designate them by the Name of "the Artillery Company," and any such Contract, Agreement, Lease, or Instrument signed by the President or Vice President and Secretary for the Time being of the said Company shall be sufficient to bind the said Company.

Power to grant Leases to the Commissioners of Lieutenancy and the Artillery Company.

IV. 'And whereas the said Artillery Company are the Lessees under a Lease from the Corporation of '*London* for a Term of Years, which will expire in the Year One thousand eight hundred and sixty- 'three, of a Piece of Land or Ground used by them for the Exercise of Arms, together with certain 'Buildings connected therewith, in the Parish of *Saint Luke Middlesex*, forming Part of the Ground 'commonly known as the Artillery Ground, under which Lease certain Rights of User of the said Piece 'of Land or Ground at stated Periods are reserved to the Royal *London* Militia, or the Trained Bands 'of the City of *London*, for the Purpose of mustering, training, and exercising the said Militia; and it 'is essential for the Public Service that the said Piece of Land or Ground should continue to be appro- 'priated to the Purposes for which the same is now and has heretofore been employed by the said 'Artillery Company and the said Royal *London* Militia: And whereas the said Piece of Land or Ground 'and Buildings so leased to the said Artillery Company forms Part of the Prebendal Estate of *Halliwell 'and Finsbury* in the Cathedral Church of *Saint Paul London*, whereof the Honourable and Right 'Reverend *Hugh* Bishop of *Carlisle* is the present Prebendary, and upon the Avoidance thereof by the 'said *Hugh* Bishop of *Carlisle* the said Prebendal Estate will become vested in the Ecclesiastical Com- 'missioners for *England*, and the same is subject to a Lease thereof granted to the Mayor, Commonalty, 'and Citizens of the City of *London*, which will expire in the Year One thousand eight hundred and 'sixty-seven: And whereas the said *Hugh* Bishop of *Carlisle* and the said Ecclesiastical Commissioners 'are willing to grant a new Lease for a Term of Ninety-nine Years of the said Piece of Land and 'Buildings from the Twenty-fourth of *June* One thousand eight hundred and fifty-five, in order that the 'said Piece of Land and Buildings may be occupied and used by and for the Purposes of the said Artil- 'lery Company, and of the said Royal *London* Militia: And whereas by certain Articles of Agreement, 'bearing Date the First Day of *May* One thousand eight hundred and fifty-five, and made between '*William White* the Secretary of the said Artillery Company, for and on behalf of the said Company, 'and *Henley Smith* the Clerk and Treasurer of the said Commissioners of Lieutenancy, for and on 'behalf of the said Commissioners, it has been agreed that such new Lease as aforesaid of the said Piece 'of Land and Buildings shall be granted to the said Commissioners and their Successors, or to their 'Clerk and Treasurer for the Time being on their Behalf, and that thereupon an Under-lease of the said 'Land and Buildings, save and except a Portion of the said Piece of Land described in a Plan annexed 'to the said Agreement, shall be granted by the said Commissioners or their Successors, or by their 'Clerk and Treasurer for the Time being on their Behalf, to the said Artillery Company for the whole 'Term of the said new Lease, wanting Five Days, at the Rent and under the Conditions therein men- 'tioned, and with the Reservation in favour of the said Royal *London* Militia or Trained Bands of the 'City of *London* of the same Right of User of the said Piece of Land as they now enjoy, and such 'other Rights as are in the said Agreement specified:' Be it therefore enacted, That it shall be lawful for the said *Hugh* Bishop of *Carlisle* and the said Ecclesiastical Commissioners for *England*, according to their respective Interests, to grant to the said Commissioners of Lieutenancy and their Successors, or to their Clerk and Treasurer for the Time being on their Behalf, a Lease of the said Piece or Parcel of Land

Land and Buildings for the Term of Ninety-nine Years, in manner herein-after provided, and the said Commissioners of Lieutenancy and their Successors, or their Clerk and Treasurer for the Time being on their Behalf, shall and they are hereby empowered to accept of such Lease, and to execute a Counterpart thereof, and shall and they are hereby empowered, at or immediately after the Execution thereof, to grant and execute to and in favour of the said Artillery Company and their Successors, or to Trustees on their Behalf, an Under-lease of the said Piece of Land and Buildings (save and except the Portion thereof excepted by the said Agreement and specified in the Plan appended thereto) for the said Term of Years, and at the Rent, and under the Conditions, and with and subject to the Reservation of Rights specified and contained in the Agreement herein-before referred to, which last-mentioned Agreement shall be held binding on the said Commissioners of Lieutenancy and on the said Artillery Company.

Confirmation of Agreement between the Commissioners of Lieutenancy and the Artillery Company.

V. That the Compensation for and in respect of the Lands and Buildings which will be required by the said Commissioners as aforesaid shall, in case the Terms of Compensation have not been already or shall not hereafter be agreed upon between the Parties, be ascertained, assessed, and paid in the Manner directed by and in accordance with "The Lands Clauses Consolidation Act, 1845," as regards the taking and Purchase of Lands, Premises, and other Hereditaments.

Compensation for Lands, &c. to be assessed as directed by 8 & 9 Vict. c. 18.

VI. That, except as hereby is expressly enacted, nothing in this Act shall extend to take away, diminish, alter, or prejudice all or any of the Rights, Privileges, Powers, Exemptions, or Authorities vested in the Mayor and Commonalty and Citizens of the City of *London*, the Artillery Company, the Lord Bishop of *Carlisle*, and the Ecclesiastical Commissioners for *England* respectively; but all such Rights, Privileges, Powers, Exemptions, and Authorities shall and may henceforth and at all Times be used, exercised, and enjoyed in as full, ample, and beneficial a Manner as if this Act had not been passed.

Reservation of Rights of City of London, Artillery Company, and Ecclesiastical Commissioners.

VII. That all the Costs, Charges, and Expenses of and attending the obtaining and passing this Act shall be paid by the said Commissioners of Lieutenancy out of the said Trophy Tax.

Expenses of Act.

The SCHEDULE referred to in the foregoing Act.

The Parish of Saint Luke in the County of Middlesex.

Number on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Part of Artillery Ground and Entrance.	The Prebendary of the Prebend of Halliwell and Finsbury, and the Ecclesiastical Commissioners for England.	The Mayor and Commonalty and Citizens of London, and Thomas Mawdsley, Richard Hooper, James Kidston, John Bacon, William Moore, Thomas Lane the younger, William Row the younger, Charles Edward Cox, George Wood, John Jennings, John Furbor, William Comerford Clarkson, Thomas Preston the younger, Thomas Kemble, John Par Welsford, Thomas James Allen, Joseph Reid, James Lyon, Robert Steel the younger, Rowland Wimburn, Charles Lincoln, Charles Bessell, George Holah, and Robert Robson, Trustees of the Artillery Company.	Thomas Mawdsley, Richard Hooper, James Kidston, John Bacon, William Moore, Thomas Lane the younger, William Row the younger, Charles Edward Cox, George Wood, John Jennings, John Furbor, William Comerford Clarkson, Thomas Preston the younger, Thomas Kemble, John Par Welsford, Thomas James Allen, Joseph Reid, James Lyon, Robert Steel the younger, Rowland Wimburn, Charles Lincoln, Charles Bessell, George Holah, and Robert Robson, Trustees of the Artillery Company.
2	Part of Artillery Ground and Shooting Gallery.	The same - -	The same - - - -	The same.
3	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London, and Joseph Freeman.	Joseph Freeman, William Meyerstein.
4	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London, and John Lucas Allen.	John Lucas Allen.
5	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London, and Alfred Purssell.	Alfred Purssell and William Towsey.
6	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London, and Hillery John Bauerman.	Hillery John Bauerman.
7	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London, and Robert Rough.	Robert Rough.
8	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London, and John Corner.	John Corner.
9	House, Offices, and Yard.	The same - -	The Mayor, Commonalty, and Citizens of London.	Letitia Montague.

Cap. cxlvi.

An Act for making a Railway from the *London and North-western* Railway at *Dunstable* in the County of *Bedford* to the *Great Northern* Railway at or near *Welwyn* in the County of *Hertford*, to be called the "*Luton, Dunstable, and Welwyn Junction* Railway;" and for other Purposes.

[16th *July* 1855.]

[*Subscribers incorporated*, § 3. *Capital*, £120,000, § 4. *Power to borrow not exceeding* £40,000, § 9. *Provision as to Rights of the Crown*, § 52.]

Cap. cxlvii.

An Act to extend the Limits of the Borough of *Folkestone*; to enable the Corporation of the said Borough to construct a Market House; to make certain new Streets and other Improvements; and to pave, light, drain, and otherwise improve the said Borough; and for other Purposes.

[16th *July* 1855.]

[*Inhabitants of the Borough, as extended, incorporated, and present Commission of the Peace valid*, §§ 4 *and* 6. *Provisions as to Constitution of the Council, and as to Elections*, §§ 7 *to* 24. 36 *Geo.* 3. *c.* xlix. *repealed*, § 30. *Power to make new Streets, &c.* § 43.]

Cap. cxlviii.

An Act for insuring the due Proof of Gun Barrels in *England*, and for other Purposes.

[16th *July* 1855.]

'WHEREAS by Royal Charter, dated the Fourteenth Day of *March* One thousand six hundred and thirty-seven, the Master, Wardens, and Society of the Mistery of Gunmakers of the City of *London* (in this Act called the Gunmakers Company) were incorporated, with perpetual Succession, and with Powers of searching for and viewing and proving and marking all manner of Hand Guns whatsoever, great and small Daggs and Pistols, and every Part thereof, whether made in *London* or the Suburbs, or within Ten Miles thereof, or imported from Foreign Parts or otherwise brought thither for Sale, and a Scale for such Proof was thereby established, and a Stamp was thereby authorized to be used for such marking by that Company: And whereas the Gunmakers Company, in pursuance of the Provisions of their Charter, have established a Proof House near the City of *London* for such proving: And whereas in or before the Year One thousand eight hundred and thirteen, Money was subscribed in *Birmingham* for the Erection and Establishment in that Town of a public Proof House for Fire-arms: And whereas by an Act of the Fifty-third Year of the Reign of King *George* the Third, Chapter One hundred and fifteen, intituled *An Act to insure the proper and careful manufacturing of Fire-arms in* England, *and for making Provision for proving the Barrels of such Fire-arms*, the Guardians, Trustees, and Wardens of the Gun Barrel Proof House of the Town of *Birmingham* (in this Act called the *Birmingham* Company) were incorporated, with perpetual Succession, for the purpose of proving and marking Barrels of Fire-arms, and were empowered to erect and establish in *Birmingham* a proper Proof House, and to apply for that Purpose the Money so subscribed, and Provision was thereby made for the Repayment thereof with Interest: And whereas by that Act Provision was made for the proving at the *Birmingham* Proof House of the Barrels of Fire-arms not proved at the Proof House of the Gunmakers Company or at some other public Proof House established by Law, and for the marking of such Barrels as proved, and a Scale for such Proof was established, and a Stamp was authorized to be used for such marking by the *Birmingham* Company, and Penalties were imposed in respect of the Sale of Barrels of Fire-arms not proved and marked as proved at the Proof House of the Gunmakers Company, the *Birmingham* Proof House, or some other public Proof House: And whereas the *Birmingham* Company in pursuance of that Act established a Proof House in *Birmingham* (in this Act called the *Birmingham* Proof House) for such proving: And whereas the Money so subscribed for the Purposes of the *Birmingham* Proof House, with the Interest thereon, was paid off: And whereas by an Act of the Fifty-fifth Year of the Reign of King *George* the Third, Chapter Fifty-nine, intituled *An Act for amending an Act of His present Majesty, to insure the proper and careful manufacturing of Fire-arms in* England, *and for making Provision for proving the Barrels of such Fire-arms*, further Provision was made for the proving, and marking as proved, by the *Birmingham* Company and the Gunmakers Company (in this Act called the Two Companies) respectively of the Barrels of Fire-arms, and further Penalties were imposed for the Purpose of securing the due proving of such Barrels, and the Constitution of the *Birmingham* Company was altered: And whereas the recited Acts have been put in execution by the *Birmingham* Company, and they are now possessed of the *Birmingham* Proof House situate in *Banbury Street* in the Borough of *Birmingham*, which is vested in Trustees for them and is used for the Purposes of those Acts: And whereas the recited Acts have also been put in execution by the Gunmakers Company so far as they regarded that Company, and they have ever since the granting of their Charter been and are now possessed of a proper Proof House in *Church Lane, Whitechapel*, near the City of *London*, (in this Act called the Proof House of the Gunmakers Company,) which is used for the Purposes of those Acts and of their Charter: And whereas by reason of progressive Improvements in the Manufacture of Small Arms since the passing of the secondly-recited Act, some of the Provisions of the recited Acts respectively are not applicable to every Description of Small Arm now in use, or are in other respects insufficient; and it is expedient that better Provision be made for insuring that Small Arms made in *England* be properly and carefully manufactured, and in order thereto that better Provision be made for the proving and marking as proved of all such Parts of Small Arms as for

Charter, dated 14th March 1637.

53 G. 3. c. 115.

55 G. 3. c. 59.

securing

'securing the safe User thereof ought to be proved, and that further Powers be conferred on the Two 'Companies respectively for insuring Compliance with the Requirements of this Act: And whereas it is 'expedient that the Scale of Proof required by the recited Acts be amended: And whereas it is expedient 'that all smooth bored single Barrels be proved once only, and by definitive Proof, and only when in the 'State in that Behalf by this Act provided, and that all rifled Barrels and double Barrels be proved by 'provisional and also by definitive Proof as respectively by this Act provided: And whereas it is expe-'dient that the *Birmingham* Proof House be vested in the *Birmingham* Company: And whereas, in order 'to avoid the Inconvenience of several Acts relating to the same Matter being in force at the same Time, 'it is expedient that the recited Acts be repealed, and that Parts thereof be re-enacted with Amendments: 'And whereas the Objects of this Act cannot be attained without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for any Purpose as "The Gun Barrel Proof Act, 1855."

Commencement of Act.

II. This Act shall commence and have Effect on and after the Fourth *Wednesday* next after the passing thereof.

Crown may establish public Proof Houses.

III. This Act shall not in any way interfere with the Power of Her Majesty, Her Heirs and Successors, from Time to Time to establish public Proof Houses in such Places and under such Regulations as to the Care and Management thereof as to Her Majesty, Her Heirs and Successors, may seem fit.

Interpretation of Terms.

IV. In the Construction of this Act the following Words and Expressions have the following Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction; to wit,

"Official Members of the *Birmingham* Company" means the several Persons who by virtue of their respective Offices are from Time to Time Members of the *Birmingham* Company:

"Ordinary Members of the *Birmingham* Company" means the several Persons other than the official Members who from Time to Time are Members of the *Birmingham* Company:

"Small Arms" includes Small Arms of every Description, and whether of present Use or of future Invention, respectively adapted for the Discharge of Bullets, Shots, or other Projectiles, either by means of the Explosion, Ignition, or other Action of Gunpowder, Gun-cotton, fulminating Powder, or other Substance, whether of present Use or of future Invention or Application, or by means of the Expansion of Steam or Gas, or by any other Means not being merely mechanical Means, except Air Guns as at present manufactured:

"Barrel" includes every Barrel of every Small Arm and every Breech of every Small Arm and every Part of every Small Arm, which Part would in the User of the Small Arm contain all or any Part of the Charge of the Small Arm, and every Part of every Small Arm in, from, or through which Part, in the User of the Small Arm, all or any Part of the Charge thereof would be exploded or discharged:

"Barrel" also includes all Barrels welded, forged, or cast, finished or unfinished, or in any other progressive State of Manufacture, and any and every Part of a Barrel:

"Double Barrel" includes every Barrel constructed for every Small Arm consisting of Two or more Barrels:

"Provisional Proof" means Proof of a Barrel liable in any subsequent Stage of Manufacture to be reduced in Strength before it forms Part of a Small Arm in a finished State:

"Definitive Proof" means Proof of a Barrel not liable in any subsequent Stage of Manufacture to be reduced in Strength before it forms Part of a Small Arm in a finished State:

"Proof" includes "provisional Proof" and "definitive Proof," and means, as the Case requires, "provisional Proof" or "definitive Proof."

"Stamp" includes every Stamp, Die, Punch, Tool, and other Instrument whatsoever, by means whereof any Mark can be made on any Metal whatsoever:

"Mark" includes every Mark and other Impression of and made with any Stamp or produced by any other Means whatsoever on any Metal whatsoever:

The "*Birmingham* Gun Trade" means Master Gun Makers or Master Gun Barrel Makers carrying on Business in or within Ten Miles of the Borough of *Birmingham* rated to the Relief of the Poor of the Parish in which they shall carry on Business upon the annual Value of not less than Fifteen Pounds, and registered as by this Act provided:

The "Trade List" means the List of Candidates for Election as ordinary Members of the *Birmingham* Company nominated by the *Birmingham* Gun Trade as by this Act provided:

The several Weights by this Act prescribed are Avoirdupois Weights.

Same Meanings to Words in incorporated Acts and this Act, &c.

V. The several Words and Expressions to which, by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings; and the several Words and Expressions to which by this Act Meanings are assigned, have in the Schedule to this Act annexed the same respective Meanings, unless in any such Case there be in the Subject or Context something repugnant to or inconsistent with such Construction.

10 & 11 Vict. c. 16. incorporated.

VI. "The Commissioners Clauses Act, 1847," shall be incorporated with this Act, except the following Clauses thereof; that is to say, the Clauses—

With respect to the Qualification of Commissioners:

With respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Ratepayers or other like Class of Electors:

With

With respect to the Meetings and other Proceedings of the Commissioners and their Liabilities:
With respect to the Appointment and Accountability of the Officers of the Commissioners:
With respect to the Mortgages to be executed by the Commissioners:
With respect to the Accounts to be kept by the Commissioners:
With respect to the making of Byelaws:
With respect to the Notices to be given by Advertisement:
And the Expression "the Commissioners" in that Act means, for the Purposes of this Act only, the *Birmingham* Company.

8 & 9 Vict. c. 18. incorporated.

VII. "The Lands Clauses Consolidation Act, 1845," is incorporated with this Act, but not so as to authorize the purchasing of any Lands otherwise than by Agreement.

8 & 9 Vict. c. 18. and 10 & 11 Vict. c. 16. incorporated.

VIII. Provided always, That the Clauses and Provisions incorporated with this Act of "The Lands Clauses Consolidation Act, 1845," and "The Commissioners Clauses Act, 1847," respectively, do not extend or apply to the Gunmakers Company or any of the Officers or Servants thereof.

Recited Acts repealed.

IX. The recited Acts are by this Act repealed.

General Saving of Rights under recited Acts.

X. Provided always, That, notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done and suffered respectively under the recited Acts or either of them shall be as valid as if this Act were not passed; and such Repeal and this Act respectively shall accordingly be subject and without Prejudice to everything so done and suffered respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such Repeal had not happened and this Act were not passed, would be incident to or consequent on any and every thing so done and suffered respectively; and all such Rights, Liabilities, Claims, and Demands shall be enforceable and recoverable for or against the *Birmingham* Company in the same Manner and to the same Extent as they would have been enforceable against that Company in case this Act had not passed: Provided also, that the Generality of the preceding Provision shall not be affected by the Particularity of any of the other Provisions of this Act.

Existing Scale of Proof to continue until 1st Jan. 1856.

XI. Notwithstanding the Repeal of the recited Acts, the Scale of Proofs in the first-recited Act contained shall be the Scale for Proof according to this Act until the First Day of *January* One thousand eight hundred and fifty-six.

Birmingham Company to continue incorporated.

XII. Notwithstanding the Repeal of the recited Acts, but subject to the Provisions of this Act, the *Birmingham* Company shall be and continue incorporated by the Name of the Guardians of the *Birmingham* Proof House, and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal.

Birmingham Company to remain entitled to their Property.

XIII. Notwithstanding the Repeal of the recited Acts, the *Birmingham* Company shall remain and be possessed of and entitled to the *Birmingham* Proof House, and all Works and Conveniences, Lands, Buildings, Estates, Monies, Property, Effects, Claims, and Demands whatsoever, of or to which they, or any Persons upon trust for them, shall, by virtue of the recited Acts or either of them, or otherwise howsoever, be, immediately before the Commencement of this Act, seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act were not passed, and may, according to the Provisions of this Act, maintain and use that Proof House and the Works and Conveniences thereof.

Birmingham Company to continue entitled to Rights under other Acts.

XIV. Notwithstanding the Repeal of the recited Acts, but subject to the Provisions of this Act, the several Clauses and Provisions whatsoever relating to the *Birmingham* Company contained in any Act or Acts other than the recited Acts, and which shall immediately before the Commencement of this Act be in force, shall, on and after the Commencement and for the Purposes of this Act, continue and be in force accordingly; and that Company, by themselves, their Officers and Servants, may and shall accordingly and for the Purposes of this Act, be entitled to, and have, exercise, enjoy, and be subject to, under or by virtue of those Clauses and Provisions respectively, all such Rights, Interests, Powers, Authorities, Privileges, Obligations, and Liabilities whatsoever, as, in case this Act were not passed, that Company, by themselves, their Officers and Servants, under or by virtue of the same, might be entitled to, or might have, exercise, enjoy, and be subject to.

Contracts, Conveyances, &c. to remain in force.

XV. Notwithstanding the Repeal of the recited Acts, all Contracts, Conveyances, Leases, Deeds, Appointments, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the Commencement of this Act, to, with, in favour of, or by, for, or on behalf of the *Birmingham* Company or any Person on their Behalf, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to that Company, and may be proceeded on and enforced in like Manner, to all Intents and Purposes as if this Act were not passed.

Actions, &c. not to abate.

XVI. Any Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the *Birmingham* Company before the Commencement of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, shall continue and take effect, both in favour of and against that Company, in the same Manner to all Intents and Purposes as if this Act were not passed.

Debts due to and by Birmingham Company to be paid to and by them.

XVII. Notwithstanding the Repeal of the recited Acts, all Persons who shall immediately before the Commencement of this Act owe any Sum of Money to the *Birmingham* Company, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due and payable or accruing for the same, to that Company; and all Debts and Monies which immediately before the Commencement of this Act are due or owing by or recoverable from that Company, or for the Payment of which that Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from that Company.

Byelaws, &c. to remain in force.

XVIII. Notwithstanding the Repeal of the recited Acts, all Byelaws, Ordinances, Rules, Resolutions, Orders, Notices, and Proceedings of the *Birmingham* Company and their Officers and Agents, made and taken before the Commencement of this Act, shall for the Purposes of this Act continue of full Force and Effect as if this Act were not passed, and such Byelaws may be enforced and all Penalties thereunder may be recovered accordingly: Provided always, that any Byelaw of the *Birmingham* Company made under the Authority and for any of the Purposes of the recited Acts or either of them, shall not, unless and except only so far as the same shall within Six Months after the Commencement of this Act be duly re-enacted, be of any Force after the Expiration of those Six Months.

Books to be Evidence.

XIX. Notwithstanding the Repeal of the recited Acts, all Books, Certificates, Writings, and Documents by those Acts respectively directed or authorized to be kept or made, and which, if this Act were not passed, would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Officers to continue.

XX. Notwithstanding the Repeal of the recited Acts, every Officer and Servant of the *Birmingham* Company appointed by virtue of or acting under the Authority of those Acts or either of them, shall hold and enjoy his respective Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of that Company, until he be removed by that Company from such Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever as if he were appointed by that Company under this Act.

Members of Birmingham Company.

XXI. On and after the Commencement of this Act the Lords Lieutenant of the several Counties of *Warwick*, *Worcester*, and *Stafford*, and the several Persons from Time to Time serving in Parliament for the several Divisions of those Counties respectively and for the Borough of *Birmingham*, and all acting Justices residing in or within Seven Miles from the Town of *Birmingham*, and the several other Persons who shall on the Commencement of this Act be Members of the *Birmingham* Company, and their Successors, to be from Time to Time elected, as by this Act provided, ordinary Members thereof, shall be the Members of the *Birmingham* Company.

Yearly Election of ordinary Members of the Birmingham Company.

XXII. At every yearly Meeting of the *Birmingham* Company Three of the ordinary Members shall retire from that Company, but they may attend and vote at such Meeting, and they shall be eligible for Re-election if duly nominated and qualified as by this Act provided; the Order of Retirement of the Persons who upon the passing of this Act shall be the ordinary Members shall be determined by Ballot at their First Meeting, and the Order of Retirement of ordinary Members who shall be elected after the Time of the passing of this Act shall be determined by the Seniority of their Election; the Vacancies created by such Retirement, or by any other Means, shall be filled up at such yearly Meeting from the Trade List, but if no Trade List should have been given in, then the Vacancies shall be filled up by qualified Persons to be elected by the *Birmingham* Company: Provided always, that Two Thirds of the Persons elected from Time to Time shall be Members of the *Birmingham* Gun Trade: Provided also, that no Person shall be entitled to be elected or to continue an ordinary Member of the *Birmingham* Company unless he shall reside within the Borough of *Birmingham* or within Twenty Miles thereof, and unless he shall be seised or possessed of Real or Personal Estate, or both, to the Amount of One thousand Pounds, or be rated to the Relief of the Poor of the Parish in which he shall reside upon the annual Value of not less than Thirty Pounds.

Birmingham Gun Trade to meet and nominate Candidates for Election as ordinary Members of the Birmingham Company.

XXIII. A Meeting of the *Birmingham* Gun Trade shall be held in the Committee Room of the Town Hall, *Birmingham*, on the Ninth Day of *March* in every Year, unless such a Day be a *Sunday* or a Day appointed for a General Fast or Thanksgiving, and then on the next Day, not being one of such Days, at Twelve o'Clock at Noon, for the Purpose of nominating Nine Candidates for Election as ordinary Members of the *Birmingham* Company; and the Law Clerk of the *Birmingham* Company shall insert a Notice of such Meeting in Two of the Newspapers published in *Birmingham*, not later than the First Day of *March* in every Year, and at such Meeting every Member of the *Birmingham* Gun Trade may attend and vote, and the Persons present and voting at such Meeting shall, by written Lists, nominate Nine Persons qualified to act as ordinary Members of the *Birmingham* Company under the Provisions of this Act, of whom Six shall be Members of the *Birmingham* Gun Trade; at such Meeting the First Business shall be the Election of a Chairman; all Questions shall be decided by a Majority of Votes of the Members present and voting, the Chairman having a Second or Casting Vote in Cases of Equality of Votes, and the Meeting may adjourn; and it shall be the Duty of the Chairman to make and sign a Record of the Proceedings, to sign the Trade List, and to send such List to the Law Clerk of the *Birmingham* Company at the *Birmingham* Proof House within Two Days after the Meeting, and such Chairman shall also have the Custody of all Documents belonging to the *Birmingham* Gun Trade until their next yearly Meeting.

Provisions for Registry of the Birmingham Gun Trade.

XXIV. Every Person claiming to be a Member of the *Birmingham* Gun Trade shall, on or before the Twenty-ninth Day of *September* in every Year, deliver at the *Birmingham* Proof House a Claim in the Form in the Schedule (A. Part 1) to this Act annexed, together with the Sum of Twenty-one Shillings as a Registration Fee, and the Law Clerk shall, on or before the Thirty-first Day of *October* in every Year, make out a List of Claimants, and suspend it in the Board Room at the *Birmingham* Proof House, for the Inspection of all Persons interested therein; and on the First *Monday* in the Month of *December* in every Year, at Twelve o'Clock at Noon, the Proof Master of the *Birmingham* Company, the Chairman of the last preceding yearly Meeting of the *Birmingham* Gun Trade, and an Assessor to be by them appointed, shall attend at the Board Room at the *Birmingham* Proof House to receive Objections to the Title

Title of any Claimant, and any Claimant may object to the Title of any other Claimant in the Form in the Schedule (A. Part 2) to this Act annexed; and the Proof Master, Chairman, and Assessor, or any Two of them, shall then and there decide upon the Title of all Claimants, and retain or expunge the Name of any Claimant, and shall sign the List when settled; and thereupon the Law Clerk of the *Birmingham* Company shall enter the Names retained into a Book to be called "The Register of the *Birmingham* Gun Trade," and which Register shall at all reasonable Times be open to the Inspection of every Member of the *Birmingham* Gun Trade, and a Copy thereof shall be made and delivered to the Chairman of the last preceding yearly Meeting of the *Birmingham* Gun Trade.

No Bankrupts, &c. to be Members.

XXV. An uncertificated Bankrupt or insolvent Debtor who has not obtained his Discharge or Final Order, or a Person not qualified as required by this Act, shall not be capable of being or continuing a Member of the *Birmingham* Company.

As to Qualification of Members of Birmingham Company or Gun Trade.

XXVI. If the Qualification of any Person as Member of the *Birmingham* Company or of the *Birmingham* Gun Trade with respect to Rating shall depend upon a Rating which shall be a joint Rating of himself and any other Person or Persons, then any such Person shall, subject to the Provisions herein contained, be eligible, provided such joint Rating, when divided by the Number of Persons rated, shall give to each a sufficient rateable yearly Value according to the Provisions herein contained.

Members not to be concerned in Contracts.

XXVII. Any Person who, being a Member of the *Birmingham* Company, at any Time accepts or continues to hold any Office or Place of Profit under this Act other than the Office of Proof Master or Warden, or is concerned or participates in any Manner in any Contract or in the Profit thereof, or of any Work to be done under this Act, shall thenceforth cease to be a Member of the *Birmingham* Company, and if he be an ordinary Member thereof his Office shall thereupon become vacant.

Shareholders in Companies not disqualified.

XXVIII. Provided always, That a Person, being a Shareholder or Member of any Joint Stock Company established by or under Act of Parliament, shall not be prevented from being or acting as a Member of the *Birmingham* Company by reason of any Contract entered into between the *Birmingham* Company and such established Company; but any such Member of the *Birmingham* Company, being a Member of such established Company, shall not vote on any Question relating to the Execution of this Act in which such established Company is interested.

Members not incapable of acting as Justices.

XXIX. A Person shall not be incapable of acting in any way as a Justice in the Execution of this Act by reason of his being a Member of either of the Two Companies.

Declaration to be made by Members before acting.

XXX. A Person shall not be capable of acting as a Member of the *Birmingham* Company, except in administering the following Declaration, until he have made and signed, before One of the Members of the *Birmingham* Company, a Declaration to the Effect following:

'I *A.B.* of [*stating Residence*] do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Member of the Company incorporated by the Name of "The Guardians of the Birmingham Proof House," by virtue of "The Gun Barrel Proof Act, 1855;" and also that I [*here set forth a Statement of the Possession of the Qualification required by this Act in the Terms thereof*].'

False Declaration a Misdemeanor.

XXXI. Any Person who falsely or corruptly makes and subscribes such Declaration, knowing the same to be untrue in any material Particular, or knowingly and wilfully acts contrary thereto, shall be deemed guilty of a Misdemeanor.

Declaration to be made at First Meeting.

XXXII. Every Member of the *Birmingham* Company shall, at the Meeting of that Company at which he first attends after the Commencement of this Act as a Member of that Company, make and subscribe such Declaration; and any Member of that Company, whether he himself have made such Declaration or not, may administer such Declaration.

Penalty on Members acting not being qualified.

XXXIII. Every Person who acts as a Member of the *Birmingham* Company being incapacitated or not duly qualified to act, or before he has made and subscribed such Declaration, or after having become disqualified, shall for every such Offence be liable to a Penalty of Fifty Pounds, to be recovered by any Person, with full Costs of Suit, in any Court of competent Jurisdiction; and in every Action for such Penalty the Person sued shall prove that at the Time of so acting he was qualified, and had made and subscribed such Declaration, or shall pay that Penalty and Costs without any other Evidence being required from the Plaintiff than that such Person acted in the Execution of this Act as a Member of the *Birmingham* Company.

Proceedings valid notwithstanding Disqualification.

XXXIV. Provided always, That all Acts as a Member of the *Birmingham* Company of any Person incapacitated or not duly qualified, or not having made or subscribed such Declaration previously to the Recovery of such Penalty, shall be as valid as if such Person had been duly qualified.

Ordinary Members failing to act to cease to be Members.

XXXV. Every ordinary Member of the *Birmingham* Company who for Three Months after his Election fails to make and subscribe such Declaration, or who for Six Months in succession is absent from all Meetings, or who by Notice in Writing left at the *Birmingham* Proof House resigns his Appointment, shall cease to be a Member of that Company.

Vacancy on ordinary Members becoming official Members.

XXXVI. When any Person, being an ordinary Member of the *Birmingham* Company, becomes entitled to be an official Member thereof, his Office as ordinary Member shall thereupon become vacant; and with respect to his making and subscribing the Declaration by this Act required, he shall be deemed to have newly become a Member of the *Birmingham* Company.

Fifteen ordinary Members.

XXXVII. There shall from Time to Time be Fifteen ordinary Members of the *Birmingham* Company: Provided always, that the Powers of the *Birmingham* Company shall not be dependent on the Number of ordinary Members thereof from Time to Time amounting to Fifteen.

Election as ordinary Members of those ceasing to be official Members.

XXXVIII. Every Person ceasing to be an official Member may, if qualified, be elected an ordinary Member of the *Birmingham* Company, and with respect to the Declaration to be made and subscribed by him, shall, on being so elected, be deemed to have newly become an ordinary Member of the *Birmingham* Company.

Election of ordinary Members to supply Vacancies.

XXXIX. If any ordinary Member of the *Birmingham* Company die, or resign, or be disqualified, or cease from any other Cause to be an ordinary Member, the *Birmingham* Company, if they think fit, may, within One Month after the happening of such Vacancy, elect another Person from the Trade List given in at the last preceding yearly Meeting to be an ordinary Member in his Place; but every ordinary Member so elected shall continue in Office only until the then next yearly Meeting of the *Birmingham* Company, unless he shall be re-elected according to this Act.

Votes at Election of ordinary Members.

XL. At every Election of an ordinary Member, every Member of the *Birmingham* Company present shall have One Vote for every Vacancy then to be filled up, and every such Election shall be decided by a simple Majority of the Votes of the Members of the *Birmingham* Company present and voting at the Meeting, and the Votes shall be given in Writing to the Chairman of the Meeting, who shall declare the Result.

Chairman to have Casting Vote.

XLI. Whenever there is an Equality of Votes for Two or more Persons to be elected ordinary Members of the *Birmingham* Company, the Chairman of the Meeting at which the Election takes place shall have a Second or Casting Vote.

Adjournment on Failure of Election.

XLII. If from any Cause an Election of an ordinary Member of the *Birmingham* Company fail to take place on the Day appointed for it, the Election shall stand adjourned until the same Day of the following Week, and so from Time to Time until the Election takes place.

Appointment of Auditors.

XLIII. At the first yearly Meeting of the *Birmingham* Company after the passing of this Act, and at every subsequent yearly Meeting, Two Auditors shall be appointed, and the Persons so appointed shall not be Members of the *Birmingham* Company, and one of them shall be a practising Accountant, and the other shall be a Member of the *Birmingham* Gun Trade, and each Auditor shall be paid such a reasonable Fee as the *Birmingham* Company shall think fit.

First Meeting for Birmingham Company.

XLIV. The *Birmingham* Company shall hold their First Meeting at their Proof House on the Sixteenth Day of *August* One thousand eight hundred and fifty-five, at the Hour of Eleven in the Forenoon, and shall proceed to put this Act into execution, except as regards the Proof of Barrels according to Schedule B. to this Act annexed, and Notice of such Meeting shall be inserted by their Law Clerk in Two of the Newspapers published in *Birmingham* One Week at least previously to the Meeting.

Election of Chairman of Birmingham Company.

XLV. At the First Meeting of the *Birmingham* Company they shall, by the Majority of the Votes of the Members present and voting, elect One of the ordinary Members of that Company to be the Proof Master, and Two of the ordinary Members of that Company to be Wardens, until the next yearly Meeting of that Company, when and at every subsequent yearly Meeting that Company shall in like Manner elect a Proof Master and the like Number of Wardens for the ensuing Year; and if the Proof Master or either of the Wardens die, resign, or cease to be a Member of that Company, or otherwise become disqualified to act as such, that Company, at their Meeting next after the happening of such Vacancy, shall elect some other Person to fill up such Vacancy, and the Person so elected shall continue in Office so long only as the Person to whose Place he is elected would have been entitled to continue in Office, and the Proof Master for the Time being shall be the official Chairman of that Company.

Appointment of Officers.

XLVI. At the First Meeting of the *Birmingham* Company, or at some Adjournment thereof, they shall, by the Majority of the Votes of the Members present and voting, appoint a Treasurer, Law Clerk, Accounting Clerk, Assistant Proof Masters, and such other principal Officers and Servants as may be in their Discretion necessary for the Management of the *Birmingham* Proof House until their next yearly Meeting.

As to Election of a temporary Chairman.

XLVII. If at any Meeting of the *Birmingham* Company their Chairman be not present, One of the Members present shall be elected Chairman of such Meeting by the Majority of the Votes of the Members present thereat: Provided always, that at every yearly Meeting of that Company the Chairman going out of Office at that Meeting shall, if present and willing to act, be the Chairman of that Meeting.

Voting at Meetings.

XLVIII. At every Meeting of the *Birmingham* Company every Question there considered shall be decided by a Majority of the Members present and voting; and if there be an equal Division of Votes upon any Question, the Chairman of the Meeting shall have a Second or Casting Vote: Provided always, that if at any such Meeting there be an Equality of Votes in the Election of the Chairman, it shall be decided by Lot which of the Members having an equal Number shall be the Chairman.

Quorum of Meetings.

XLIX. The Quorum for a Meeting of the *Birmingham* Company shall be Ten or more of the Members, and no Business shall be transacted at any Meeting unless the Quorum be present.

Yearly and other Meetings.

L. The *Birmingham* Company shall hold a yearly Meeting on the Sixteenth Day of *March* in the Year One thousand eight hundred and fifty-six, and on the Sixteenth Day of *March* in every subsequent Year, unless such Day be a *Sunday* or a Day appointed for a General Fast or Thanksgiving, and then on the next Day, not being One of such Days, at the *Birmingham* Proof House or some other convenient Place in the Borough of *Birmingham*, and shall also hold such other Meetings at such Places in *Birmingham* and at such Times as that Company from Time to Time appoint; and when any such Appointment is made the Wardens shall give or cause to be given Notice thereof.

Adjournment of Meetings if

LI. If at any Meeting of the *Birmingham* Company the Quorum be not present within Half an Hour after the appointed Time for the Commencement of the Meeting, the Members of that Company present,

or

or the major Part of them, or the Member if only One present thereat, may adjourn the Meeting to another Day at the same or any other Place in *Birmingham*. Quorum not present.

LII. Every Meeting of the *Birmingham* Company may be adjourned from Time to Time and from Place to Place, and no Business shall be transacted at any adjourned Meeting other than the Business left unfinished at the Meeting from which the Adjournment took place. Adjourned Meetings.

LIII. At any Meeting of the *Birmingham* Company not being a Special Meeting, any of the ordinary Business of that Company may be transacted, such ordinary Business including the appointing and removing of the inferior Officers of the Company, the inquiring into the Conduct of Persons employed by the Company to execute any Works or perform any Services, and into the State and Progress of such Works, and generally the giving from Time to Time of any Directions necessary for carrying into effect the Purposes of this Act. Ordinary Business at Meetings of Birmingham Company.

LIV. Where any Business other than ordinary Business is required or intended to be transacted at any Meeting of the *Birmingham* Company, the Wardens shall give Notice thereof, and no such extraordinary Business shall be transacted at any Meeting unless due Notice thereof be given at a former Meeting and by the Wardens. Notice to be given of extraordinary Business;

LV. Provided always, That the Election of ordinary Members and the appointing of Proof Master and Wardens may take place at the yearly Meeting of the *Birmingham* Company without Notice thereof. except for Election of certain Officers.

LVI. A Resolution of any Meeting of the *Birmingham* Company shall not be revoked or altered at any subsequent Meeting unless Notice of the Intention to propose such Revocation or Alteration be given Seven Days at least before holding the Meeting, or unless such Revocation or Alteration be determined upon by at least Two Thirds of the Votes of the Members present at such subsequent Meeting, if the Number of the Members present thereat be not greater than the Number present when such Resolution was come to, or by a Majority of the Votes of the Members present at such subsequent Meeting, if the Number present thereat be greater than the Number present at such former Meeting. Revocation of Resolutions.

LVII. The *Birmingham* Company from Time to Time may hold Special Meetings, and any Three or more of the Members may require a Special Meeting to be held, but a Special Meeting shall not be held unless Two clear Days Notice thereof at the least be given. Special Meetings.

LVIII. Every Notice of a Meeting of the *Birmingham* Company shall be in Writing or in Print, or partly in Writing and partly in Print, and shall, such Time before the Meeting as that Company from Time to Time determine, be delivered or sent by Post or otherwise to the usual Place of Abode or Place of Business, if any, in or within Twenty Miles from the Town of *Birmingham* of every Member who has made or subscribed the Declaration by this Act required and who has not ceased to be a Member, and every such Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof, and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof. Notice of Meetings.

LIX. The *Birmingham* Company at any Meeting, and as extraordinary Business, may from Time to Time appoint Committees for any Purposes which in the Opinion of that Company would be better regulated and managed by means of such Committee, and may fix the Quorum of any such Committee, and may continue, alter, or discontinue such Committee. Committees of Birmingham Company.

LX. Every Committee so appointed may meet from Time to Time and adjourn from Place to Place as they think proper for carrying into effect the Purposes of their Appointment, but no Business shall be transacted at any Meeting of the Committee unless the Quorum, if any, fixed by the Company, and if no Quorum be fixed, Three Members be present, and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present, and in every Case of an Equality of Votes the Chairman shall have a Second or Casting Vote. Proceedings of Committees.

LXI. All Proceedings of the *Birmingham* Company or of a Committee thereof, or of any Person acting as a Member of that Company, shall, notwithstanding it be afterwards discovered that there was some Defect in the Election of any such Member or Person so acting, or that they or any of them were disqualified, be as valid as if every such Person were duly appointed and qualified to be a Member. Informalities not to invalidate Proceedings.

LXII. Entries of all the Proceedings of the *Birmingham* Company and every Committee appointed by that Company, with the Names of the Members who attend every Meeting, shall be entered in Books provided for the Purpose, under the Superintendence of that Company, and every such Entry shall be signed as soon as conveniently may be by the Chairman of the Meeting at which the Proceedings took place, or, him failing, by at least Three of the Members present thereat; and those Books shall at all reasonable Times be open to the Inspection of any of the Members of that Company, and they may take Copies of and Extracts from such Books *gratis*. Entry of Proceedings of Birmingham Company and their Committees.

LXIII. Every Entry so signed shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such Meeting having been duly convened or held, or of the Persons attending such Meeting having been or being Members of the *Birmingham* Company or of such Committee respectively, or of the Signature of such Chairman or Members, or of the Fact of his having been Chairman or of their having been present at the Meeting, all of which Matters shall be presumed until the contrary be proved. Validity of such Entries.

LXIV. The *Birmingham* Company may from Time to Time provide such a Fund, to be called "the Repair Fund," as in their Opinion will be sufficient to rebuild or restore the *Birmingham* Proof House and the Works and Conveniences thereof in the event of the same being destroyed or damaged by Fire, Explosion, or other Casualty, and to make good all Damage which that Company may be liable to compensate Fund for Restoration of Birmingham Proof House.

pensate by reason of such Casualty, and may from Time to Time invest that Fund in some of the Public Funds or in Government Securities in the Name of the Guardians of the *Birmingham* Proof House, and when necessary convert the same or a Part thereof into Money, and apply the Proceeds thereof for the Purposes mentioned in this Provision.

Application of Money by Birmingham Company.

LXV. The Monies from Time to Time received under this Act by or for the *Birmingham* Company, as well for Proof of Barrels as for Registration Fees, shall be applied, firstly, in Payment of the Costs, Charges, and Expenses incurred by that Company in and incident to the passing and obtaining of this Act; secondly, in maintaining, repairing, and improving the *Birmingham* Proof House, and proving and marking as proved the Barrels there tendered for Proof, including the Salaries of the Proof Master, Wardens, Assistant Proof Masters, Officers, and Servants, the reasonable Expenses of their ordinary Members, and other the incidental Expenses of that Company in the Execution of this Act; thirdly, when and so soon as that Company shall think fit, in providing and maintaining a Rifle Shooting Ground and all necessary Erections by this Act authorized; fourthly, the Surplus shall constitute the Repair Fund, and be invested in some of the Public Funds or in Government Securities in the Name of the Guardians of the *Birmingham* Proof House; and whenever it shall appear at any yearly Meeting of the *Birmingham* Company that the Surplus so invested shall amount to such a Sum over and above Five thousand Pounds as would be equal to One Halfpenny *per* Barrel on the Number of Barrels annually proved, upon an Average of the Three preceding Years, then the Charges for Proof for the Time being shall be reduced proportionably by that Company, and the Deficiency (if any) in the Receipts of that Company in any One Year occasioned by such Reduction shall be made good out of the Principal Money so invested, or the Interest thereof, until such Principal Monies shall be reduced to the Sum of Three thousand Pounds, and then such Charges for Proof shall or may be raised again to the Amount by this Act authorized, and so *toties quoties* as often as the said Principal Sum shall amount to the Sum of Five thousand Pounds or be reduced to the Sum of Three thousand Pounds.

Power to grant Gratuities to Officers.

LXVI. The *Birmingham* Company from Time to Time may make and pay to such of their Servants as from Time to Time may be worn out by Length of Service, or disabled or injured in the Execution of their Duties, and to the Wardens or other Officers who sustain Injury from any Explosion at the *Birmingham* Proof House, such Sums by way of Superannuation, Allowance, or Gratuity as that Company think fit; provided that such Sums shall not exceed the Amount of Five hundred Pounds in the aggregate in any One Year.

Accounts to be kept of Birmingham Company.

LXVII. The *Birmingham* Company shall cause proper Accounts to be kept of all Receipts, Payments, and Liabilities on account of the Capital of that Company, and also of the Receipts, Income, and Profits arising therefrom, and they shall be called respectively "the Capital Account" and "the Revenue Account," and shall make up their Accounts to the Thirty-first Day of *December* inclusive in every Year, and submit them with all necessary Books and Papers to the Auditors during the Month of *January* next following; such Auditors shall examine the same, and report on the Accuracy thereof to that Company before the Thirteenth Day of *February* following; and a classified Statement of the Income and Expenditure during the past Year, and a Balance Sheet of the Assets and Liabilities of that Company, in a Form to be approved and signed by the Auditors, shall be printed, and a printed Copy of the same shall be sent by the Wardens of that Company through the Post Office to each Member of that Company and to each Member of the *Birmingham* Gun Trade.

Settlement of yearly Accounts.

LXVIII. The Accounts of the *Birmingham* Company so balanced and audited, with such Statement and Account, shall be presented to every yearly Meeting of that Company, and the Accounts shall be then finally examined and settled by the Meeting, and if found just and true, shall be allowed by that Company and certified accordingly under the Hand of the Chairman of the Meeting; and after such Accounts are audited, allowed, and signed as by this Act required, the same shall be final in regard to all Persons whomsoever.

Penalty on refusing Inspection of Books.

LXIX. Any Clerk or other Person who, having the Custody of any of the Books or Papers of the *Birmingham* Company does not on any reasonable Demand of any Member of that Company permit him to inspect any of the Books or Papers of that Company which he is by this Act authorized to inspect, or to take Copies of or Extracts from any such Books or Papers *gratis*, shall for every such Offence forfeit Five Pounds.

Duty and Powers of Proof Master and Wardens.

LXX. The Proof Master and Wardens of the *Birmingham* Company shall superintend all other the Officers and Servants of that Company in the Discharge of their Duties, and conduct the general Management of the *Birmingham* Proof House under the Byelaws for the Time being; and the Proof Master of that Company, with the Consent of the Wardens thereof, may from Time to Time appoint and at pleasure remove any Assistant Proof Master, inferior Officer, Workman, or Servant of that Company as he may think fit, and may determine their respective Duties and Remuneration; and at every yearly Meeting of that Company the Wardens thereof shall present a Report upon the Transactions of that Company during the last preceding Year, and shall annex to their Report a tabular classified Statement of the Barrels sent to be proved at the *Birmingham* Proof House, the Number of Barrels proved and marked as proved, the Number of Barrels found faulty and the Character of the Faults thereof; and every Member of the *Birmingham* Gun Trade shall be entitled to a printed Copy of such tabular Statement on Application for the same at the *Birmingham* Proof House.

Declaration by Proof Master and Assistant Proof Masters.

LXXI. A Person shall not be capable of acting as a Proof Master or an Assistant Proof Master of the *Birmingham* Company until he has made and signed before One of the Members of that Company a Declaration to the Effect following:

'I *A.B.* do solemnly declare, That I will, so long as I continue Proof Master [*or* Assistant Proof Master] of the Birmingham Proof House, well and faithfully behave myself in that Office, and prove all Barrels brought to me for that Purpose, according to the Regulations and with respect to and the Scale of Proof from Time to Time in force under "The Gun Barrel Proof Act, 1855;" and that I will not, during the Time that I continue such Proof Master [*or* Assistant Proof Master], take any Fee or Reward from any Person to prove or for having proved any Barrel otherwise than as that Act directs; and that I will execute that Office without Favour or Affection, Prejudice or Malice, and to the best of my Skill and Ability.'

Penalty on acting contrary to Declaration.

LXXII. Any Person who makes and subscribes such Declaration, and afterwards knowingly and wilfully acts contrary thereto, shall be deemed guilty of a Misdemeanor.

Birmingham Company may maintain Proof House and provide Offices.

LXXIII. The *Birmingham* Company from Time to Time may provide and maintain their present Proof House or such other Proof House in *Birmingham* as they think fit, and such fit and convenient Public Offices in *Birmingham* for transacting the Business and holding the Meetings of that Company, and for the Use of their Officers, and for any other Purposes of this Act, as that Company think fit, and may also provide a Rifle Shooting Ground, and make all necessary Erections for the Protection of the Public and the Convenience of the Parties using it; such Shooting Ground shall be open to the Members of the *Birmingham* Gun Trade, and to such other Persons as that Company may from Time to Time decide to admit, subject to such Payments and Regulations as the *Birmingham* Company shall in their Byelaws require to be observed.

Power for Birmingham Company to purchase Lands, &c.

LXXIV. The *Birmingham* Company may from Time to Time, but only by Agreement, purchase, take on Lease, and otherwise acquire and hold any Lands and Easements or Rights in or affecting Lands which they think requisite for any of the Purposes of this Act, and may purchase, take, and acquire the same on such Terms and Conditions as they think fit: Provided always, that the total Quantity of Land which that Company shall at any one Time hold, including the Lands now held by Trustees for that Company, shall not exceed Ten Acres.

Transfer of Lands to Birmingham Company by their Trustees.

LXXV. Forthwith after the Commencement of this Act the Trustees for the *Birmingham* Company may and shall transfer to that Company the Lands now vested in those Trustees upon trust for that Company, according to the Terms, Estate, and Interest of those Trustees therein, and the *Birmingham* Company may accept such Transfer and hold those Lands accordingly.

Each Company to maintain a public Proof House.

LXXVI. Each of the Two Companies shall from Time to Time maintain a proper public Proof House, with all Things necessary for proving Barrels thereat, with respect to the Gunmakers Company in or near *London*, and with respect to the *Birmingham* Company in or near *Birmingham*, and shall at all Times keep the same in proper Order and Condition for the proving of all such Barrels as are from Time to Time sent to such respective public Proof House for Proof thereat, and shall keep there a Set of Standard Plugs to determine the Size of Barrels brought to be proved.

Regulations by Companies for provingBarrels.

LXXVII. The Gunmakers Company from Time to Time may make and establish such Rules and Regulations as appear to them necessary for receiving at their Proof House Barrels for Proof, and for proving there and marking as proved the same, according to the Provisions of this Act, and for re-delivering the same when so proved and marked.

Byelaws to be made by Birmingham Company.

LXXVIII. The *Birmingham* Company may from Time to Time make, enact, alter, and repeal Byelaws and Rules for regulating the Management of their Proof House, the Use of the Rifle Shooting Ground by this Act authorized, the Attendance and Remuneration of their Proof Master and Wardens, the Hours for receiving and delivering out Barrels sent to be proved, the Attendance and Duties of inferior Officers and Servants, and all other Matters under their Jurisdiction requiring stated Regulations, and attach reasonable pecuniary Penalties to the Breach of any such Byelaws, to be recoverable before a Justice of the Peace; but no Byelaws shall be made or altered except at a Special Meeting of the *Birmingham* Company; and all Byelaws shall be printed, and a Copy thereof shall be delivered without Charge to every Member of the *Birmingham* Company, and to each of its Officers and Servants, and also to every Member of the *Birmingham* Gun Trade who may apply for the same.

Byelaws to be allowed and approved before coming into operation.

LXXIX. No Byelaws made under the Authority of this Act (except such as may relate solely to the Officers or Servants of the *Birmingham* Company) shall come into operation until the same be allowed by the Recorder for the Time being of the Borough of *Birmingham* at some General or Quarter Sessions or adjourned Sessions of the Peace for that Borough, and approved under the Hand of One of Her Majesty's Principal Secretaries of State; and it shall be incumbent on the Recorder at Quarter Sessions, on the Request of the *Birmingham* Company, to examine into any Byelaws which may be tendered to him for that Purpose, and to allow or disallow the same, as to him may seem meet.

Notice of Allowance of Byelaws to be given.

LXXX. Provided always, That no such Byelaw shall be allowed in manner herein mentioned unless Notice of the Intention to apply for the Allowance of the same shall have been given in One or more Newspapers of the Borough of *Birmingham* One Month at least before the Hearing of such Application; and any Party aggrieved by any such Byelaw, on giving Notice of the Nature of his Objection to the *Birmingham* Company Ten Days before the Hearing of the Application for the Allowance thereof, may, by himself, his Counsel, Agent, or Attorney, be heard thereon, but not so as to allow more than One Person or Firm to be heard upon the same Matter of Objection.

Copy of proposed Byelaws to be open to Inspection.

LXXXI. For One Month at least before any such Application for Allowance of any Byelaw, a Copy of such proposed Byelaw shall be suspended in the Board Room of the *Birmingham* Proof House, and all Persons at all reasonable Times may inspect such Copy without Fee or Reward, and the *Birmingham* Company

Company shall furnish every Person who shall apply for the same with a like Copy on Payment of Sixpence for every One hundred Words so copied.

Proof of Allowance of Byelaws.

LXXXII. The Production of a written or printed Copy of any Byelaw, allowed in manner aforesaid and authenticated by the Signatures of the Recorder and One of Her Majesty's Principal Secretaries of State, and a written or printed Copy of any Byelaw not requiring to be so allowed authenticated by the Common Seal of the *Birmingham* Company, shall be Evidence of the Existence and making and (where required) of the Allowance of such Byelaw in all Cases of Prosecution under the same, without Proof of the Appointment or Signature of such Recorder or Secretary of State or of the Common Seal of the *Birmingham* Company.

Attendance of Officers at Proof House.

LXXXIII. Each of the Two Companies respectively shall require their Proof Master or Assistant Proof Masters, or such of them and such other Officers and Persons as shall be requisite for the Business of the Company, to attend at their Office and Proof House respectively daily, *Sunday*, *Christmas Day*, *Good Friday*, and any Day appointed for a General Fast or Thanksgiving only excepted, for the Purpose of transacting the ordinary Business of the Company, and due Notice of the Situation of the Proof House and Office of the Company and of the Hours during which Attendance is given there respectively shall be published by the Company as they think fit, to the end that the same may be fully and generally known.

Duties of Proof Master of Gunmakers Company.

LXXXIV. The Proof Master of the Gunmakers Company, or such Officer of that Company as that Company from Time to Time appoint to act in that Behalf, shall be responsible for the Execution by himself or his Assistants of the several Duties with respect to the receiving, proving, marking as proved, and delivering Barrels, by this Act imposed on the Gunmakers Company.

Duties of Proof Master of Birmingham Company.

LXXXV. The Proof Master of the *Birmingham* Company shall be responsible for the Execution by himself or his Assistant Proof Masters of the several Duties with respect to the receiving, proving, marking as proved, and delivering of Barrels, by this Act imposed on the *Birmingham* Company.

Each Company to receive, prove, mark, and deliver Barrels brought to them for Proof.

LXXXVI. Each of the Two Companies shall receive all Barrels brought to the Proof House of that Company in the proper State for Proof, and whether or not theretofore proved, and shall duly prove the same thereat according to the Scale in force under this Act, and shall duly mark such Barrels when proved, (if found of Proof,) as duly proved according to such Scale; and upon Repayment of all Sums actually paid by that Company in respect of the Carriage of such Barrels and their Delivery at such Proof House, and their Redelivery when proved, and on Payment of the Charges for proving and marking as proved by this Act authorized, shall deliver the Barrels so proved and marked as proved to the Persons entitled to receive the same.

Barrels not to be made up unless proved, &c.

LXXXVII. After the Commencement of this Act a Barrel shall not be used in the making of any Small Arm unless the Barrel have been duly proved at the Proof House of the Gunmakers Company, or at the *Birmingham* Proof House, or at some other public Proof House established by Law, and duly marked as proved.

Small Arms not to be sold or exported unless proved, &c.

LXXXVIII. After the Commencement of this Act a Small Arm shall not be sold or exchanged or exposed or kept for Sale or exported, unless the Barrel or Barrels thereof have been duly proved at the Proof House of the Gunmakers Company, the *Birmingham* Proof House, or some other public Proof House established by Law, and duly marked as proved.

Barrels provisionally proved, &c. deemed unproved.

LXXXIX. Every double Barrel, provisionally proved according to this Act, and at any Time thereafter reduced in Strength in any progressive Stage in the Manufacture thereof, shall for the Purposes of this Act be deemed an unproved Barrel, except for the Purpose of receiving and until it shall have received the definitive Proof.

If Mark does not represent Proof, Barrels deemed unproved.

XC. If any Barrel which shall be marked as proved under this Act shall by any Process of Manufacture, or by any other Means whatsoever other than the User and Wear and Tear thereof, be unduly reduced in Substance or Strength so as that the Mark thereon does not duly represent the Proof which if then duly proved it would bear, every such Barrel shall for the Purposes of this Act be deemed an unproved Barrel.

Barrels defaced deemed unproved.

XCI. Any Barrel marked as proved, if the Mark of such Proof be at any Time removed or altered or so defaced as not to be distinguishable, shall for the Purposes of this Act be deemed an unproved Barrel.

Barrels with Marks removed deemed unproved.

XCII. If any Barrel having been before or after the Commencement of this Act marked as proved, have at any Time the Mark of its having been so proved cut, severed, or removed therefrom in any Process of Manufacture or by any other Means whatsoever other than the User and Wear and Tear thereof, every such Barrel shall for the Purposes of this Act be deemed an unproved Barrel.

Barrels to be marked according to Scale.

XCIII. All Barrels from Time to Time brought to the Proof House of the Gunmakers Company, the *Birmingham* Proof House, or any other public Proof House established by Law for Proof, shall be proved according to the Rules, Regulations, and Scale in that Behalf according to the Provisions of this Act in force.

Rules, Regulations, and Scale for Proof as in Schedule (B.)

XCIV. Subject to the Provisions of this Act, the Rules and Regulations and the Scale respectively specified in the Schedule (B.) to this Act annexed, shall respectively be the Rules and Regulations and the Scale respectively for the Proof according to this Act of all Barrels on and after the First Day of *January* One thousand eight hundred and fifty-six.

Alteration of Rules, Regulations, and Scale for Proof.

XCV. Provided always, That the Two Companies from Time to Time, should they deem the Proof as stated in Schedule (B.) to this Act annexed insufficient, or the Director of Small Arms, should the Two Companies under such Circumstances not make the Application, with the Approval of Her Majesty's Secretary of State for War, may repeal or alter all or any of the Rules and Regulations and all or any

Part

Part of the Scale respectively from Time to Time in force under this Act for the Proof of Small Arms or of any Classes of Small Arms, and may make, repeal, and alter any new Rules and Regulations and any new Scale in that Behalf: Provided also, that Notice of every such Repeal or Alteration, and of every such new Rule, Regulation, and Scale, shall be given by the Two Companies respectively by Advertisement in the *London Gazette* and in One of the *London* Daily Morning Newspapers and in Two or more of the *Birmingham* Newspapers respectively, and by such other public Notice as the Two Companies respectively think fit: Provided also, that any such Alteration of Scale shall not come into force until the Expiration of Three Calendar Months after the Publication of the last of such Advertisements.

Charges for proving and marking Barrels.

XCVI. For all Barrels duly proved at the Proof Houses of the Two Companies respectively, each Company respectively may demand and take such Sums as it may from Time to Time appoint, not exceeding such Sums as are specified in the Schedule (C.) to this Act annexed.

Extent of Act.

XCVII. Provided always, That this Act shall not extend to compel the proving or marking as proved of any Military Barrel made for the Use of Her Majesty's Forces or for the Honourable *East India* Company.

Act not to apply to certain Barrels.

XCVIII. Provided always, That this Act shall not apply to any Barrel adapted for the Discharge of a Ball of a greater Weight than One Pound, or to any Barrel of a Bore exceeding in every Part thereof the Diameter of One Inch and Three Quarters.

Offences declared Misdemeanor.

XCIX. Every Person committing any of the following Offences shall for every such Offence be guilty of a Misdemeanor, and shall at the Discretion of the Court be sentenced to Imprisonment, with or without Hard Labour, for not more than Three Years, to wit:

1. Every Person who forges or counterfeits any Stamp or any Part of any Stamp already or hereafter provided or used by either of the Two Companies for the marking of any Barrel:
2. Every Person who sells or parts with the Possession of any such forged or counterfeit Stamp or Part of a Stamp knowing the same to be forged or counterfeit:
3. Every Person who knowingly marks any Barrel with any such forged or counterfeit Stamp, or with any Part of any such forged or counterfeit Stamp:
4. Every Person who makes up any Barrel so marked, knowing the same to be so marked:
5. Every Person who sells or parts with the Possession of any Barrel so marked, knowing the same to be so marked:
6. Every Person who forges or counterfeits or by any Means whatever produces an Imitation upon any Barrel of any Mark or of any Part of any Mark of any Stamp already or hereafter provided or used by either of the Two Companies for the marking of any Barrel:
7. Every Person who sells or parts with the Possession of any such Mark or Part of a Mark, knowing the same to be forged or counterfeit or an Imitation:
8. Every Person who transposes or removes from any Barrel to any other Barrel any Mark or any Part of any Mark of any Stamp already or hereafter provided or used by either of the Two Companies for marking any Barrel:
9. Every Person who shall have in his Possession or who shall part with the Possession of any Mark or any Part of any Mark so transposed or removed, knowing the same to be transposed or removed:
10. Every Person without lawful Excuse, the Proof whereof shall lie on him, having in his Possession any such forged or counterfeit Stamp or Part of a Stamp, or any such forged or counterfeit Mark or Imitation of a Mark, or any such transposed or removed Mark, knowing the same respectively to be forged, counterfeit, imitated, marked, transposed, or removed:
11. Every Person who cuts or severs from any Barrel any Mark or any Part of any Mark of any Stamp already or hereafter provided or used by either of the Two Companies for the stamping of any Barrel, with Intent that such Mark or such Part of a Mark be placed upon or joined or affixed to any other Barrel:
12. Every Person who places upon or joins or affixes to any Barrel any such Mark or Part of a Mark so cut or severed:
13. Every Person who, with Intent to defraud, uses any genuine Stamp already or hereafter provided or used by either of the Two Companies for the marking of any Barrel:
14. Every Person who forges or counterfeits, or by any Means produces an Imitation upon any Barrel of any Mark, or of any Part of any Mark, of any Stamp of a Foreign Country registered by the Two Companies pursuant to the Provisions of this Act.

Offences involving Penalties.

C. Every Person committing any of the following Offences shall for every such Offence be subject to a Penalty as follows, to wit:

1. Every Person selling or exchanging, or exposing or keeping for Sale, or exporting or importing, or attempting to export or import from or to *England*, or having in his Possession without lawful Excuse, (the Proof whereof shall lie upon him,) any Barrel having thereupon any Mark of any forged or counterfeit Stamp or Part of a Stamp already or hereafter provided or used by either of the Two Companies for marking any Barrel, or having thereupon any forged or counterfeit Mark or Imitation of a Mark of any Stamp or Part of a Stamp so provided or used, or having thereupon any Mark of any Stamp or Part of a Stamp so provided or used, such Mark having been transposed or removed thereto from any other Barrel, shall for every such Barrel so sold or exchanged, or exposed or kept for Sale, or exported or imported, or attempted to be exported or imported, or so in his Possession, forfeit not exceeding Twenty Pounds:

2. Every Person selling or exchanging or exposing or keeping for Sale, or exporting or attempting to export from *England*, any Small Arm, the Barrel or Barrels whereof are not under this Act duly proved and marked as proved, shall for every such Barrel forfeit not exceeding Twenty Pounds:
3. Every Person fraudulently erasing, obliterating, or defacing, or fraudulently causing to be erased, obliterated, or defaced from any Barrel, any Mark or any Part of any Mark of any Stamp already or hereafter provided or used by either of the Two Companies for the marking of Barrels, shall for every such Offence forfeit not exceeding Twenty Pounds:
4. Every Person delivering or sending or causing or procuring to be delivered or sent for Sale, or under pretence of Sale, or removing, consigning, or transmitting, or causing or procuring to be removed, consigned, or transmitted for Sale, or under pretence of Sale, any Small Arm, the Barrel or Barrels whereof are not duly proved at the Proof House of the Gunmakers Company, or the *Birmingham* Proof House, or some other public Proof House established by Law, and marked as proved, shall, for every Small Arm so delivered or sent, or caused or procured to be delivered or sent, or removed, consigned, or transmitted, or caused or procured to be removed, consigned, or transmitted, forfeit not exceeding Twenty Pounds.

Punishments and Penalties not to be cumulative.

CI. Provided always, That the several Punishments and Penalties herein-before enacted shall not be cumulative in respect of One and the same Offence, but shall be applicable to any such Offence by way of Alternative only.

Recovery of Penalties.

CII. All Penalties recoverable under this Act shall be recovered in a summary Way upon Information or Complaint before any Two of Her Majesty's Justices of the Peace for the County, Riding, Division, City, Borough, Town, Liberty, or Place where the Offence has been committed or the Offender shall reside or be, or before any Metropolitan Police Magistrate or Stipendiary Magistrate having Jurisdiction within the same respectively; and such Proceedings shall and may be had before such Justices or Metropolitan Police Magistrate or Stipendiary Magistrate in manner and form directed by the Statute Eleven and Twelve *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Session within* England *and* Wales *with respect to summary Convictions and Orders*, and the Amount of the Forfeiture or Penalty for every such Offence shall be determined by such Justices or Metropolitan Police Magistrate or Stipendiary Magistrate, not exceeding the Sums herein-before mentioned, and shall be paid to the Use of Her Majesty, Her Heirs and Successors.

Power of Appeal.

CIII. If any Person convicted of any Offence punishable by summary Conviction under this Act shall think himself or herself aggrieved by the Judgment of the Justices or Metropolitan Police Magistrate or Stipendiary Magistrate before whom he or she shall have been convicted, such Person shall have Liberty to appeal from every such Conviction to the next Court of General Sessions or General Quarter Sessions of the Peace which shall be held for the County, Riding, Division, City, Town, Liberty, or Place where such Conviction took place, and the Justices in or at the said next Court of General Sessions or General Quarter Sessions are hereby authorized and required to hear and determine the Matter of the said Appeal, which Decision shall be final.

Exemption from Penalty where original Offender made known to Companies.

CIV. Provided always, That if any Person having sold or exchanged, or exposed or kept for Sale, or exported or imported, or attempted to export or import, or had in his Possession, any Barrel having thereupon any Mark of any such forged or counterfeit Stamp or Part of a Stamp, or having thereupon any such forged or counterfeit Mark or Imitation of a Mark, or having thereupon any such Mark so transposed or removed thereto, shall, within Three Days after Notice thereof given by either of the Two Companies to him or left for him at his usual or then last Place of Abode or Business in *England*, discover and make known to such One of the Two Companies the Name and Place of Abode of the Maker of such Barrel or of the Manufacturer or Dealer from whom such Person bought, had, or received the same, then every such Person so making such Discovery shall be exempted and discharged from the Penalty incurred by him by reason of his having so sold or exchanged, or exposed or kept for Sale, or exported or imported, or attempted to export or import, or had in his Possession such Barrel; nevertheless, this Provision shall not exempt any Person from the legal Consequences of uttering or of having had in his Possession any such Barrel, knowing the same to be marked with the forged or counterfeit Stamp, or knowing the Mark thereon to be forged, counterfeit, imitated, marked, transposed, or removed, if such Knowledge be, in any Criminal Proceeding against him for any such Offence, duly proved.

Proof Masters of the Two Companies to keep a Register of Foreign Proof Marks.

CV. Each of the Proof Masters of the Two Companies shall, upon Application in Writing to be made to him by the Consul General, Consul, or Vice-Consul of any Foreign State having a Consular Agency in *England*, accompanied by a Specification and Drawing or Delineation of the several Marks, Signs, or Characters used or employed for denoting or evidencing the Proof of Barrels of Small Arms at any lawful Proof House in any such Foreign State, authenticated by the Official Seal of such Consular Agent, enter in a Book, to be provided by him for that Purpose, (in this Act called "the Register of Foreign Proof Marks,") a Copy of every such Specification and Drawing or Delineation, and such Register shall be open for public Inspection, without Charge, at all reasonable Times, at the Proof House of each of the Two Companies, and the Proof Masters of the Two Companies shall, by Advertisement to be inserted in the *London Gazette*, in One of the *London* Daily Morning Newspapers, and in One of the *Birmingham* Newspapers, from Time to Time give Notice of all Foreign Proof Marks so registered.

Barrels with Foreign Proof Marks to be exempted, ex-

CVI. Every Barrel of Foreign Manufacture, having duly and lawfully impressed thereon the due and proper Mark, Sign, or Character indicative of the due Proof thereof at any Foreign Proof House, the Marks whereof shall be entered in and shall correspond with the Register of Foreign Proof Marks, shall be

be exempted from the Provisions of this Act: Provided always, that if any Barrel so exempted shall, on any Part thereof, or on any Part of any Small Arm into which it is made up, be stamped or marked with any Mark, Name, Sign, or Character indicating or purporting to indicate that such Barrel or Small Arm or any Part thereof is of *English* Manufacture, every such Barrel shall, for the Purposes of this Act, be deemed an unproved Barrel of *English* Manufacture. cept in case of being marked as of English Manufacture.

CVII. Every Barrel imported into or found in *England* having any Mark, Sign, or Character, being or purporting to be the Mark, Sign, or Character of any Foreign Proof House, the Marks whereof are not entered in or do not correspond with the Register of Foreign Proof Marks, shall, for the Purposes of this Act, be deemed an unproved Barrel of *English* Manufacture. Certain Barrels having Foreign Marks deemed unproved.

CVIII. Every Barrel of Foreign Manufacture imported into or found in *England* not bearing the Mark, Sign, or Character of any Foreign Proof House, shall, for the Purposes of this Act, be deemed an unproved Barrel of *English* Manufacture. Foreign Barrels without Mark deemed unproved.

CIX. Provided always, That in any Prosecution or Proceeding which may be instituted for Offences committed against the Provisions of this Act it shall not be necessary to prove that any Barrel is of *English* Manufacture, but that in every Case the Proof of Exemption from the Provisions of this Act shall lie with the Party charged with the Commission of any such Offence, and the Register of Foreign Proof Marks of either of the Two Companies shall be conclusive Evidence as to the Fact of Non-exemption, without Production of any original Document received from any Consular Agent, and without Proof of any other Fact in verification of such Register. Party charged to prove Exemption of Foreign Barrels and Foreign Mark Book to be conclusive Evidence.

CX. The Property in every forged or counterfeit Stamp, and in every Part of every forged or counterfeit Stamp, and in every Barrel having thereupon any Mark of any forged or counterfeit Stamp or Part of a Stamp, and in every Barrel having thereupon any forged or counterfeit Mark or Imitation of a Mark, and in every Mark or Part of a Mark so transposed or removed, or cut or severed, and in every Barrel from which any Mark or Part of a Mark is removed, cut, or severed, and in every Barrel to which any such Mark or Part of a Mark is removed or transposed, is by this Act vested absolutely in such One of the Two Companies as first claims the same, the Proof in case of either of the Two Companies claiming the same that the other of the Two Companies was the first Claimant thereof to lie on the Person against whom the Claim is made: Provided always, that any such vesting shall not exempt any Person from any Penalty or any legal Consequences under this Act. Property in forged Stamps, &c. vested in Company claiming the same.

CXI. Whenever either of the Two Companies hath reasonable or proper Cause to suspect that any Person hath concealed or deposited in any Manufactory, House, Shop, or Place, or hath Possession of,— Application to Justice for Warrant for Seizure of forged Stamps, &c.

First, any forged or counterfeit Stamp or Part of a Stamp; or,

Secondly, any Barrel having thereupon any Mark of any forged or counterfeit Stamp or Part of a Stamp; or,

Thirdly, any Barrel having thereupon any forged or counterfeit Mark or Imitation of a Mark; or,

Fourthly, any Mark or Part of a Mark so transposed or removed, or cut or severed; or,

Fifthly, any Barrel from which any Mark or Part of a Mark is removed, or cut, or severed; or,

Sixthly, any Barrel to which any Mark or Part of a Mark is removed or transposed; or,

Seventhly, any Barrel which, according to the Provisions of this Act, ought to be delivered at the Proof House of the Gunmakers Company, or the *Birmingham* Proof House, or some other public Proof House established by Law, to be proved thereat and marked as proved, but is not so delivered; or,

Eighthly, any Barrel sold or exchanged or kept for Sale, or imported or attempted to be exported, contrary to any of the Provisions in that Behalf of this Act;

The Company may apply to a Justice for a Search Warrant under this Act; and any Justice having Jurisdiction where any such Offence is suspected to be committed, upon Information or Complaint made by or on behalf of either of the Two Companies of any such reasonable or probable Cause of Suspicion, and upon the Oath of One or more credible Person or Persons (which Oath such Justice may and shall administer) that the Deponent hath such Suspicion, and of the Causes of the same, shall, if satisfied with the Causes of Suspicion alleged, grant a Warrant under his Hand, directed to any One or more of the Officers of either of the Two Companies, together with any Constable or other Peace Officer named in such Warrant, authorizing and empowering such Officer and such Constable or other Peace Officer, with necessary and proper Assistance, to enter in the Daytime any such Manufactory, House, Shop, or Place, and to search the same, and to seize and carry away every such Stamp, Part, Mark, and Barrel respectively which shall there be found; and all Constables and other Peace Officers shall be aiding and assisting in the Execution of every such Warrant, and every such Stamp, Part, Mark, and Barrel so found, seized, and carried away may and shall be dealt with as by this Act provided.

CXII. Every Stamp and Mark lawfully seized and carried away under this Act shall be detained and be broken and destroyed by the Company whose Officer seized and carried away the same, and the Materials thereof shall be sold, and the Proceeds of such Sale shall be received and retained by that Company for their own Use; and every Barrel so seized and carried away shall be proved by the Company whose Officer seized and carried away the same, and if not found of Proof shall be broken and destroyed, and if found of Proof shall be marked as proved; and the Metal so broken, or the Barrel so proved and marked as proved, shall be sold, and the Proceeds of such Sale shall be received and retained by that Company for their own Use: Provided always, that before any Stamp, Mark, or Barrel shall be dealt with as aforesaid it shall be shown to the Satisfaction of the Justice or Court before whom Proceedings shall be had in respect thereof that the same have been lawfully seized under this Act. Forged Stamps, &c. to be destroyed and sold for Benefit of Companies.

Penalties on Officers for Neglect of Duties.

CXIII. Every Officer or other Person engaged in the Management of the Proof House of the Gunmakers Company or the *Birmingham* Proof House, acting contrary to or neglecting his Duty in any of following Particulars, shall for every such Offence forfeit not exceeding Twenty Pounds; (to wit,)

1. Not receiving at the Proof House any Barrel duly brought or sent thereto for Proof:
2. Not duly proving at the Proof House any Barrel duly brought or sent thereto for Proof:
3. Not duly marking as proved any Barrel duly proved at the Proof House, and duly found of Proof:
4. Not duly delivering to the Person entitled thereto any Barrel duly proved at the Proof House, and duly found of Proof:
5. Delivering from the Proof House any Barrel brought or sent thereto for Proof before it is duly proved:
6. Delivering from the Proof House any Barrel brought or sent thereto for Proof, and duly proved, without the proper Mark thereon of its having been duly proved:
7. Causing or permitting any of those Offences to be committed:
8. Directly or indirectly counselling, aiding, assisting, or abetting the Commission of any of those Offences.

Penalty on Officers for Fraud.

CXIV. Every Officer or Person employed in the Proof House of the Gunmakers Company or the *Birmingham* Proof House marking or causing or procuring or permitting or suffering to be marked any Barrel as duly proved which has not been duly proved, or marking or causing or procuring or permitting or suffering any Barrel to be marked as duly proved with a Mark indicating any other Proof than the Proof then duly made thereof, shall for every such Offence forfeit not exceeding Fifty Pounds, and being legally convicted of any such Offence shall thenceforth be incapable of holding any Office or Employment in or under the Gunmakers Company, or the *Birmingham* Company, or in any public Proof House established by Law; and if in Office or Employment in any such Proof House at the Time of such Conviction shall be forthwith dismissed from his Office or Employment therein.

Saving Rights of Gunmakers Company.

CXV. Provided always, That, except as is by this Act expressly provided, this Act or anything therein shall not take away, lessen, alter, or prejudice any of the Estates, Franchises, Ordinances, Rules, Regulations, Rights, Powers, or Privileges of the Gunmakers Company, and this Act or anything therein shall not in any Manner derogate from or affect the Charter of that Company.

Act not to extend to Scotland or Ireland.

CXVI. Provided always, That, except as regards the Provisions of this Act with respect to Offences by this Act declared to be Misdemeanors, or for which Penalties are by this Act imposed, and the Punishment of such Offences and the Recovery of such Penalties, this Act or anything therein shall not extend to *Scotland* or *Ireland*.

Expenses of Act.

CXVII. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the *Birmingham* Company and by the Gunmakers Company out of the Monies received by each of those Companies for Proof under this Act, in the Proportions of Three Fourths by the *Birmingham* Company and One Fourth by the Gunmakers Company.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

PART I.

I, *A.B.* [*insert Designation*] hereby claim to be registered as a Member of the Birmingham Gun Trade in respect of my Interest in the [*here insert the Description and Situation of the Premises described by the Street, Number, Parish, or other Locality*].

Dated (Signed) *A.B.*

To the Proof Master of the Birmingham Gun Barrel Proof House.

PART II.

I, *A.B.* [*insert Designation*] object to the Claim of *C.D.* to be admitted as a Member of the Birmingham Gun Trade on the following Grounds [*here may be stated the Grounds, as that Property or Occupancy not of sufficient Value, that the Party is not or has ceased to be a Master-Gunmaker or Master Gun Barrel Maker, carrying on Business in or within Ten Miles of the Borough of Birmingham, or a Proprietor, Tenant, or Occupant, or is personally disqualified as being a Minor, a fatuous Person, et cetera*], and I require to be heard on the said Objection.

Dated (Signed) *A.B.*

To the Proof Master of the Birmingham Gun Barrel Proof House.

SCHEDULE (B.)

RULES AND REGULATIONS APPLICABLE TO THE PROOF OF SMALL ARMS.

Classification of Small Arms.

First Class.—Comprising single-barrelled Military Arms of smooth Bore.

Second Class.—Comprising double-barrelled Military Arms of smooth Bore, and rifled Arms of every Description, whether of One or more Barrels, or constructed of plain or twisted Iron.

Third

THIRD CLASS.—Comprising every Description of single-barrelled Birding and Fowling Pieces for firing small Shot; and also those known by the Names of Danish, Dutch, Carolina, and Spanish.

FOURTH CLASS.—Comprising every Description of double-barrelled Birding and Fowling Pieces for firing small Shot.

FIFTH CLASS.—Comprising revolving and breech-loading Small Arms of every Description and System.

Rule of Proof.

The Gunpowder used for Proof shall be of equal Quality and Strength with that which is now used by the Honourable Board of Ordnance.

The Balls used for the Proof of Barrels of all Classes shall be of Lead, and spherical, and of the Size and Weight prescribed by the Scale for Proof.

Barrels for Arms of the Second Class and of the Fourth Class, and for breech-loading Arms of the Fifth Class, shall be proved provisionally and definitively, and Barrels for all other Arms shall be proved once definitively.

Conditions precedent to Proof.

Barrels for Arms of the First Class shall not be qualified for Proof until they shall be in a fit and proper State for setting up.

Barrels for Arms of the Third Class shall not be qualified for Proof until they shall be in a fit and proper State for setting up, with the proper Breeches in; and all Barrels lumped for percussioning shall be proved through the Nipple Hole, with the proper Pins or Plugs in.

Barrels for Arms of the Second and Fourth Classes:

For provisional Proof:—If of plain Metal, shall be bored and ground, having Plugs attached, with Touch-holes drilled in the Plugs, of a Diameter not exceeding One Sixteenth of an Inch. If any Touch-hole shall be enlarged, from any Cause whatever, to a Dimension exceeding in Diameter One Tenth of an Inch, the Barrel shall be disqualified for Proof. Notches in the Plugs instead of drilled Touch-holes shall disqualify for Proof. If of twisted Metal, they shall be fine-bored, and struck up, with proving Plugs attached, and Touch-holes drilled as in the Case of plain Metal Barrels.

For definitive Proof:—The Barrels, whether of plain or twisted Metal, shall be in the finished State, ready for setting up, with the Breeches in the percussioned State, Break-offs fitted and Locks jointed; the Top and Bottom Ribs shall be rough struck up, Pipes, Loops, and Stoppers on. All Rifle Barrels must be rifled; the Top and Bottom Ribs of double Barrels shall be struck up, Pipes, Loops, and Stoppers on, the proper Breeches in, and the Thread of the Screws shall be sufficiently sound and full for Proof.

Barrels for revolving Arms of the Fifth Class shall have the Cylinders with the revolving Action attached and complete.

Barrels for breech-loading Arms of the Fifth Class shall be subject to provisional Proof, according to the Class to which they belong, and to definitive Proof when the breech-loading Action is attached and complete.

Marks of Proof.

The Marks applicable to the definitive Proof shall be the Proof and View Marks now used by the Two Companies respectively.

The Marks applicable to the provisional Proof for the Gunmakers Company shall be the Letters (G.P.) interlaced in a Cypher surmounted by a Lion rampant, and for the Birmingham Company shall be the Letters (B.P.) interlaced in a Cypher surmounted by a Crown.

Mode of affixing Proof Marks.

On Arms of the First and Third Classes the definitive Proof Mark and View Mark shall be impressed at the Breech End of the Barrel, and if the Barrel be constructed with a Patent Breech the View Mark shall be also impressed upon the Breech.

On Arms of the Second, Fourth, and Fifth Classes, the provisional Proof Mark shall be impressed at the Breech End of the Barrel; the definitive Proof Mark and View Mark shall be impressed upon the Barrel above the provisional Proof Mark; and if the Barrel be constructed with a Patent Breech, or with revolving Cylinders or Chambers, the View Mark shall be also impressed upon the Breech, or upon each of the Cylinders or Chambers with which the Barrel is connected, as the Case may be.

On all Barrels the Gauge Size of the Barrel shall be struck, both at the provisional and at the definitive Proof.

SCALE FOR PROOF.

The Scale following shows the Proportions of Gunpowder applicable under the foregoing Rules and Regulations to the Proof of the various Classes of Arms as distinguished by the Trade Numbers indicating the Calibre.

Number of Gauge.	Diameter of Bore by Calculation.	Diameter of Balls for Proof.	Weight of Balls for Proof.	Charges of Powder for Proof.															
				First Class.			Second Class.						Third Class.			Fourth Class.			
				Definitive Proof.			Provisional Proof.			Definitive Proof.			Definitive Proof.			Provisional Proof.			Definitive Proof.		
	inches.	inches.	grains.	grains.	ozs.	drs.	grains.	ozs.	drs.	grains.	ozs.	drs.	grains.	ozs.	drs.	grains.	ozs.	drs.	grains.	ozs.	drs.
1	1·669	1·649	6752	4812	11	-	4812	11	-	2406	5	8	3850	8	12¾	3850	8	12¾	2406	5	8
2	1·325	1·305	3342	2324	5	5	2324	5	5	1162	2	10½	1859	4	4	1859	4	4	1162	2	10½
3	1·157	1·137	2211	1531	3	8	1531	3	8	766	1	12	1225	2	12¾	1225	2	12¾	766	1	12
4	1·052	1·032	1649	1176	2	11	1176	2	11	588	1	5½	941	2	2½	941	2	2½	588	1	5½
5	·976	·956	1315	930	2	2	930	2	2	465	1	1	744	1	11¼	744	1	11¼	465	1	1
6	·919	·899	1090	766	1	12	766	1	12	383	-	14	612	1	6½	612	1	6½	383	-	14
7	·873	·853	931	656	1	8	656	1	8	328	-	12	525	1	3¼	525	1	3¼	328	-	12
8	·835	·815	812	602	1	6	602	1	6	301	-	11	481	1	1½	481	1	1½	301	-	11
9	·803	·783	720	492	1	2	492	1	2	246	-	9	394	-	14½	394	-	14½	246	-	9
10	·775	·755	646	465	1	1	465	1	1	232	-	8½	372	-	13½	372	-	13½	232	-	8½
11	·751	·731	586	437	-	16	437	-	16	219	-	8	350	-	12¾	350	-	12¾	219	-	8
12	·729	·709	535	437	-	16	437	-	16	219	-	8	350	-	12¾	350	-	12¾	219	-	8
13	·710	·690	493	410	-	15	410	-	15	205	-	7½	328	-	12	328	-	12	205	-	7½
14	·693	·673	457	383	-	14	383	-	14	191	-	7	306	-	11¼	306	-	11¼	191	-	7
15	·677	·657	425	383	-	14	383	-	14	191	-	7	306	-	11¼	306	-	11¼	191	-	7
16	·662	·642	399	369	-	13½	369	-	13½	185	-	6¾	295	-	10¾	295	-	10¾	185	-	6¾
17	·649	·629	374	369	-	13½	369	-	13½	185	-	6¾	295	-	10¾	295	-	10¾	185	-	6¾
18	·637	·617	352	342	-	12½	342	-	12½	171	-	6¼	273	-	10	273	-	10	171	-	6¼
19	·626	·606	334	301	-	11	301	-	11	150	-	5½	241	-	8¾	241	-	8¾	150	-	5½
20	·615	·595	316	273	-	10	273	-	10	137	-	5	219	-	8	219	-	8	137	-	5
21	·605	·585	300	273	-	10	273	-	10	137	-	5	219	-	8	219	-	8	137	-	5
22	·596	·576	287	246	-	9	246	-	9	123	-	4½	197	-	7¼	197	-	7¼	123	-	4½
23	·587	·567	274	246	-	9	246	-	9	123	-	4½	197	-	7¼	197	-	7¼	123	-	4½
24	·579	·559	262	232	-	8½	232	-	8½	116	-	4¼	186	-	6¾	186	-	6¾	116	-	4¼
25	·571	·551	251	232	-	8½	232	-	8½	116	-	4¼	186	-	6¾	186	-	6¾	116	-	4¼

| | | |

SCHEDULE (C.)

PRICES FOR PROOF.

Number of Gauge.	First and Second Classes.				Third Class.[1]			Fourth Class.		Fifth Class.		
	Provisional Proof.	Definitive Proof.	Pistols.	Wall-pieces and Musketoons.	Twisted Barrels.	Plain Barrels.	Rough-bored Barrels.	Provisional Proof.	Definitive Proof.	Breech-loading Arms.	Revolving Carbines.	Revolving Pistols.
	s. *d.*	*s.* *d.*			*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*				
1	2 6	2 6			2 6	2 6	2 6	2 6				
2	2 6	2 6			2 6	2 6	2 6	2 6				
3	2 0	2 0			2 0	2 0	2 0	2 0				
4	2 0	2 0			2 0	2 0	2 0	2 0				
5	2 0	2 0			2 0	2 0	2 0	2 0				
6	1 0	1 0			1 0	1 0	1 0	1 0				
7	0 9	0 9			0 9	0 9	0 9	0 9				
8	0 9	0 9			0 9	0 9	0 9	0 9				
9	0 9	0 9			0 9	0 9	0 9	0 9				
10	0 9	0 9			0 9	0 9	0 9	0 9				
11	0 3	0 3½			0 6	0 3	0 3	0 6				
12	0 3	0 3½			0 6	0 3	0 3	0 6				
13	0 3	0 3½			0 6	0 3	0 3	0 6				
14	0 3	0 3½			0 6	0 3	0 3	0 6				
15	0 3	0 3½			0 6	0 3	0 3	0 6				
16	0 3	0 3½			0 6	0 3	0 2½	0 6				
17	0 3	0 3½			0 6	0 3	0 2½	0 6				
18	0 3	0 3½			0 6	0 3	0 2½	0 6				
19	0 3	0 3½			0 6	0 3	0 2½	0 6				
20	0 3	0 3½			0 6	0 3	0 2½	0 6				
21	0 3	0 3½			0 6	0 3	0 2½	0 6				
22	0 3	0 3½			0 6	0 3	0 2½	0 6				
23	0 3	0 3½			0 6	0 3	0 2½	0 6				
24	0 3	0 3½			0 6	0 3	0 2½	0 6				
25	0 3	0 3½			0 6	0 3	0 2½	0 6				
26	0 3	0 3½			0 6	0 3	0 2½	0 6				
27	0 3	0 3½			0 6	0 3	0 2½	0 6				
28	0 3	0 3½			0 6	0 3	0 2½	0 6				
29	0 3	0 3½			0 6	0 3	0 2½	0 6				
30	0 3	0 3½			0 6	0 3	0 2½	0 6				
31	0 3	0 3½			0 6	0 3	0 2½	0 6				
32	0 3	0 3½			0 6	0 3	0 2½	0 6				
33	0 3	0 3½			0 6	0 3	0 2½	0 6				
34	0 3	0 3½			0 6	0 3	0 2½	0 6				
35	0 3	0 3½			0 6	0 3	0 2½	0 6				
36	0 3	0 3½			0 6	0 3	0 2½	0 6				
37	0 3	0 3½			0 6	0 3	0 2½	0 6				
38	0 3	0 3½			0 6	0 3	0 2½	0 6				
39	0 3	0 3½			0 6	0 3	0 2½	0 6				
40	0 3	0 3½			0 6	0 3	0 2½	0 6				
41	0 3	0 3½			0 6	0 3	0 2½	0 6				
42	0 3	0 3½			0 6	0 3	0 2½	0 6				
43	0 3	0 3½			0 6	0 3	0 2½	0 6				
44	0 3	0 3½			0 6	0 3	0 2½	0 6				
45	0 3	0 3½			0 6	0 3	0 2½	0 6				
46	0 3	0 3½			0 6	0 3	0 2½	0 6				
47	0 3	0 3½			0 6	0 3	0 2½	0 6				
48	0 3	0 3½			0 6	0 3	0 2½	0 6				
49	0 3	0 3½			0 6	0 3	0 2½	0 6				
50	0 3	0 3½			0 6	0 3	0 2½	0 6				
			Of all Sizes, 4½*d.* per Pair, plain Iron, 6*d.* per Pair, twisted } *Definitive* Proof by Percussion, 5½*d.* per Pair.	1*s.* 2*d.* each.					Same Prices as provisional Proof of the same Class.	1*s.* 6*d.* each.	Not exceeding 6 Shots, 2*s.* 0*d.* each complete Arm; exceeding that Number, 2*s.* 6*d.* each complete Arm.	Not exceeding 6 Shots, 1*s.* 6*d.* each complete Pistol; exceeding that Number, 2*s.* 0*d.* each complete Pistol.

For every lesser Number of Barrels than Four, sent by themselves, Ninepence each over and above the regular Charge according to Scale.

Cap. cxlix.

An Act for enabling the *Stockton and Darlington* Railway Company to make new Branches and other Works; to acquire additional Lands; and for other Purposes. [16th *July* 1855.]

[*Interest, &c. on Shares created or Mortgages granted by Middlesbrough and Guisbrough Railway Company guaranteed,* § 39. *Saving Rights of Holders of existing Preference Shares in Stockton and Darlington Railway Company,* § 40. *Saving Rights of the Crown,* § 46.]

Cap. cl.

An Act for authorizing the making and maintaining of the *West Somerset Mineral* Railway, and the improving and regulating of the Harbour of *Watchet* in the County of *Somerset;* and for other Purposes. [16th *July* 1855.]

[*Preamble recites* 6 *Ann, c.* 8., 10 *Ann, c.* 14., 7 *Geo.* 1. *c.* 14., 10 *Geo.* 3, *c.* 24., *and* 49 *Geo.* 3. *c.* 1. *Capital* £50,000, § 6. *Power to borrow* £15,000, § 9. *Provision for Protection of Rights under recited Acts,* § 78. *Saving Rights of the Crown, the Admiralty, Trinity House, and Lord of Manor of Watchet, &c.,* §§ 88 *to* 91.]

Cap. cli.

An Act for better supplying with Water the Town and Parish of *Wolverhampton,* the Suburbs thereof, and the Parishes and Places adjacent thereto. [16th *July* 1855.]

[*Incorporation of Company,* § 7. *Capital* £100,000, § 8. *Power to borrow* £33,000, § 12. *Provisions for Protection of the Great Western Railway Company,* §§ 23 *to* 27. *For Protection of the Birmingham Canal Navigations and Lord Wrottesley's Observatory,* §§ 33 *and* 34.]

Cap. clii.

An Act to amend "The *Bradford* Corporation Waterworks Act, 1854." [16th *July* 1855.]

Cap. cliii.

An Act for making a Railway from the *Port Carlisle* Railway in the Township of *Drumburgh* to or near to the *Coat* Lighthouse in *Silloth Bay* in the Parish of *Holme Cultram* in the County of *Cumberland,* and also a Dock and Jetty at *Silloth Bay;* and for making Arrangements with the *Port Carlisle* Dock and Railway Company; and for other Purposes. [16th *July* 1855.]

[*Subscribers incorporated,* § 3. *Capitals* £165,000, § 4. *Power to borrow* £55,000, § 9. *As to Agreements with Port Carlisle Dock and Railway Company,* §§ 50 *to* 57. *Saving Rights of the Crown,* § 66.]

Cap. cliv.

An Act for maintaining the *Yorkshire* District of the Road from *Keighley* in the West Riding of the County of *York* to *Kirkby-in-Kendal* in the County of *Westmoreland.* [16th *July* 1855.]

[4 *Geo.* 4. *c.* xlix. *repealed, and this Act to be put in force,* § 1. *Provisions as to Tolls,* §§ 9 *to* 19. *Act to commence on the Second Wednesday after passing, and to continue for Twenty-one Years,* § 29.]

Cap. clv.

An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to acquire Lands; and for other Purposes. [16th *July* 1855.]

[*Power to purchase Lands for Free Library and Museum,* § 4. *Saving Rights of the Crown,* § 12.]

Cap. clvi.

An Act to renew the Term and continue the Powers of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing and improving the Road from* Wadhurst *to the Turnpike Road on* Lamberhurst Down, *both in the County of* Sussex, *and from the Turnpike Road on* Pullen's Hill *to* West Farleigh Street, *both in the County of* Kent. [16th *July* 1855.]

[9 *Geo.* 4. *c.* xvii. *repealed, and this Act to be put in force,* § 1. *Provisions as to Tolls,* §§ 8 *to* 15.]

Cap. clvii.

An Act for extending the Times granted to purchase Lands for the Part of the *Waveney Valley* Railway between *Bungay* and *Beccles.* [23d *July* 1855.]

Cap. clviii.

An Act to enable the *Edinburgh and Glasgow* Railway Company to enlarge their Station at *Queen Street, Glasgow;* to raise additional Capital; and for other Purposes. [23d *July* 1855.]

[*Power to raise additional Capitals,* £115,000 *and* £50,000, §§ 4 *and* 5. *Power to borrow* £30,000, § 11. *Saving Rights of Railway Companies,* § 16; *of J. Macgregor,* § 22.]

Cap. clix.

An Act for making and maintaining the *Great Northern London* Cemetery, and for other Purposes. [23d *July* 1855.]

[*Company incorporated,* § 4. *Capital,* £150,000, § 5. *Power to borrow One Third of Capital,* § 8. *As to Arrangements with Great Northern Railway Company,* §§ 24 *and* 26. *Confirming Agreement with Saint George the Martyr,* § 34. *Saving of Rights of Great Northern Railway Company,* § 42.]

Cap. clx.

An Act for better enabling the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech* to raise and secure Monies payable by them to the *Nene Valley* Drainage and Navigation Improvement Commissioners; and for other Purposes. [23d *July* 1855.]

[*Recited Act* 11 & 12 *Vict. c.* cxliii. *repealed*, § 2. *Extinction of Borrowing Powers under recited Acts*, § 4. *Power to borrow on Mortgage of Tolls and Harbour Dues*, §§ 5 *to* 7. *Indemnification of Corporate Estates, &c.*, § 16. *Saving of Rights*, §§ 27 *to* 30.]

Cap. clxi.

An Act to repeal the Act relating to the *Bolton and Nightingale's* Turnpike Road, and to make other Provisions in lieu thereof. [23d *July* 1855.]

[5 *Geo.* 4. *c.* cv. *repealed, and this Act to take effect*, § 1. *Saving Rights of F. H. Standish*, § 2. *Provisions respecting Tolls*, §§ 16 *to* 19. *Act to commence on 1st November after passing, and continue for Twenty-one Years*, § 27.]

Cap. clxii.

An Act to authorize the Construction of a Dock on the North Side of the River *Thames*, to be called "The *Dagenham* (*Thames*) Dock." [23d *July* 1855.]

[*Subscribers incorporated*, § 4. *Capital* £90,000. *Power to borrow* £30,000, § 8. *Docks to form Part of Port of London*, § 18. *Works on Shore of the Thames not to be executed without Consent of the Office of Woods*, § 25. *Saving Rights of the Crown*, § 26. *Provisions as to Rights of Corporation of London*, §§ 27 *to* 29. *Provisions as to Works to be constructed for Protection of Levels of Havering, &c.*, §§ 30 *to* 36. *Provision as to the Property of the Marquess of Salisbury*, § 37. *Saving Rights of Watermen of the River Thames*, § 47.]

Cap. clxiii.

An Act to amend "The *London* Necropolis and National Mausoleum Act, 1852," and for other Purposes. [23d *July* 1855.]

Cap. clxiv.

An Act to repeal an Act for making, widening, repairing, and maintaining certain Roads leading to and from the Town of *Honiton* in the County of *Devon;* and to make other Provisions in lieu thereof. [23d *July* 1855.]

[3 *Geo.* 4. *c.* xcviii. *repealed, and this Act to be put in force*, § 1. *Provisions respecting Tolls*, §§ 10 *to* 20. *Act to commence on November* 1, 1855, *and continue for Twenty-one Years*, § 32.]

Cap. clxv.

An Act for making a Railway from the *Leven* Railway at the Town of *Leven*, to the Town of *Kilconquhar* in the County of *Fife*, to be called "The *East of Fife* Railway." [23d *July* 1855.]

[*Subscribers incorporated*, § 3. *Capital* £32,000, § 4. *Power to borrow* £10,600, § 9. *For Protection of Leven Railway*, § 24. *As to Construction of Line through the Estate of Elie*, § 37. *Provisions as to Tolls, &c.*, §§ 44 *to* 52. *Provisions as to Agreements with Edinburgh, Perth, and Dundee and Leven Railway Company*, §§ 53 *to* 59. *Saving Rights of the Crown*, § 61.]

Cap. clxvi.

An Act to incorporate the *Royal Medical Benevolent* College, and for other Purposes. [23d *July* 1855.]

Cap. clxvii.

An Act to enable the *Londonderry and Coleraine* Railway Company to lease a Portion of their Undertaking; and for other Purposes. [23d *July* 1855.]

Cap. clxviii.

An Act for more effectually repairing the *Cavendish Bridge and Brassington* Road, and for making a Branch Line of Road in connexion with the same, all in the County of *Derby*. [23d *July* 1855.]

[7 & 8 *Geo.* 4. *c.* l. *repealed, and this Act to be put in force*, § 1. *Saving Rights of North Staffordshire Railway Company*, § 21. *As to Construction of Cattle Bridge over Navigation from the Trent to the Mersey*, §§ 22 *and* 23. *Provisions as to Tolls*, §§ 25 *to* 37. *Act to commence on the Third Wednesday after passing, and to continue for Twenty-one Years*, § 42.]

Cap. clxix.

An Act for making Railways from the *Farnborough* Extension of the *West London and Crystal Palace* Railway to the *North Kent* Line of the *South-eastern* Railway, and to the *London, Brighton, and South Coast* Railway, with Branches therefrom; and for other Purposes. [23d *July* 1855.]

[*Subscribers incorporated*, § 4. *Capital* £80,000, § 5. *Power to borrow* £25,000, § 9. *As to Communications, &c. with West End of London and Crystal Palace Railway*, §§ 22 *to* 25. *As to Communications, &c. with South-eastern Railway*, §§ 26 *to* 29. *As to Construction of Works interfering with those of the Metropolitan Commissioners of Sewers*, § 30. *Provisions as to Tolls*, §§ 32 *to* 41. *Power to enter into Agreements with certain Railway Companies*, §§ 42 *to* 49.]

Cap. clxx.

An Act for extending the Limits of the Harbour of *Barrow* in the County Palatine of *Lancaster*; and to enable the Commissioners of the said Harbour to raise a further Sum of Money; and for other Purposes. [23d *July* 1855.]

[*Repeal of certain Sections of* 11 & 12 *Vict. c.* xxxv., § 2. *Power to borrow* £30,000 *above Amount authorized by recited Act,* § 8. *Saving Rights of the Furness Railway Company; of the Duke of Buccleuch, and Earl of Burlington, under* 9 & 10 *Vict. c.* cccLxxxvi.; *and of the Crown,* §§ 13 *to* 15. *Crown Land reclaimed not to be taken without Consent of Commissioners of Woods, &c.,* § 16. *Saving Rights of Lords of Manors,* § 23.]

Cap. clxxi.

An Act for vesting the Undertakings of the *Birkenhead* Dock Company, and of the Trustees of the *Birkenhead* Docks in the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, and for other Purposes. [23d *July* 1855.]

[*Act to commence on the Third Wednesday after passing,* § 3. *Agreement set out in Schedule to this Act, confirmed,* § 4. *Existing Contracts with Messrs. Brassey and Co. annulled,* § 6. *Undertakings of Trustees and of Company vested in Corporation, and to be One Undertaking,* §§ 7, 8, *and* 16. *Management of Birkenhead Docks vested in Liverpool Dock Committee,* § 17. *Provisions as to the Completion and Maintenance, &c. of Works,* §§ 19 *to* 22. *Corporation to be subject to all Liabilities of Trustees under Arrangements with Commissioners of Woods,* § 23. *Power to borrow* £500,000, § 25. *Corporation to transfer Undertaking to Trustees of Liverpool Docks,* § 27. *Provisions as to Bondholders and Bonds,* §§ 31 *to* 57. *Saving Rights of Great Western Railway Company, Seacombe Mill Company, Messrs. J. Hustler, &c., and of the Crown,* §§ 59 *to* 61 *and* 63. *For Agreement referred to in Preamble to this Act, see Schedule.*]

Cap. clxxii.

An Act for improving the Postal and Passenger Communication between *England* and *Ireland*, and for authorizing Arrangements between certain Companies in *England* and *Ireland* in relation thereto; and for other Purposes. [23d *July* 1855.]

'WHEREAS an Act was passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for making a Railway from* Chester *to* Holyhead, under the Authority of which Act and of the other Acts relating to the *Chester and Holyhead* Railway the *London and North-western* Railway Company are Proprietors of a large Proportion of the Share Capital of the *Chester and Holyhead* Railway Company: And whereas by "The *Chester and Holyhead* Railway Act, 1848," the *Chester and Holyhead* Railway Company were empowered, for the Purpose of establishing an efficient Communication between *Holyhead* and *Dublin* in connexion with their Railway, to purchase, build, construct, navigate, maintain, and work, and also to charter or hire, Steam Boats, or to subscribe or contribute towards the Funds of any Company or Persons having or making or navigating Steam Boats: And whereas the *City of Dublin* Steam Packet Company has been for many Years established for the Purpose of carrying on Steam Communication between, amongst others, the Ports of *Dublin* (including *Howth* and *Kingstown*) and *Holyhead:* And whereas the *Chester and Holyhead* Railway terminates at and communicates with the Port of *Holyhead*, and the *London and North-western* Railway communicates at *Chester* with the *Chester and Holyhead* Railway: And whereas it would greatly facilitate the Postal Service, and also the convenient Transmission of Passengers between *England* and *Ireland*, if the aforesaid Companies were empowered to provide larger and more powerful Steam Vessels for such Purpose, or to secure Interest or other Remuneration to any Company or Person providing the same between *Holyhead* and *Kingstown* or *Howth*, and if Provision were made for the Division and Apportionment between the said Companies or some of them of the Monies to be received for or in respect of such Traffic passing as aforesaid between the Ports aforesaid, and for the Conduct and Regulation of such Traffic, and for the Transmission thereof upon and along the Railways of the said Companies, and if the Companies were empowered to enter into Arrangements or Agreements with reference to all or any of the Purposes aforesaid; but such Objects cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

7 & 8 Vict. c. lxv.

11 & 12 Vict. c. lx.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "Improved Postal and Passenger Communication between *England* and *Ireland* Act, 1855." Short Title.

II. It shall be lawful for the *London and North-western* and *Chester and Holyhead* Railway Companies and the *City of Dublin* Steam Packet Company, on such Terms as may from Time to Time be agreed upon, to purchase, or to hire and pay for, or to build and construct, navigate, use, and maintain, such additional Steam Boats for the Conveyance of Mails and Passengers between *Holyhead* and *Kingstown* or *Howth* as they shall think fit, or otherwise it shall be lawful for those Railway Companies or either of them to contract and agree with the *City of Dublin* Steam Packet Company to provide from Time to Time such additional Steam Boats as aforesaid, and to secure Payment of such Rent or other Consideration as may from Time to Time be mutually agreed upon. Power to provide additional Steam Boats.

Power to charge Rates for Steam Boats.

III. It shall be lawful for the before-mentioned Companies and they are hereby authorized to charge for the Conveyance of Passengers and Parcels in the Steam Boats worked or employed by them between *Holyhead* and *Kingstown* or *Howth* such reasonable Rates or Sums as they shall think proper, and which shall be sanctioned and approved of by the Committee of Privy Council for Trade, but not exceeding the Rates or Sums authorized to be taken by the *Chester and Holyhead* Railway Company for the Conveyance of Passengers upon their Railway for a Distance of Sixty Miles thereon: Provided always, that it shall be lawful for every First-class Passenger conveyed by such Boats, or partly by the Steam Boats and Railways of the Companies, to take with him, without extra Charge, his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight, and every Second-class Passenger not exceeding One hundred Pounds in Weight, and every Third-class Passenger not exceeding Sixty Pounds in Weight.

For securing Equality of Treatment.

IV. Such Steam Boat Rates or Sums shall be at all Times charged to all Persons equally and after the same Rate *per* Mile, in respect of all Passengers and Parcels conveyed in a like Vessel passing between *Holyhead* and *Kingstown* or *Howth* under the like Circumstances; and no Reduction or Advance in any such Rate shall be made in favour of or against any Person using the said Steam Boats in consequence of such Person having travelled over the whole or any Part of the *Chester and Holyhead* Railway, or not having travelled upon any Part thereof.

Provision of certain Acts to apply to Rates authorized to be taken under this Act.

V. All the Provisions and Regulations contained in the several Acts relating to the *Chester and Holyhead* Railway, or the several Acts incorporated therewith, with respect to the Collection, Receipt, and receiving of the Rates and Tolls authorized to be taken for the Conveyance of Passengers and Parcels upon the *Chester and Holyhead* Railway, and for the Prevention of Fraud upon the Company in respect thereof, shall, so far as the same shall be approved of by the said Committee of Privy Council for Trade, and be applicable, extend to the Passengers conveyed in or upon such Steam Boats between the Ports or Harbours of *Holyhead* and *Kingstown* or *Howth*.

Companies empowered to make Byelaws.

VI. It shall be lawful for the Companies and they are hereby authorized from Time to Time to make Byelaws, Orders, and Regulations in relation to Passengers and Parcels conveyed in or upon such Steam Boats between the Ports aforesaid, and as to the Embarkation and Disembarkation thereof respectively, and to enforce the Observance of the same by Penalties, in the same Manner as the *Chester and Holyhead* Railway Company are authorized with respect to Passengers and Parcels conveyed upon their Railway, such Byelaws, Orders, and Regulations being previously sanctioned and authenticated in the same Manner as is required by the general Law relating to Railways, and being further approved of by the said Committee of Privy Council for Trade; and such Byelaws, Orders, and Regulations, and all Penalties and Forfeitures in respect of the Breach thereof, shall be enforced and recovered in the same Manner as by Law is provided with respect to Offences committed upon the Railway; and all Offences committed on board of the said Steam Boats within Harbour shall be considered to be committed within the County of *Anglesea* or within the County of *Dublin*, according as such Harbour shall be situate in *Wales* or in *Ireland* respectively, and if committed out of Harbour shall be considered to be committed in either County, and cognizable by any Justice of either of such Counties.

Rates and Byelaws to be published.

VII. A List of the Charges from Time to Time appointed to be taken for the Conveyance of Passengers and Parcels in the Steam Boats of or employed by the Companies between *Holyhead* and *Kingstown* or *Howth*, and the Substance of all such Byelaws, Orders, and Regulations as shall be made by the Companies in relation to such Passengers, shall be affixed, in manner provided by the General Acts relating to Railways, in the Stations of the *Chester and Holyhead* Railway Company at *Chester* and *Holyhead* respectively, and also in the Cabins appropriated to Passengers in the several Steam Vessels so used and employed by the Companies aforesaid.

17 & 18 Vict. c. 31. to extend to Steam Boats under this Act.

VIII. The Provisions of the Seventeenth and Eighteenth *Victoria*, Chapter Thirty-one, shall, so far as the same are applicable, extend to the Steam Boats to be provided under the Provisions of this Act, and to the Passengers and Parcels carried therein.

Certain Powers to continue till 31st Dec. 1871.

IX. The Powers hereby granted to purchase, hire, use, and own Steam Boats shall continue until the Thirty-first Day of *December* One thousand eight hundred and seventy-one.

Power to enter into Agreements with reference to Conduct of Traffic and other Purposes.

X. It shall be lawful for all the before-mentioned Companies from Time to Time to make and carry into effect all Contracts and Agreements with reference to the Objects aforesaid, and the Division and Apportionment between and amongst the aforesaid Companies of the Tolls, Rates, or other Charges received in respect of the Through Passenger and Parcel Traffic conveyed in or by the aforesaid Steam Boats between *Holyhead* and *Kingstown* or *Howth*: Provided always, that, the true Intent and Object of this Act being to facilitate the Postal and Passenger Communication between *England* and *Ireland*, nothing herein contained shall be held to confer any Authority to apply the Powers granted by this Act, or the Funds to be appropriated thereunder, to any other Purposes than the Passenger, Postal, and Parcel Traffic passing between *Holyhead* and *Kingstown* or *Howth*, including the Transmission of Horses, Carriages, or other necessary or usual Incidents of Passenger Communication, or to empower any of the aforesaid Companies to carry Cattle, Stores, Goods, or Merchandise by any of the Steam Boats hereby authorized to be purchased, hired, used, or owned, or to enable the *London and North-western* and *Chester and Holyhead* Railway Companies, or either of them, to enter into any Arrangement or Agreement with the *City of Dublin* Steam Packet Company for the Conveyance of Cattle, Stores, Goods, Merchandise, or any other Effects; provided, further, that nothing herein contained shall be held to affect any existing Powers of any of the aforesaid Companies.

Appointment of Committee.

XI. For the Purpose of more effectually carrying into effect all or any of the Purposes aforesaid, it shall be lawful for the aforesaid Companies to appoint a Board of Management or a Joint Committee, as

shall

shall be mutually agreed upon, and to delegate to such Board of Management or Committee all such Powers, Duties, and Authorities in reference to the Objects and Purposes of this Act as the said Companies shall think fit.

As to Appointment of Umpires.

XII. For settling and determining all Disputes and Differences which may arise between them respecting the Fulfilment of any of the Objects and Purposes of any such Agreement or Arrangement, every such Dispute and Difference shall, when and as the same arises, be referred to Arbitration, in the Manner prescribed by Clauses CXXVIII. to Clause CXXXIV. of the Companies Clauses Consolidation Act, 1845, which shall (*mutatis mutandis*) for that Purpose be deemed to be Part of this Act; provided, however, that in case the Dispute shall be between the Railway Companies and the *City of Dublin* Company, Two Arbitrators, and not Three, shall be appointed, One being appointed by the Two Railway Companies, and the other by the *City of Dublin* Company.

Power to remove Members of Joint Committee.

XIII. It shall be lawful for each of the said Companies from Time to Time to remove any Person appointed on behalf of such Company to be a Member of the said Board of Management or Committee, and to appoint another in his Stead, on giving Seven Days Notice in Writing of their Intention so to do to the said Board of Management or Committee.

For filling up Places of Members dying, &c.

XIV. If any Member of the said Board of Management or Committee shall die, or resign, or become disqualified or incompetent to act as a Member of the said Board of Management or Committee, the Company by whom he was appointed may appoint another Person to supply his Place.

Committee may make Rules for their own Guidance.

XV. The said Board of Management or Committee may from Time to Time make such Rules, Bye-laws, and Regulations with reference to the Times and Places of their Meetings, and the Notices convening such Meetings, and the Appointment of their Chairman, and otherwise howsoever with reference to their Proceedings, as they shall think fit.

Committee may appoint Officers.

XVI. The Board of Management or Committee may from Time to Time nominate and appoint and remove all such Secretaries, Treasurers, Clerks, and other Officers as they may from Time to Time think necessary for carrying out the several Objects and Purposes from Time to Time intrusted to them, and may pay to the Persons so from Time to Time appointed by them such Salaries or other Emoluments as the said Board of Management or Committee shall think fit.

Power to apply Corporate Funds to Purposes of this Act.

XVII. It shall be lawful for any or either of the herein-before mentioned Companies to appropriate to or towards all or any of the Objects and Purposes of this Act any Sums of Money, not exceeding in the whole the Sum of Four hundred thousand Pounds, which they respectively are authorized to raise by any Act or Acts, Deed or Deeds, or which shall have been raised by them under the Provisions of any Act or Acts in force with relation to such Companies respectively, and which may not be required for the Purposes to which they are by any such Act or Acts made specially applicable.

Power to make Agreements with Her Majesty's Postmaster General, &c. for Conveyance of Mails, &c.

XVIII. It shall be lawful for the aforesaid Companies from Time to Time to make and enter into and carry into effect any Agreements and Arrangements with Her Majesty's Postmaster General, or with the Lords of the Admiralty, in reference to the Conveyance in their Steam Boats of Her Majesty's Mails or Post Letter Bags between *Holyhead* and *Kingstown* or *Howth*: Provided always, that, until an Agreement or Arrangement for the Purposes herein-before in this Clause mentioned shall have been so made and entered into, none of the Powers by this Act granted shall be exercised by the said Companies, and that, unless such an Agreement or Arrangement shall have been made and entered into on or before the First Day of *May* One thousand eight hundred and sixty, it shall not be lawful for the said Companies, in pursuance of this Act, to exercise any of the Powers granted thereby, and such Powers shall thereafter cease and have no Effect.

Deposits for future Bills not to be paid out of Companies Capital.

XIX. It shall not be lawful for the before-mentioned Railway Companies respectively, out of any Money by any Act relating to them respectively authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament, now in force or hereafter to be in force, may be required to be deposited in respect to any Application to Parliament for the Purpose of obtaining an Act authorizing them respectively to construct any other Railway or to execute any other Work or Undertaking.

Railways not exempt from Provisions of present and future General Acts.

XX. Nothing herein contained shall be deemed or construed to exempt the Undertakings of the before-mentioned Railway Companies respectively, or any of those Undertakings, from the Provisions of any General Act relating to the Acts affecting the said Railway Companies respectively, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels, authorized by those Acts respectively.

Expenses of Act.

XXI. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall in the first instance be paid and discharged by the *London and North-western* and *Chester and Holyhead* Railway Companies and by the *City of Dublin* Steam Packet Company.

Cap. clxxiii.

An Act to repeal and consolidate the several Acts relating to the *Furness* Railway Company; to enable the said Company to raise a further Sum of Money; to give further Powers to the said Company; and for other Purposes. [23d *July* 1855.]

[6 & 7 *Vict. c.* cxlii., 7 & 8 *Vict. c.* xxii., 9 & 10 *Vict. c.* cclxxix., 10 & 11 *Vict. c.* vi., 11 & 12 *Vict. c.* cxxvi., 16 & 17 *Vict. c.* cl., 17 & 18 *Vict. c.* lxxvi. *repealed, and Furness Railway Company dis-*

solved, § 2. *Re-incorporation of Company*, § 3. *Railways vested in new Company*, § 6. *Capital*, £340,000 *subject to Augmentation, and to be called "the original Capital,"* § 24. *Provisions as to Sale of Lands belonging to the Duchy of Lancaster*, §§ 34 *to* 37. *Power to raise a further Sum of* £120,000, § 38. *Power to advance Money to the Barrow Harbour Commissioners*, § 55. *Provision as to the Purchase, &c. of Steam Vessels and the fixing of Tolls*, §§ 57 *to* 63. *Provisions as to Tolls and Tonnage*, §§ 64 *to* 82. *Saving Rights of the Crown, the Duchy of Lancaster, and of other Persons*, §§ 96 *and* 97.]

Cap. clxxiv.

An Act to authorize the Trustees of the *Liverpool* Docks to construct new Works, and to raise a further Sum of Money; and for other Purposes. [23d *July* 1855.]

[*Power to Trustees to construct additional Works, &c.*, § 4. *Power to borrow* £850,000, § 10. *Jurisdiction of Justices extended over the Docks*, § 34. *Saving Jurisdiction of the Corporation*, § 37. *General Saving*, § 40. *Act to commence on the Second Thursday after passing*, § 43.]

Cap. clxxv.

An Act for enabling the *South Staffordshire* Railway Company to make certain Branch Railways; for the Purchase of additional Lands at *Wichnor* and *Dudley*; and for other Purposes. [23d *July* 1855.]

[*Provision as to Erection of Bridge over the Birmingham and Wednesbury Turnpike Road*, § 12. *Bridges or Viaducts over or Tunnels under the Birmingham Canal how to be made*, § 21. *Preserving Powers and Rights of the Birmingham Canal Company*, § 28. *Provisions respecting Agreements with certain Railway Companies*, §§ 33 *to* 36. *Power to raise additional Capital*, £127,000, *by new Shares, and to borrow* £40,000, §§ 38 *and* 41.]

Cap. clxxvi.

An Act for maintaining and improving the Road from *Gateshead* in the County of *Durham* to the *Hexham* Turnpike Road near *Dilston Bar* in the County of *Northumberland*, and other Roads connected therewith. [23d *July* 1855.]

[1 *Geo.* 4, *c.* xxx. *repealed, and this Act to be put in force*, § 1. *Provisions as to Tolls*, §§ 13 *to* 31. *Act to commence on November next after passing, and to continue for Twenty-one Years*, § 31.]

Cap. clxxvii.

An Act to enable the *Portsmouth* Railway Company to make an Alteration in the Line of their Railway; and for other Purposes. [23d *July* 1855.]

[*Power to borrow* £33,000, *in addition to authorized Capital of* £400,000, § 15.]

Cap. clxxviii.

An Act for the Improvement of the Borough of *Shrewsbury* in the County of *Salop*. [23d *July* 1855.]

[*Act to commence on the 1st of September* 1855, *and to be carried into execution by Corporation*, §§ 3 *and* 5. 1 & 2 *Geo.* 4. *c.* lviii. *repealed, and Property vested in the Corporation*, §§ 6 *and* 7. *Corporation to be the Local Board of Health*, § 25. *Power to borrow Money to erect Slaughter-houses, for Purchase of Market, &c.*, §§ 88 *and* 92. *Corporation may levy Highway Rate under* 5 & 6 *Will.* 4. *c.* 50., § 99. *Power to levy General Improvement Rate, &c.*, §§ 100 *to* 111. *Power to borrow on Mortgage of Rates, and to pay off former Mortgages*, §§ 112 *to* 114. *Saving Rights of Shrewsbury Water and Gas Companies*, §§ 120 *to* 122. *Saving Rights of Corporation*, § 124.]

Cap. clxxix.

An Act to correct an Oversight in "The *Hereford* Improvement Act, 1854." [30th *July* 1855.]

Cap. clxxx.

An Act to incorporate a Company for making a Railway from the *Bishop Auckland* Branch of the *North-eastern* Railway in the Township of *Elvet* to the Township of *Brandon* and *Byshottles*, all in the County of *Durham*, to be called "The *Dearness Valley* Railway;" and for other Purposes. [30th *July* 1855.]

[*Subscribers incorporated*, § 3. *Capital*, £40,000, § 4. *Power to borrow on Mortgage*, § 8. *Power of the Hon. H. Jane Cochrane, &c., not to be taken without Consent*, § 19. *Provisions as to Tolls*, §§ 27 *to* 30. *Provisions as to Traffic Arrangements*, §§ 41 *to* 45. *Rights of North-eastern Railway not to be affected*, § 49.]

Cap. clxxxi.

An Act to enable the *Oxford, Worcester, and Wolverhampton* Railway Company to alter and improve certain of their Works, and to construct additional Works; and to authorize Arrangements with respect to the *Stratford-upon-Avon* Canal; and for other Purposes. [30th *July* 1855.]

[*Power to make Branch Railways*, § 4. *Provision as to Lands of T. S. Hellier*, § 6. *Power to agree with Shareholders for a Rentcharge on the Canal, &c.*, §§ 20 *to* 26. *Stourbridge Extension Canal to be charged with Amount of Purchase Money*, § 27. *For Protection of W. Matthews, Sir S. R. Glynne, and W. O. Forster, Esq.*, §§ 37 *to* 39. *Provisions for Protection of the Birmingham Canal*, §§ 50 *to* 57. *Provisions as to the Chillington Company*, §§ 58 *to* 63. *Provisions as to Accommodation Bridge, &c. of W. H. Sparrow*, §§ 64 *to* 73.]

Cap. clxxxii.

An Act for enabling the *Somerset Central* Railway Company to construct Railways to *Wells* and to *Burnham*, and a Pier at *Burnham*, and to raise additional Capital; and for other Purposes. [30th *July* 1855.]

[*Repeal of* 15 & 16 *Vict. c.* lxiii., *but notwithstanding Repeal, Sections in the Schedule to remain in force*, §§ 5 *and* 9. *Company to remain incorporated, and remain entitled to Property, &c.*, §§ 7 *and* 8. *Capital*, £140,000, § 20. *Power to borrow* £20,000, § 26. *Power for Bristol and Exeter Railway Company to subscribe*, §§ 31 *to* 33. *Saving Rights of Commissioners of Sewers of County of Somerset and Corporation of Bridgewater*, §§ 69 *and* 70.]

Cap. clxxxiii.

An Act for the making and maintaining of the *Severn Valley* Railway; and for other Purposes. [30th *July* 1855.

[*Repeal of* 16 & 17 *Vict. c.*ccxxvii., *but Company to continue incorporated, and remain entitled to Property, &c.*, §§ 5 *to* 8. *Capital*, £480,000, § 17. *Power to borrow* £160,000, § 22. *Provisions as to Communications with Oxford, Worcester, and Wolverhampton Railway*, §§ 49 *to* 52. *With Shrewsbury and Hereford Railway*, §§ 53 *to* 56. *With Wellington and Severn Junction Railway*, § 57. *For Protection of the Staffordshire and Worcestershire Canal, and Erection of Bridge, &c.*, §§ 58 *to* 68. *For Protection of the Rivers Stour and Severn*, §§ 69 *to* 72. *Provisions as to Use of a Portion of Shrewsbury and Hereford Railway*, §§ 77 *to* 81. *Provisions as to Agreements for Traffic Arrangements*, §§ 92 *to* 96. *Saving Rights of other Railway Companies*, § 98.]

Cap. clxxxiv.

An Act to facilitate the Erection of One or more Churches in the Parishes of *Tormoham* and *Saint Mary Church*, at or near the Town of *Torquay*, in the County of *Devon*; and for other Purposes. [30th *July* 1855.]

[*Upon Grant of Endowment, by Sir L. V. Palk and Lawrence Palk, a new District for Spiritual Purposes to be created, and a Minister appointed*, § 2. *Bishop to license a temporary Place of Worship*, § 4. *Consecration of Church by the Name of Saint Mark's, and Creation of a new Parish by the Name of "the Parish of Torwood" instead of "the District of Torwood,"* § 6. *Minister to become Perpetual Curate*, § 7. *Appointment of Churchwardens*, § 9. *As to Patronage*, §§ 10 *and* 27. *As to the Erection of a Second Church to be a Chapel of Ease to Saint Mark's*, § 11. *Provisions as to Sittings and Seat Rents*, §§ 12 *to* 15. *Power to apply Monies out of Seat Rents for Repairs*, § 16. *Mortgage of Seat Rents*, § 17. *Discharge of Subscribers from Payment of Seat Rents*, § 19. *Application of Seat Rents*, § 20. *Appointment of Officers*, § 21. *Provisions as to Burials*, §§ 22 *to* 24. *Provisions of Church Building Acts extended to this Act*, § 28.]

Cap. clxxxv.

An Act to repeal the Act of the Ninth *Victoria*, Chapter Thirty-two, to reconstitute and extend the Police District therein mentioned under the Name of the *Airdrie* Rural Police District, and to erect and maintain a Hall, Court House, and Public Offices for the *Airdrie* District of *Lanarkshire*. [30th *July* 1855.]

Cap. clxxxvi.

An Act to authorize the Transfer of the Undertaking of the *Deptford* Gaslight and Coke Company to the *Surrey* Consumers Gas Company, and to wind up the Affairs of the first-named Company; and for other Purposes. [30th *July* 1855.]

[*Agreements between Deptford Gaslight and Coke Company and Surrey Consumers Gas Company confirmed, and Transfer of Works*, §§ 1 *to* 3. *Shares of Deptford deemed valid*, § 23.]

Cap. clxxxvii.

An Act for enabling the *East Kent* Railway Company to extend their authorized Line of Railway by the Construction of a Railway from *Canterbury* to *Dover*, with Two Branches at *Dover*; to increase their Capital; and for other Purposes. [30th *July* 1855.]

[*Power to make Railway*, § 4. *Certain Works not to be constructed, &c. without Consent of Secretary of State for War*, §§ 12 *to* 14. *Certain Works not to be commenced until approved by the Admiralty*, §§ 16 *to* 19. *As to crossing the River Stour*, § 20. *Provisions as to Docks, &c. belonging to the Wardens of Dover*, §§ 21 *to* 29. *Saving Rights of Warden and Assistants of Dover Harbour*, § 30. *Capital increased* £1,200,000, § 36. *Power to borrow on Mortgage* £166,666 *in addition to Sum authorized by* 16 & 17 *Vict. c.* cxxxii., § 41. *Saving Rights of South-eastern Railway Company, Commissioners of Sewers for Kent, and the Crown*, §§ 49 *to* 51.]

Cap. clxxxviii.

An Act for amending the Acts relating to the *London and South-western* Railway Company; for regulating their Capital; and for other Purposes. [14th *August* 1855.]

[*Acts recited in Preamble and this Act to be taken as One*, § 2. *Lands to be purchased of Dean and Chapter of Canterbury Six Months before commencing Works*, § 7. *Works on the Shore of the*

Thames not to be constructed without Consent, § 20. *Works interfering with Sewers not to be done without Consent of Commissioners of Sewers*, § 23. *Provisions as to Capital, Shares, &c.*, §§ 26 *to* 51. *Power to Company to borrow, inclusive of their present Mortgage Debt*, £2,400,416, § 56. *Company to promote a Bill in Session of* 1856 *for a Railway called "The Exeter Extension Railway,"* § 62. *Provisions to be contained in the said Bill*, § 63. *Power to raise* £1,000,000 *for the said Railway*, § 70. *Saving Rights of Her Majesty and the Corporation of London*, § 74.]

Cap. clxxxix.

An Act for the Conservancy and Improvement of *Dundalk* Harbour and Port, and for other Purposes. [14th *August* 1855.]

[*Act to commence on Third Tuesday after passing, and recited Act repealed*, § 1. *Provisions as to Qualification and Election of Commissioners to carry Act into execution*, §§ 9 *to* 32. *Repeal of Act not to affect existing Rights*, § 42. *Provisions respecting the Quay of Dundalk Steam Packet Company*, §§ 48 *to* 53. *Provisions respecting Rates and Dues*, §§ 64 *to* 76. *Power to borrow on Credit of Tolls, Rates, &c.*, § 77. *Number of Pilots to be appointed, and Rules for their Examination to be approved by Board of Trade*, § 88. *Provisions as to Regulation of Pilot Stations, providing of Boats, &c.*, §§ 90 *to* 98. *Provisions as to the raising of Ballast, &c.*, §§ 103 *to* 116. *Jetties not to be built, except by Commissioners*, § 117. *Saving Rights of the Earl of Roden, the Dock and Quay Owners, the Crown, and other Persons*, §§ 135 *to* 138.]

Cap. cxc.

An Act for making certain Railways to connect *Glasgow*, *Dumbarton*, and *Helensburgh*, in the Counties of *Lanark* and *Dumbarton*; and for making Provision for the Use and working of the said Railways. [14th *August* 1855.]

[*Subscribers incorporated*, § 3. *Capital*, £240,000, § 4. *Power to borrow* £60,000, § 9. *As to Junctions with Edinburgh and Glasgow, and Caledonian and Dumbartonshire Junction Railways* §§ 24 *and* 25. *Provisions as to shutting up Streets and constructing Bridges and Sewers in Helensburgh*, §§ 31 *to* 37. *As to carrying Railway through Lands of Lord Blantyre*, § 38. *Forth and Clyde Canal*, §§ 40 *to* 50. *Edinburgh and Glasgow Railway Company to hold Shares, but not to be transferable, and may raise further Capital to the Extent of* £80,000, *&c.*, §§ 70 *to* 82.]

Cap. cxci.

An Act for making a Railway from the *Great Western* Railway at *Southall* in the County of *Middlesex* to *Brentford* in the same County, with Docks at the last-mentioned Place; and for other Purposes. 14th *August* 1855.]

[*Subscribers incorporated*, § 3. *Capital*, £90,000, § 4. *Not to interfere with Great Western Railway without Consent*, §§ 23 *and* 24. *Provisions as to building Bridge over London and South-western Railway*, §§ 25 *to* 27. *Not to interfere with the South-western Railway without Consent*, §§ 28 *to* 30. *As to crossing over the Metropolis Turnpike Road*, §§ 31 *to* 38. *Saving Rights of Grand Junction Canal Company*, §§ 39 *to* 44. *Power to construct Docks*, § 45. *Saving Rights of Commissioners of Woods, the Crown, Corporation of London, and Metropolitan Commissioners of Sewers*, §§ 48 *to* 52. *As to Agreements with other Railway Companies*, §§ 67 *to* 69.]

Cap. cxcii.

An Act for making a Railway and Pier to and at *Stokes Bay* in the County of *Hants*. [14th *August* 1855.]

[*Subscribers incorporated*, § 3. *Capital*, £24,000, § 4. *Power to borrow* £8,000, § 7. *Saving Rights of South-western Railway Company*, §§ 32 *to* 34. *Saving Rights of the Crown*, § 52.]

Cap. cxciii.

An Act for extending the Times granted to the *Westminster* Improvement Commissioners by "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," "The *Westminster* Improvement Act, 1850," and "The *Westminster* Improvement Act, 1853," for the compulsory Purchase of Lands and the Completion of Works; and for altering the Corporate Name of "The *Westminster* Association for improving the Dwellings of the Working Classes" to "The *London* and *Westminster* Association for improving the Dwellings of the Working Classes;" and for other Purposes. [14th *August* 1855.]

'WHEREAS the *Westminster* Improvement Commissioners were incorporated and continued as an Incorporation by the Local and Personal Acts Eighth and Ninth of *Victoria*, Chapter One hundred and seventy-eight, which Act has the Short Title "The *Westminster* Improvement Act, 1845," Tenth and Eleventh of *Victoria*, Chapter One hundred and thirty-one, which Act has the Short Title "The *Westminster* Improvement Act, 1847," Thirteenth and Fourteenth of *Victoria*, Chapter One hundred and two, which Act has the Short Title "The *Westminster* Improvement Act, 1850," and Sixteenth and Seventeenth *Victoria*, Chapter One hundred and seventy-six, which Act has the Short Title "The *Westminster* Improvement Act, 1853," for the Purposes of an Undertaking, the Objects of which were the Construction of a Street (now completed and opened to the Public, and called *Victoria Street*,) to form a Communication between the Neighbourhood of the Houses of Parliament and *Buckingham*

'*Buckingham Palace*, and of a secondary Street, to form a Communication between *Dean Street* and the '*Horseferry Road*, or otherwise, and of the Streets and Works prescribed or authorized by "The *West-*'*minster* Improvement Act, 1853," aforesaid, and the Improvement of the District in the Neighbourhood 'of the same Streets respectively, which Undertaking is prescribed or authorized, and the Powers and 'Privileges of the said Commissioners in relation thereto created, continued, extended, or modified, and 'Funds in aid of the Undertaking provided, by the said "*Westminster* Improvement Act, 1845," the said '"*Westminster* Improvement Act, 1847," the Public General Acts Tenth and Eleventh of *Victoria*, 'Chapter One hundred and fifteen, Eleventh and Twelfth of *Victoria*, Chapter One hundred and twenty-'four, and Thirteenth and Fourteenth of *Victoria*, Chapter One hundred and three, which last-mentioned 'Three Acts are Acts relating principally to the *London Bridge* Approaches Fund, and by the said "*West-*'*minster* Improvement Act, 1850," and the said "*Westminster* Improvement Act, 1853:" And whereas 'by "The *Westminster* Improvement Act, 1853," aforesaid, after reciting, among other things, that the 'Improvements in the City of *Westminster*, prescribed or authorized by "The *Westminster* Improve-'ment Act, 1845," "The *Westminster* Improvement Act, 1847," and "The *Westminster* Improvement 'Act, 1850," had been in part carried into effect, (that is to say,) the *Westminster* Improvement Com-'missioners had, in such Manner as was required of them, constructed between the *Broad Sanctuary*, '*Westminster*, and *Shaftesbury Terrace*, and opened to the Public, the Street called *Victoria Street*, but 'although the Plans for the secondary Street mentioned in "The *Westminster* Improvement Act, 1847," 'and "The *Westminster* Improvement Act, 1850," had been submitted, as in the same Acts respectively 'was required, unto Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and 'Buildings, and unto the Churchwardens and Vestries of the united Parishes of *St. Margaret* and '*St. John the Evangelist*, and had been approved of by the said Churchwardens and Vestries, the Certi-'ficate of Approval under the Hands of Two of Her Majesty's Commissioners, required by "The *West-*'*minster* Improvement Act, 1847," had not been given; and the Security by the said "*Westminster* 'Improvement Act, 1847," directed to be by the Commissioners given or provided for the Construction 'of the said secondary Street according to the Plans thereof, to be approved of as aforesaid, had not 'then been given or provided by the Commissioners; and the Formation of the said secondary Street 'could not be completed until the Commissioners had obtained Possession of the Workhouse, and had 'purchased other Land required for the said secondary Street, and noticing that the Duties and Powers 'which, under the therein-before recited Acts, if the Act therein-after mentioned had not been passed, 'would have been performed and executed by the Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings, were, under and by virtue of "The Public General Act," Fourteenth 'and Fifteenth *Victoria*, Chapter Forty-two, performed and exercised by the Commissioners of Her 'Majesty's Works and Public Buildings, it was by the Act now in recital, Section Thirteen, enacted, 'that the Powers of the Commissioners for the compulsory Purchase or taking of the Land authorized 'to be taken by that Act should not be exercised after the Expiration of Two Years from the passing of 'that Act; and it was by the same Act, Section Fifty-six, enacted, that, subject to such Security being 'given as therein-after provided, and save and except as to the Lands of the Governors of the *Grey* '*Coat Hospital*, mentioned in the Schedule to "The *Westminster* Improvement Act, 1847," the Period 'by "The *Westminster* Improvement Act, 1845," granted for the compulsory Purchase and taking of 'Land comprised in the Schedule (C.) to the same Act, (which Period was extended by "The *West-*'*minster* Improvement Act, 1850,") and the Period by "The *Westminster* Improvement Act, 1847," 'granted for the compulsory Purchase and taking of Land comprised in the Schedule (B.) to the same 'Act should be, and the same Periods were thereby respectively extended and enlarged until the Thirty-'first Day of *July* One thousand eight hundred and fifty-five, and that the Powers of the said Commis-'sioners for the compulsory Purchase or taking of such Land as aforesaid should continue in force and 'might be exercised until such last-mentioned Day and not afterwards, but subject in every Case to the 'Provisions of the said Improvement Acts and that Act; and it was by the same Act, Section Fifty-'seven, enacted, that, subject to such Security being given as therein-after mentioned, the Period by '"The *Westminster* Improvement Act, 1847," limited for the Completion of the herein-before mentioned 'secondary Street should be and the same thereby was revived and extended until the Thirty-first Day 'of *July* One thousand eight hundred and fifty-five, and that the Security to be, pursuant to the same 'Act, or "The *Westminster* Improvement Act, 1850," given for the Completion of the said secondary 'Street should be accordingly a Security for the Completion thereof by the said Thirty-first Day of '*July* One thousand eight hundred and fifty-five; and it was by the same Act, Section Fifty-eight, 'enacted, that the Security to the Extent of Five thousand Pounds to be by the Commissioners provided 'for the Completion of the said secondary Street should be a Security to be approved of, not only by the 'Lords Commissioners of Her Majesty's Treasury, but also by the Churchwardens and Vestries of the 'united Parishes of *Saint Margaret* and *Saint John the Evangelist*, and that such Security should be 'given within Six Months after the passing of that Act, and in default thereof the Powers of the said 'Commissioners for the compulsory Purchase or taking of Land comprised in the Schedule (B.) to "The '*Westminster* Improvement Act, 1847," and in the Schedule (A.) to that Act, should cease and deter-'mine: And whereas a Plan for the said secondary Street, (which Plan agrees in all respects with the 'Plan in the said "*Westminster* Improvement Act, 1853," mentioned to have been approved of by the 'Churchwardens and Vestries of the united Parishes of *Saint Margaret* and *Saint John the Evangelist*, 'except that the Space between *Victoria Street* and the said secondary Street is increased by about 'Twelve Feet in Width,) was, prior to the Security for the Completion of the said secondary Street

'being given, as herein-after mentioned, approved of by the Commissioners of Her Majesty's Works 'and Public Buildings, and by the Churchwardens and Vestries of the united Parishes of *Saint Margaret* 'and *Saint John the Evnngelist:* And whereas the Commissioners, within the Period prescribed by the 'said "*Westminster* Improvement Act, 1853," provided, to the Satisfaction of the Lords Commissioners 'of Her Majesty's Treasury, Security to the Extent of Five thousand Pounds for the Completion of the 'said secondary Street, such Security being provided by a Bond, dated the Third Day of *February* One 'thousand eight hundred and fifty-four, under the Seal of the said *Westminster* Improvement Commis-'sioners, in the penal Sum of Ten thousand Pounds, and by a Deposit of the Sum of Five thousand 'Pounds, in the Names of the Obligees and of another Trustee, at the *London* and County Bank, upon 'Trusts for securing the Performance of the Condition of the said Bond; but the said Churchwardens 'and Vestries contend that the Security given as aforesaid was not a Security according to the Intent 'and Meaning of "The *Westminster* Improvement Act, 1853," aforesaid: And whereas the Funds by 'the said Improvement Acts, some or One of them, provided for the Construction of the said secondary 'Street, consist in part of Sums charged upon or payable out of the Rates of the said united Parishes of '*Saint Margaret* and *Saint John the Evangelist*, and under the Circumstances the Commissioners have 'not been able to proceed in the Construction of the said secondary Street; and it is expedient that the 'Question as to the Security given by the Commissioners as aforesaid should be determined: And 'whereas it is expedient that the Periods limited to the said Commissioners for the compulsory Pur-'chase and taking of Lands, and for Completion of the said secondary Street, should be extended: And 'whereas "The *Westminster* Association for improving the Dwellings of the Working Classes" was 'incorporated by "The *Westminster* Improvement Association Act, 1853," for providing, by the Altera-'tion of existing Buildings or the Erection of new Buildings, commodious and healthy Lodgings and 'Dwellings for the poorer Classes, and for letting out the same to them as temporary Lodgings, or other-'wise, in such Manner and under such Restrictions as should be found most conducive to the Objects of 'the Association; but the Operations of the Association are not confined to *Westminster*, and the Asso-'ciation is desirous that the corporate Name should be "The *London* and *Westminster* Association for 'improving the Dwellings of the Working Classes:" And whereas the Purposes aforesaid cannot be 'effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Westminster* Improvement Act, 1855."

Interpretation of Terms.

II. That in this Act the following Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Land" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting by virtue of "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," "The *Westminster* Improvement Act, 1850," "The *Westminster* Improvement Act, 1853," and this Act:

The Expression "the Improvement Acts" shall mean "The *Westminster* Improvement Act, 1845," "The *Westminster* Improvement Act, 1847," "The *Westminster* Improvement Act, 1850," and "The *Westminster* Improvement Act, 1853:"

The Word "Sheriff," in "The Lands Clauses Consolidation Act, 1845," shall, with respect to this Act and the said Improvement Acts, mean the High Bailiff of *Westminster*, in all Cases where the High Bailiff discharges the Duties and Offices usually discharged by the Sheriff.

Security given by the Commissioners declared to be according to the Intent of 16 & 17 Vict. c. clxxvi.

III. That the Security to the Extent of Five thousand Pounds, so as aforesaid provided by the Commissioners for the Completion of the said secondary Street, was and shall be taken to be a Security according to the Intent and Meaning of "The *Westminster* Improvement Act, 1853," and shall accordingly operate to all Intents and Purposes whatsoever, in the same Way as if such Security had been approved of by the said Churchwardens and Vestries of the united Parishes of *Saint Margaret* and *Saint John the Evangelist.*

Extension of Time for compulsory Purchases in Schedule (C.) to 8 & 9 Vict. c. clxxviii. and in Schedule (B.) to 10 & 11 Vict. c. cxxxi.

IV. The Period by "The *Westminster* Improvement Act, 1845," granted for the compulsory Purchase and taking of the Land comprised in the Schedule (C.) to the same Act, (which Period was extended by "The *Westminster* Improvement, Act, 1850," and "The *Westminster* Improvement Act, 1853,") and the Period by "The *Westminster* Improvement Act, 1847," granted for the compulsory Purchase and taking of the Land comprised in the Schedule (B.) to the same Act, (which Period was extended by "The *Westminster* Improvement Act, 1853,") be and the same Periods respectively hereby are extended and enlarged until the Thirty-first Day of *July* One thousand eight hundred and fifty-seven, and that the Powers of the Commissioners for the compulsory Purchase and taking of such Land as aforesaid shall continue in force and may be exercised until such last-mentioned Period, but subject in every Case to the Provisions of the said Improvement Acts.

Extension of Time for the Completion of the secondary Street.

V. That the Period by "The *Westminster* Improvement Act, 1847," limited for the Completion of the said secondary Street, (which Period was revived and extended by the said "*Westminster* Improvement Act, 1853,") shall be extended and enlarged until the Thirty-first Day of *July* One thousand eight hundred and fifty-seven; and that the Condition of the Bond given by the Commissioners for the Completion

of

of the said secondary Street shall be deemed to be performed if the same Street be made and completed, in manner in the Condition of the same Bond mentioned, on or before the said Thirty-first Day of *July* One thousand eight hundred and fifty-seven; and, subject to such Extension of Time, the said Bond shall remain in force, and may be enforced as fully and effectually as if the said Thirty-first Day of *July* One thousand eight hundred and fifty-seven had been the Time in the Condition of the Bond named for the Completion of the said secondary Street; and the said deposited Sum of Five thousand Pounds shall remain and be a Security for the Performance of the Condition of the same Bond.

Extension of Time for the compulsory Purchases in Schedule (A.) to 16 & 17 Vict. c. clxxvi.

VI. That, except as to certain Houses in *Palace Street*, numbered 23 to 31, both inclusive, in the said Schedule also mentioned, the Period limited to the Commissioners by "The *Westminster* Improvement Act, 1853," for the compulsory Purchase and taking of the Land comprised in the Schedule (A.) to the same Act, shall be and the same hereby is extended and enlarged until the Thirty-first Day of *July* One thousand eight hundred and fifty-seven, and that the Powers of the Commissioners for the compulsory Purchase and taking of such Land shall continue in force and may be exercised until the last-mentioned Day, but subject in every Case to the Provisions of the said Improvement Acts.

Extension of Time for taking Parts of Parliament Square Gardens and Churchyard of St. Margaret.

VII. That the Period limited by "The *Westminster* Improvement Act, 1853," Section Thirty-two, for Her Majesty's Commissioners of Works and Public Buildings giving their Consent to the Commissioners taking Parts of *Parliament Square Gardens* for the intended Continuation of *Victoria Street*, shall be and the same hereby is extended and enlarged until the Thirty-first Day of *July* One thousand eight hundred and fifty-seven; and the Powers of the Commissioners for taking Parts of *Parliament Square Gardens*, with such Consent as aforesaid, and also Part of the Churchyard or Burial Ground of the Parish of *Saint Margaret*, shall continue in force and may be exercised until the last-mentioned Day, but subject in every respect to the Provisions of the said Improvement Acts.

Act not to affect Security for 30,000*l.* vested in the Commissioners of Works, &c.

VIII. Provided always, That this Act or anything herein contained shall not affect or prejudice the Security given by the Commissioners, by an Indenture of Mortgage dated the Twenty-fifth Day of *June* One thousand eight hundred and fifty-one, and Bond of even Date therein referred to, for the Repayment by the Commissioners, with Interest, as therein-mentioned, of a Sum of Thirty thousand Pounds advanced to them by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, pursuant to a Power contained in the Act of the Thirteenth and Fourteenth of *Victoria*, Chapter One hundred and three, and which, under or by virtue of "The Metropolitan Improvements (Repayment out of Consolidated Fund) Act, 1853," is now vested in the Commissioners of Her Majesty's Works and Public Buildings: Provided also, that this Act or anything herein contained shall not prejudice or affect any Right of Preference or Priority in Payment which any Person holding a Bond of the Commissioners, granted before the Date of the Indenture of Mortgage and Deed of Settlement, dated respectively the Twenty-sixth Day of *May* One thousand eight hundred and fifty-two, and not having assented thereto, would have been entitled to if the said Indenture of Mortgage and Deed of Settlement had not been executed, or the said *Westminster* Improvement Act, 1853, confirming the same, or this Act, had not been passed.

Certain Houses released from 16 & 17 Vict. c. clxxvi.

IX. That the said Houses in *Palace Street* numbered 23 to 31, both inclusive, are hereby released from the Powers and Provisions of "The *Westminster* Improvement Act, 1853," and shall be considered as expunged from the Schedule (A.) to the said Act, and from the Plan therein referred to.

Act not to affect Agreement with Justices of Middlesex.

X. That nothing herein contained shall in any Manner whatsoever prejudice or affect certain Articles of Agreement, dated the Third Day of *June* One thousand eight hundred and fifty-two, with the Justices of *Middlesex*, in "The *Westminster* Improvement Act, 1853," mentioned or referred to, by the said last-mentioned Act ratified and confirmed.

Saving Rights of Governors of Grey Coat and St. Margaret's Hospitals and the Trustees of the Rev. J. Palmer's Charity.

XI. That neither the Extension or Enlargement herein-before granted of the Periods for the compulsory Purchase and taking of Lands, nor any other Clause, Matter, or Thing herein contained, shall in any Manner take away, alter, abridge, or interfere with the Interests, Rights, Authorities, and Powers of the Governors of the *Grey Coat Hospital*, the Governors of the Hospital of *Saint Margaret*, the Poor of *Emanuel Hospital*, and the Trustees of the Reverend *James Palmer*'s Charity respectively, given to or vested in or exerciseable by them respectively, by or under the said Improvement Acts or any of them, or which they may have acquired, or which may be vested in or exerciseable by them, under or by virtue of any Contract, Agreement, or Arrangement heretofore entered into by them the said Governors, or the said Trustees, or their Treasurer, or any other Person on their Behalf, with the said Commissioners, or with the Chairman of the said Commissioners, or any other Person on their Behalf, or which has been adopted by the said Commissioners.

Commissioners not to take any Lands until certain Payments are made.

XII. That before the Commissioners shall take any Land under the extended Powers for compulsory Purchase given by this Act they shall pay to the Churchwardens, Overseers of the Poor, and Vestrymen of the Parishes of *St. Margaret* and *St. John the Evangelist* all Arrears in the Deficiency of Rates payable by the Commissioners, if any shall be then due, together with the Costs of any Suit or Proceedings for recovering the same, and the Sum of One hundred and fifty Pounds on account of Costs incurred by the said Churchwardens, Overseers of the Poor, and Vestrymen, relating to this Act.

Security to be given for the Payment of Rates.

XIII. That for the Purpose of further securing to the Churchwardens, Overseers of the Poor, and Vestrymen of the Parishes of *Saint Margaret* and *Saint John the Evangelist* the Payment of the Deficiencies in Rates which may hereafter become due from the Commissioners to the said Churchwardens, Overseers, and Vestrymen under the Provisions of the Improvement Acts, some or One of them, in respect of any Land hereafter to be taken under the said Improvement Acts or this Act, the Commissioners, shall, previously to taking any such Land under the hereby extended Powers for compulsory

Purchase, give or provide, to the Satisfaction of One of the Masters of Her Majesty's Court of Queen's Bench at *Westminster*, Security to the Extent of Three thousand Pounds, for the Payment from Time to Time as they may become due of all such Deficiencies; and the Persons to whom such Security shall be given, the Survivors and Survivor of them, and the Executors and Administrators of such Survivor, shall and they and he are and is hereby required to enforce the Payment of the said Sum of Three thousand Pounds, or a sufficient Part thereof, from Time to Time, in any Court of Law or Equity, under the Direction of such Churchwardens, Overseers, and Vestrymen, in case such Deficiencies shall not be from Time to Time fully paid; provided, that if it shall at any Time be shown to the Satisfaction of One of the Masters of Her Majesty's Court of Queen's Bench at *Westminster* that the Houses and other Buildings erected and standing on the Land taken by the Commissioners are of sufficient rateable Value, and become occupied and thereby rateable, and sufficient to provide for all Deficiencies in the said Rates payable by the said Commissioners, no such Security shall be required, and if any Security shall have been previously given the same shall be released and given up to the Commissioners.

Commissioners to purchase certain Lands in Notice, or Power to do so to cease.

XIV. That with respect to any Land of which no Part shall lie within Eighty Feet of the said intended secondary Street, and being on the South thereof, and not required for any other Improvement authorized by the said Improvement Acts, in case any Owner or Lessee thereof shall give Notice to the Commissioners, requiring them forthwith to purchase or release the same from the Powers and Provisions of the said Improvement Acts and this Act, then, unless the said Commissioners shall, within Six Months after receiving such Notice, enter into a valid Contract with such Owner or Lessee for the Purchase of his Interest in the said Land, or give to such Owner or Lessee a valid and binding Notice to treat and agree for his Interest in the said Land, the said Land, so far as respects the Interest of such Owner or Lessee, shall from and after the Expiration of the said Period of Six Months be released from the Powers and Provisions of the said Improvement Acts and this Act.

Change of the Corporate Name of the Westminster Association for improving the Dwellings of the Working Classes.

XV. 'And whereas the Improvements which have of late been made and are still making in the City 'of *Westminster* have caused the Removal of many Houses inhabited by the Labouring Classes: And 'whereas certain Persons connected with such Improvements and others were desirous of providing 'improved Dwellings for such Labouring Classes, and accordingly applied for and obtained "The *West-* 'minster Improvement Association Act, 1853:" And whereas it is desirable that the Name of the 'Association incorporated by that Act should be changed:' Be it therefore enacted, That the Association heretofore called "The *Westminster* Association for improving the Dwellings of the Working Classes," shall from the Date of the passing of this Act be called "The *London* and *Westminster* Association for improving the Dwellings of the Working Classes:" Provided always, that the Association shall under the Name last aforesaid continue subject in all respects to the same Liabilities, and shall possess the same Privileges and Rights, and be governed by the same Rules and Regulations as those to which it would have been subject and would have possessed and would have been governed by in case this Act had not been passed; and all Contracts and Engagements entered into and subsisting between the Association and any Bodies Politic and Corporate, and any other Person or Persons whatsoever, prior to the passing of this Act, shall and may be proceeded with and enforced in the same Manner to all Intents and Purposes as if at the Time of making such Contracts and Engagements the Association had been called "The *London* and *Westminster* Association for improving the Dwellings of the Working Classes," and the Provisions of "The *Westminster* Improvement Association Act, 1853," shall be applicable to the Association in the same Manner as if the Association had been thereby incorporated under the Name last aforesaid.

Expenses of Act.

XVI. That the Costs and Expenses of and attending the applying for, obtaining, and passing this Act shall be borne by the *Westminster* Improvement Commissioners; and that it shall be lawful for the said Commissioners, out of any Monies coming to their Hands by virtue of the said Improvement Acts, or any of them, to pay the Costs and Expenses aforesaid.

Cap. cxciv.

An Act to change the corporate Name of the *Derbyshire, Staffordshire, and Worcestershire Junction* Railway Company, to repeal their Act and consolidate their Powers, to alter and define their Undertaking, to reduce their Capital; and for other Purposes. [14th *August* 1855.]

[10 & 11 *Vict. c.* cx. *repealed*, § 3. *Company to continue incorporated under the Title "The Cannock Mineral Railway Company,"* § 4. *General Saving of Rights*, § 9. *Capital*, £160,000, § 17. *Power to borrow* £40,000, § 26. *Provisions respecting Communications with South Staffordshire Railway*, §§ 46 *to* 49; *with Trent Valley Railway*, §§ 50 *and* 51. *Saving Rights of London and Northwestern Railway*, §§ 52 *and* 53. *Not to deviate from Plan in passing through the Marquess of Anglesey's Land in Rugeley*, § 54. *Provisions as to leasing or selling the Undertaking*, §§ 63 *to* 73.]

Cap. cxcv.

An Act for facilitating the Completion of the *Westminster* Improvements, and for the Incorporation of the *Westminster* Land Company for a limited Period for that Purpose. [14th *August* 1855.]

[*Incorporation of Company*, § 3. *Capital, exclusive of Bond Stock*, £40,000, § 4. *As to the Creation of a Capital Stock, to be called Bond Stock*, §§ 8 *to* 12. *Power to raise additional Capital* (£200,000, *by Creation of Preference Shares*, § 25. *Power to borrow*, § 27. *Nothing to affect Security for Payment of* £30,000 *and Interest to Commissioners of Woods, &c.*, § 33.]

Cap.

Cap. cxcvi.

An Act for transferring Part of the Property and Powers of the Trustees of the River *Lee*; and for the Amendment of the Acts of the *New River* Company, the *East London* Waterworks Company, and the said Trustees; and for other Purposes. [14th *August* 1855.]

'WHEREAS the following Acts have been passed; to wit, the Acts of the Thirteenth Year of 'Elizabeth, Chapter 18; of the Third Year of *James* the First, Chapter 18; of the Fourth Year 'of *James* the First, Chapter 12; of the Eleventh Year of *George* the Second, Chapter 14; of the 12th 'Year of *George* the Second, Chapter 32; of the Seventh Year of *George* the Third, Chapter 51; and 'of the Nineteenth Year of *George* the Third, Chapter 58; and the several Local or Local and Personal 'Acts of the Forty-fifth Year of *George* the Third, Chapter 69; of the Third Year of *George* the 'Fourth, Chapter 109; of the Session of the Thirteenth and Fourteenth Years of Her present Majesty, 'Chapter 109 (in this Act called "The Trustees Act of 1850"); of the Session of the Fifteenth and 'Sixteenth Years of Her present Majesty, Chapter 160; and of the Session of the Seventeenth and 'Eighteenth Years of Her present Majesty, Chapters 39 and 72: And whereas some of the recited Acts 'relate to the River *Lee* and the Navigation thereof, and to the Trustees of the River *Lee* (in this Act 'called the Trustees) acting in execution of such Acts: And whereas some of the recited Acts relate 'to the Governor and Company of the *New River* brought from *Chadwell* and *Amwell* to *London* (in 'this Act called the *New River* Company): And whereas some of the recited Acts relate both to the 'Trustees and to the *New River* Company: And whereas several Acts were from Time to Time passed 'relating to the Company of Proprietors of the *East London* Waterworks: And whereas by the Act of 'the Session of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter 166, shortly 'called "The *East London* Waterworks Act, 1853," those Acts were repealed, but some of the 'Provisions thereof were kept in force: And whereas "The *East London* Waterworks Act, 1853," 'relates to the Trustees and to the *New River* Company, as well as to the *East London* Waterworks 'Company, which by that Act were incorporated by way of Continuation of the Company of Pro-'prietors of the *East London* Waterworks, and which Company so incorporated are in this Act called 'the *East London* Company: And whereas the *New River* Company and the *East London* Company '(in this Act called the Two Companies) derive large Quantities of Water for the Purposes of their 'respective Waterworks from the River *Lee*, and are executing extensive and important Works for 'preventing the fouling of such Water, and are expending large Sums in that Behalf: And whereas 'the Trustees have, under the recited Act of the Session of the Thirteenth and Fourteenth Years of 'Her present Majesty, Chapter 109, Section 68, Power to supply Water in Bulk to Water Companies 'and others authorized to supply Water to the Metropolis: And whereas it is of great Importance to 'the Health of the Inhabitants of such Parts of the Metropolis as are supplied with Water by the Two 'Companies respectively that the Water supplied to them should be of good Quality, and by reason of 'the rapid Increase of Population and the more general Use of Water that Provision should be made 'for Supply of increased Quantities, and by "The Metropolis Water Act, 1852," Obligations involving 'a large Outlay were to that end imposed on the Two Companies respectively: And whereas the *New* 'River Company contend that under the recited Act of the Twelfth Year of *George* the Second they 'have the Right to take from the River *Lee* so much Water as will pass through the Gauge in that Act 'defined, which Right is denied by the Trustees, and Proceedings at Law and in Equity between that 'Company and the Trustees with respect to the Right so claimed and denied have been instituted: 'And whereas the *New River* Company have consented to compromise their Claim by restricting the 'Quantity which, as against the Trustees and the *East London* Company respectively, they shall take 'from the River *Lee* through that Gauge, to Two thousand five hundred Cubic Feet a Minute; and it 'is expedient that such Compromise should be established: And whereas it would conduce to the 'Advantage of the Inhabitants of the Metropolis who derive their Water Supply from the Two Companies 'respectively if the Quantity of the Water of the River *Lee* to which the Trustees and the Two Com-'panies respectively are to be hereafter entitled were defined, and if the whole of the Water from Time 'to Time flowing into and down the River, except such Quantities thereof as are by this Act reserved 'to the Trustees for the Purposes of the Navigation, and such of the Powers of the Trustees with respect 'to such Water as in this Act expressed, were transferred to and vested in the Two Companies respec-'tively, and if Provision were made for the Improvement of the Navigation of the River, and for the 'Repair of the River, and for husbanding the Water and preserving it from Pollution, and for enabling 'such further Improvements of the River and the Navigation to be from Time to Time made as may 'better enable the Two Companies respectively to comply with the Provisions of the "Metropolis Water 'Act, 1852:" And whereas the *New River* Company now pay to the Trustees for a Supply of Water the 'yearly Sum of One thousand eight hundred and fifty Pounds, and the *East London* Company now pay 'to the Trustees for a Supply of Water the yearly Sum of Two hundred and fifty Pounds, and the last-'named yearly Sum is liable to be increased, under the Provisions of the Trustees Act of 1850: And 'whereas the Two Companies respectively are willing, in return for such Transfer to them, to pay to the 'Trustees, as by this Act provided, in lieu of those yearly Sums of One thousand eight hundred and 'fifty Pounds and Two hundred and fifty Pounds respectively, and of any Sums by way of Increase 'thereof, the aggregate yearly Sum of Three thousand five hundred Pounds and the Principal Sum of 'Forty-two thousand Pounds, and the Trustees are willing to accept Payment thereof accordingly, and 'that such Transfer should be made accordingly; and it is expedient that the Provisions in that Behalf

'of

' of this Act be made: And whereas the Objects aforesaid cannot be attained without the Authority of ' Parliament :' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; to wit,

Short Title.

I. This Act may be cited for any Purpose as "River *Lee* Water Act, 1855."

Incorporation of Lands Clauses Act.

II. "The Lands Clauses Consolidation Act, 1845," is incorporated with this Act: Provided always, that such Incorporation shall not authorize the purchasing or taking, under this Act, of any Lands, otherwise than by Agreement: Provided always, that this Act shall not prejudice any Power of the Trustees or of either of the Two Companies for purchasing or taking any Lands otherwise than by Agreement.

Same Meanings of Words in incorporated Act and this Act.

III. The several Words and Expressions to which by the Act incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Of Liability of Companies to make Payments to Trustees.

IV. On the passing of this Act the Liability of the *New River* Company to pay to the Trustees the yearly Sum of One thousand eight hundred and fifty Pounds, and the Liability of the *East London* Company to pay to the Trustees the yearly Sum of Two hundred and fifty Pounds, and to pay to the Trustees under the recited Acts or any of them, or any Contract or otherwise, any increased or other Sums, shall absolutely cease.

Payments to Trustees.

V. The Two Companies shall pay to the Trustees, as by this Act provided, the aggregate yearly Sum of Three thousand five hundred Pounds, and the *New River* Company shall pay to the Trustees, as by this Act provided, the gross Sum of Forty-two thousand Pounds: Provided always, that as between the Trustees on the one hand and the Two Companies on the other hand, that aggregate yearly Sum shall be paid to the Trustees, as to the yearly Sum of One thousand five hundred Pounds, Part thereof, only by the *New River* Company, and as to the yearly Sum of Two thousand Pounds, Residue thereof, only by the *East London* Company: Provided also, that as between the Two Companies that aggregate yearly Sum shall be paid by them in such Proportions as from Time to Time they shall have mutually agreed on.

Payment of yearly Sum to Trustees.

VI. That aggregate yearly Sum of Three thousand five hundred Pounds shall be paid to the Trustees by equal quarterly Payments on the Twenty-fifth Day of *March*, the Twenty-fourth Day of *June*, the Twenty-fifth Day of *September*, and the Twenty-fourth Day of *December* in every Year; and the first of those quarterly Payments shall be deemed to have fallen due on the Twenty-fourth Day of *June* One thousand eight hundred and fifty-five.

Remedies for and Liabilities of that yearly Sum.

VII. The Trustees shall have the like Remedies against the Two Companies respectively for Payment of those yearly Sums of One thousand five hundred Pounds and Two thousand Pounds as immediately before the passing of this Act the Trustees had against them respectively for the Recovery of the yearly Sums of One thousand eight hundred and fifty Pounds and Two hundred and fifty Pounds respectively then payable by them to the Trustees: Provided always, that that aggregate yearly Sum of Three thousand five hundred Pounds shall be subject and liable to the Payment of all Principal Sums and Interest secured by the Debentures of the Trustees, in like Manner as immediately before the passing of this Act those yearly Sums of One thousand eight hundred and fifty Pounds and Two hundred and fifty Pounds respectively were subject and liable, and shall accordingly be substituted for those yearly Sums.

Payment of gross Sum to Trustees.

VIII. That gross Sum of Forty-two thousand Pounds shall be paid by the *New River* Company to the Trustees, as to the Sum of Twelve thousand Pounds, Part thereof, within Seven Days after the passing of this Act, with Interest after the Rate of Five Pounds *per Centum per Annum* thereon from the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five, and as to the Sum of Thirty thousand Pounds, Residue thereof, by Instalments, with Interest after the Rate of Five Pounds *per Centum per Annum* thereon from the Twenty-fifth Day of *March* One thousand eight hundred and fifty-five, every such Instalment to be paid, with the Interest thereon, within Seven Days after the granting of the Certificate in that Behalf, as by this Act provided.

Water of Lee vested in the Companies.

IX. Subject to the Provisions of this Act, all the Water from Time to Time flowing into or down the River *Lee* and the Navigation thereof, which the Trustees have now Power to sell under the Trustees Act of 1850, except such Quantities thereof as are by this Act reserved to the Trustees for the Purposes of the Navigation, is by this Act transferred to and shall be absolutely vested in the Two Companies for ever: Provided always, that nothing herein contained shall be held to give to the Two Companies or either of them any Right to such Water which does not now belong to the Trustees, or which they have not now the Power to sell.

Millowners Rights generally, and Trustees Right to Water below Old Ford Lock, reserved.

X. Provided always, That, except as regards the Interpretation of the said Act of the Twelfth Year of *George* the Second, Chapter 32, nothing in this Act shall take away, lessen, or prejudice any Claim for Compensation for Loss of Water or for Loss of Amount of Water Power to which the Owners and Occupiers of the Mills and Works upon the River *Lee* are or but for the passing of this Act would be respectively entitled, and any such Compensation in respect of Injury sustained by reason of the Acts of the Two Companies or either of them shall be made by and recovered against such Companies or Company respectively, or take away, lessen, prejudice, or alter any of the Rights, Powers, or Authorities of the Trustees with respect to the Head Levels or to any Water below the Compensation Reservoir and *Old Ford* Lock, whether flowing down or brought up by the Tide, and those Rights, Powers, and Authorities are by this Act reserved to the Trustees accordingly.

Reservation to Trustees of

XI. Provided always, That there are by this Act reserved to the Trustees, for the Purposes of the Navigation, to pass through the several present and future Locks on the Navigation, and at their Discretion,

Discretion, and not subject to any Control by the Two Companies or either of them, either with or without Barges, any Quantities of Water not exceeding the following daily Quantities; to wit, first, they may pass through the several Locks from the highest Point at which the Two Companies or either of them may hereafter take their Supply down to and including the then First Lock above *Field*'s Weir (and which Part of the River is in this Act called the Upper Reach) any Quantities not exceeding in the whole in any One Day of Twenty-four Hours Five hundred and seventy-six thousand Cubic Feet (in this Act called the upper daily Quantity); secondly, they may pass through the several Locks from the then First Lock above *Field*'s Weir exclusive down to and including *Waltham* Town Lock (and which Part of the River is in this Act called the Middle Reach) any Quantities not exceeding in the whole in any One Day of Twenty-four Hours Seven hundred and twenty thousand Cubic Feet (in this Act called the middle daily Quantity); and, thirdly, they may pass through the several Locks from *Waltham* Town Lock exclusive down to and including *Old Ford* Lock (and which Part of the River is in this Act called the Lower Reach) any Quantities not exceeding in the whole in any One Day of Twenty-four Hours Eight hundred and sixty-four thousand Cubic Feet (in this Act called the lower daily Quantity). daily Quantities of Water.

XII. Notwithstanding anything in this Act contained, the Trustees of the River *Lee* shall maintain throughout the whole Length of the said Navigation the same Depth of Water as at present, being in no Place less than Three Feet Nine Inches. Trustees to preserve River Lee of same Depth as at present.

XIII. Provided always, That the Trustees shall continue entitled for the Purposes of the Navigation to all such Water below *Tottenham Mill* as from Time to Time shall not be required by the Two Companies or either of them to be taken at their respective Pumping and Drawing Stations, and such Water is accordingly by this Act reserved to the Trustees: Provided also, that that reserved Water shall be used by the Trustees only for the fair and legitimate Purposes of the Navigation, and the other Purposes in that Behalf by this Act provided. Reservation to Trustees of Water below Tottenham Mill.

XIV. In order to prevent Differences as to those Three daily Quantities respectively, they shall from Time to Time be measured and estimated by the Locksfull of Water from Time to Time used in the Navigation: Provided always, that if the Trustees or the Two Companies or either of them at any Time desire that any other accurate Mode for the Measurement of the Water be adopted, such Mode may be adopted accordingly; provided also, that if the Trustees and the Two Companies fail to agree on the Mode to be adopted the Difference shall be settled by Arbitration. Mode of estimating Trustees Quantities of Water.

XV. For the Purpose of estimating those Three daily Quantities respectively the Cubical Contents of a Lockfull of Water shall be estimated as being so many Cubic Feet of Water as the Lock when filled contains between the Levels of the upper and lower Water on each Time of using the Lock, with the Addition thereto of the fairly estimated Quantity of Water escaping therefrom by any observed Leakage beyond Two Locksfull for each Twenty-four Hours. Estimate of a Lockfull of Water.

XVI. So long as such Mode of estimating those Three daily Quantities respectively by Locksfull is in force, the Trustees shall keep an accurate Account of the several Locksfull of Water from Day to Day passed down through the Locks on the Navigation, and such Account shall be kept in a Book at all such Locks as are necessary, which Book shall be kept by the respective Lock-keeper of such Lock at his House on the Navigation; and the Locks at which such Books shall be kept shall, if not agreed on between the Trustees and the Two Companies, be settled by Arbitration. Trustees to keep Account of Locksfull of Water used on Navigation.

XVII. If and whenever any other Mode of estimating those Quantities is in force, the Trustees shall keep accurate Accounts in proper Books accordingly; and the Plan on which such Accounts shall be kept shall, if not agreed on between the Trustees and the Two Companies, be settled by Arbitration. Trustees to keep other Accounts, if Estimate by Locksfull abandoned.

XVIII. Every such Account Book from Time to Time kept by the Trustees, as by this Act provided, shall at all Times be open to the Inspection and Transcription of the Two Companies and of the Undertakers of the *Stort* Navigation respectively, and their respective Agents in that Behalf. Accounts to be open to Inspection.

XIX. The Trustees from Time to Time shall allow the Two Companies and each of them every reasonable Use of the Weirs and Works of the Trustees, for the Purpose of from Time to Time observing and recording the Quantity of Water in and flowing down the River respectively. Use of Weirs, &c. for observing Quantities of Water.

XX. Notwithstanding such Transfer and Vesting, and except only as is by this Act provided with respect to the Quantity of Water to be taken by the *New River* Company through the Gauge, each of the Two Companies from Time to Time after the passing of this Act shall, as against the Claims to Compensation for Loss of Water or Water Power on the Part of the Owners and Occupiers of Mills and Works on the River *Lee*, be held to be entitled to take from the River *Lee* and the Navigation thereof all such Water as they are now or but for the passing of this Act would be entitled so to take, and all their respective Rights in that Behalf are accordingly by this Act reserved to them respectively. Reservation to Two Companies of existing Rights to take Water.

XXI. Provided always, That after the passing of this Act the said Act of the Twelfth Year of *George* the Second, Chapter 32, shall be read as authorizing the *New River* Company from Time to Time to take from the River *Lee*, through the Gauge specified in that Act, or through any other Gauge to be substituted for it, as herein-after mentioned, Two thousand five hundred Cubic Feet of Water a Minute, and no more. Limit of 2,500 Cubic Feet a Minute of Water for New River Company.

XXII. After the passing of this Act the *East London* Company from Time to Time may, subject to the Provisions hereof, take from the River *Lee* Two thousand five hundred Cubic Feet of Water *per* Minute at any Point or Points at which the said Company under their said Acts are now authorized to take the same, or could before the passing of this Act have purchased of the Trustees, under the Trustees Act of 1850, the Right of taking such Water. 2,500 Cubic Feet a Minute of Water for the East London Company.

XXIII. After

Additional Water for each Company.

XXIII. After the passing of this Act each of the Two Companies may, subject to the Provisions hereof, take, *pari passu*, any Quantity of Water beyond their respective Quantities of Two thousand five hundred Cubic Feet a Minute: Provided always, that neither of the Two Companies shall in any One Day take more than Five hundred Cubic Feet of Water a Minute beyond their respective Quantity of Two thousand five hundred Cubic Feet a Minute, without having previously given to the other Company Two Days previous Notice in Writing of their Intention to take such Excess.

Level from which New River Company may take additional Water.

XXIV. Provided always, That the *New River* Company shall not, except as next herein-after mentioned, without or for any longer Period than shall be expressed by the previous Consent in Writing of the *East London* Company, take any such Water beyond the *New River* Company's Two thousand five hundred Cubic Feet a Minute out of any Level of the River higher than the Level from which the *East London* Company are then taking their Two thousand five hundred Cubic Feet a Minute.

Permission of Board of Trade to New River Company to take additional Water from higher Level.

XXV. Provided nevertheless, That if and whenever the *New River* Company shall be desirous of taking any Water beyond their Two thousand five hundred Cubic Feet a Minute out of any Level of the River higher than the Level from which the *East London* Company are then taking their Two thousand five hundred Cubic Feet a Minute (the same being a Level out of which the *New River* Company under their said Acts are now authorized to take Water, or out of which the *New River* Company could before the passing of this Act have purchased of the Trustees under the Trustees Act, 1850, the Right of taking such Water), and the *East London* Company fail for Eight Days after being thereunto requested by the *New River* Company to consent to their taking such additional Water from any such higher Level, then and in every such Case the *New River* Company may, after giving not less than Eight Days previous Notice in Writing of their Intention so to do to the *East London* Company, apply to the Board of Trade for their Consent to such proposed taking from such higher Level by the *New River* Company; and if the Board of Trade, on Inquiry, and after Notice for hearing the Two Companies thereon, be satisfied that the *New River* Company can take such additional Water from such higher Level without Detriment either in Quantity or Quality to the Supply of Water which the *East London* Company are from Time to Time entitled to take, or to the Navigation, then the Board of Trade may by Writing under the Hand of the Secretary of the Board state that they are so satisfied, and permit the *New River* Company to take such Quantity as the Board think fit of such additional Water from such higher Level.

Renewal and Withdrawal of Permission.

XXVI. Provided also, That if the *New River* Company be at any Time desirous that any such Permission should be renewed, or if the *East London* Company be at any Time desirous that any such Permission should be withdrawn, then and in every such Case the same respective Company may, after not less than Eight Days previous Notice in Writing in that Behalf to the other Company, apply to the Board of Trade for such Renewal or Withdrawal, and the Board of Trade may accordingly, on Inquiry, and after Notice for hearing the Two Companies thereon, renew or withdraw the Permission by Writing under the Hand of the Secretary of that Board: Provided always, that no such original or renewed Permission by the Board of Trade shall, if objected to by the *East London* Company, be in force for more than One Year.

Companies not to draw Water below Head Level of the Navigation.

XXVII. The Two Companies or either of them shall not, without Consent of the Trustees, at any Time draw from the River so as to reduce the Water in any Pond of the Navigation below the present customary Head Level of that Pond, or, in case of any Alteration in the Navigation below such Head Level, as shall from Time to Time be declared by the Engineer of the Trustees, with the Concurrence of the Engineers of the Two Companies respectively, or, in case of Difference between them, by the Arbitrator, to be the Head Level of such Pond, and such Head Levels shall be so fixed as to allow the said Navigation the same Depth of Water as at present, and (except in case of great Draught, or in any Case in which the Owners or Occupiers of any Mill or Work on the said Navigation shall be entitled for occasional Purposes, or in which the Trustees shall find it necessary so to do, to draw down the Water below such Head Levels,) the same Water shall be maintained at the Heights of such Head Levels, and, notwithstanding anything in this Act contained, so much Water as is necessary for that Purpose shall be supplied from the said River *Lee* in priority over all other Rights of Water within the said River: Provided also, that in case it shall hereafter be found necessary, in order to maintain the Level of Water up to the said Head Levels, for the said Two Companies to allow more Water to pass down the said Navigation than the said Three several specified daily Quantities, a Deduction shall be made from the said annual Sums to be paid by the said Companies to the said Trustees under this Act of such an Amount as shall be equal to the Value of the extra Water so required, such Amount, in case of no special Agreement, to be estimated at the Rate of Threepence *per* One thousand Gallons.

Companies may take Flood Water for Storage.

XXVIII. Each of the Two Companies may from Time to Time, at their own respective Expense, and for their own respective Use, take Water from the River when in a State of Flood, for Storage thereof: Provided always, that when either of the Two Companies so take any Water for Storage they shall give Notice in Writing to the other Company, and the other Company may, *pari passu*, take Water for Storage.

Test of Flood Water.

XXIX. Provided always, That with respect to taking Water for Storage the River shall not be considered to be in a State of Flood when its Volume at *Field*'s Weir in excess of the actual Draught therefrom for the Time being of the Two Companies is less than the Quantity in that Behalf agreed on between them, or, until such Agreement, as shall be settled by Arbitration: Provided always, that such Quantity in excess shall not be settled by Arbitration at less than Three thousand Cubic Feet a Minute or more than Four thousand Cubic Feet a Minute.

XXX. The

Priorities of Rights to Water.

XXX. The several Rights of the Trustees and of the Two Companies respectively with respect to the Water from Time to Time flowing into or down the River *Lee* and the Navigation thereof shall have the following Priorities; to wit,

First, the Right of the Trustees to the upper daily Quantity, the middle daily Quantity, and the lower daily Quantity respectively within the Limits of the Upper Reach, the Middle Reach, and the Lower Reach respectively, and such further Quantity, subject as aforesaid, as shall be necessary to maintain the Water of the Navigation on a Level with the Head Levels aforesaid:

Secondly, the Right of the *New River* Company to take Two thousand five hundred Cubic Feet a Minute:

Thirdly, the Right of the *East London* Company to take Two thousand five hundred Cubic Feet a Minute:

Fourthly, the Right of each of the Two Companies to take, *pari passu*, Five hundred Cubic Feet each a Minute:

Fifthly, the Right of each of the Two Companies, after such Notice in that Behalf as by this Act provided, to take, *pari passu*, any additional Quantity of Water:

Sixthly, the Right of the Trustees to surplus Water below *Tottenham* Mill.

Companies may pump from Pond to Pond Water reserved to Trustees.

XXXI. The Two Companies from Time to Time, if they think fit, may, subject to the Provisions of this Act, furnish to the Trustees all or any Part of the Quantities reserved to them, by pumping Water, at the Expense of the Two Companies, from any one Pond of the Navigation to any other Pond thereof, so as they do not thereby reduce the Level of any such Pond below the customary Head Level from Time to Time thereof.

Trustees may pump from Pond to Pond Water reserved to them.

XXXII. The Trustees, from Time to Time, if they think fit, and in exercise of any of their Powers under any of the recited Acts, may make such Ponds and other Works as may in their Judgment give to them the greatest Advantage in the User for the Navigation of the Water reserved to them, and, if they think fit, may Pump back any Part of the Water so reserved from any one Pond of the Navigation to any other Pond thereof, without being liable to allow to the Two Companies or either of them in respect of the Water which may be so pumped back by them any Deduction from the said annual Sums payable by them to the Trustees.

Trustees not to draw down certain Ponds or Levels below Head Marks;

XXXIII. Except for the Purpose of using for the Purposes of the Navigation the Three daily Quantities respectively, the Trustees shall not, at any Place where the River *Lee* and the Navigation are on a common Level, at any Time draw down any Pond or Level below the then Headmarks of such Pond or Level, without in every Case giving Forty-eight Hours previous Notice if the Pond or Level be above the then First Lock above *Field*'s Weir, to the Engineer of the *New River* Company, or if the Pond or Level be below that Lock, to the Engineer of the *East London* Company, or if the upper Pond at *Field*'s Weir, then also to the Manager of the Undertakers of the River *Stort*.

without Consent of Engineer to be appointed to decide in case of Objection by Company.

XXXIV. If the *New River* Company, or, as the Case may be, the *East London* Company, object to any such drawing down, and give Notice in Writing thereof to the Trustees, they shall not so draw down the Pond or Level without the Approval in Writing of an Engineer appointed in that Behalf by the Parties in difference, or failing such Appointment within Seven Days after Application by the Trustees to the Company in question to concur in such Appointment, then not without the Approval in Writing of the Arbitrator.

Trustees may grant User for Steam Engines, &c. of Water reserved to them.

XXXV. The Trustees from Time to Time may grant to any Persons the Right to use, for the Purposes of Steam Engines or Manufactories on the Banks of the Navigation, any Part of the Water by this Act reserved to the Trustees: Provided always, that, except so far as the Water from Time to Time taken from the River *Lee* under any such Grant is, within Twenty-four Hours after the taking thereof, returned into the same Reach of the River *Lee*, the Quantity so from Time to Time taken shall be allowed for as Part of, as the Case may be, the daily Quantity of Five hundred and seventy-six thousand Cubic Feet, Seven hundred and twenty thousand Cubic Feet, or the daily Quantity of Eight hundred and sixty-four thousand Cubic Feet, or the further daily Quantity respectively reserved to the Trustees.

Transfer to Companies of certain Powers of Trustees.

XXXVI. All the Powers and Authorities which by the recited Acts or any of them are now vested in, or which but for this Act might be exercised by the Trustees, with respect to the Water of the River *Lee* by this Act vested in the Two Companies, and with respect to the appropriating, economising, and Management of such Water, and with respect to the Water Power and Compensation for the Loss of Water Power to which the Owners and Occupiers of Mills and Works upon the River *Lee* are entitled, are by this Act transferred to and shall be vested in and may be exercised by the Two Companies, so far as the Exercise thereof may be requisite for securing to the Two Companies or either of them the full Benefit in their respective Behalf of this Act, but nevertheless so that the Trustees may also exercise the same, so far as may be requisite, for the Purposes of the Navigation.

Provisions of Acts to apply to Companies accordingly.

XXXVII. The several Clauses and Provisions with respect to the Powers and Authorities so vested in the Two Companies respectively in favour of, relating to, or affecting the Trustees, or their Officers or Servants, or any of them, contained in the recited Acts or any of them, or any other Acts or Act, and which immediately before the passing of this Act were in force, shall apply to the Two Companies respectively, and their respective Officers and Servants, and shall continue and be in full Force accordingly; and the Two Companies respectively, and their respective Officers and Servants, may and shall accordingly, and for the Purposes of this Act, but without Prejudice to the Purposes of the Navigation, be entitled to, and have, exercise, and enjoy, and be subject and conform to, all such Rights, Interests, Powers, Authorities, Indemnities, Privileges, Duties, Penalties, and Obligations whatsoever as if this Act

were not passed the Trustees, their Officers and Servants, under or by virtue of the same, might be entitled to, or might have, exercise, or enjoy, or would be subject to.

Works for economising Water.

XXXVIII. The Two Companies respectively, in exercise of any of the Powers of the recited Acts relating to them, from Time to Time may, and the Trustees in exercise of any of the Powers of the recited Acts relating to them, if and when so required by the Two Companies respectively, shall, and in every Case at the Expense of the Two Companies respectively, make, for the Purpose of husbanding, economising, or storing Water, any such Modification of any of the now existing and future Works and Ponds of the Navigation as the Two Companies respectively from Time to Time think fit: Provided always, that no such Modification shall impede the Navigation or alter the Depth thereof, or interfere with the Improvement or Efficiency of the Lockage thereof; provided also, that the Plans for every such Modification shall be first submitted to the Engineer of the Trustees for his Approval thereof; provided also, that every Difference between the Trustees and the Two Companies or either of them, on such Plans, shall be settled by Arbitration.

Penalty for wasting Water.

XXXIX. If any Person employed on or using the Navigation shall at any Time knowingly and wilfully waste or permit to be wasted any of the Water by this Act vested in the Two Companies or either of them, or reserved to the Trustees, every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings; and every such Penalty shall be recovered by the Trustees or the Two Companies, or One of them, under the Provisions "with respect to the Recovery of Damages not specially provided for, and Penalties" of "The Railways Clauses Consolidation Act, 1845."

Trustees to repair Locks, &c.

XL. The Trustees from Time to Time shall put and keep in good Repair and Condition all such Locks, Banks, and other Works and Portions of the Navigation as it may from Time to Time be necessary to put and keep in good Repair and Condition for the Purpose of securing to the Two Companies respectively the full and proper Use and Enjoyment of the Water by this Act vested in them, and their Rights with respect to such Water, and more particularly such of the same Locks, Banks, Works, and Portions as shall be immediately below or parallel with the Place or Places where the Two Companies or either of them shall from Time to Time be drawing Water, except *Ware* Lock, or any Lock to be substituted instead thereof, which shall be repaired as heretofore by the *New River* Company, and the Trustees shall not waste or permit or suffer any Waste or Leakage of any Water of the River.

If Trustees fail to repair Locks, &c. Companies may do the Work, at the Expense of Trustees.

XLI. At any Time after the Twenty-third Day of *April* One thousand eight hundred and fifty-seven, if and whenever the Trustees fail to put or keep in such Repair and Condition any of such Locks, Banks, Works, and Portions, or fail to prevent effectually, and to the Satisfaction of the Two Companies or either of them, all such Wastes and Leakage, the Two Companies or either of them, after Notice in Writing from their Clerk to the Clerk of the Trustees, left at the Office of the Trustees, and after the Expiration of Forty-eight Hours from the leaving of such Notice, may make and do all such Works and Things as shall be proper and sufficient for putting or keeping in such Repair and Condition such Locks, Banks, Works, and Portions respectively, and for effectually preventing such Waste or Leakage, and may deduct the Cost of the necessary Repairs in that Behalf from any Sums from Time to Time payable under this Act by the Two Companies or either of them to the Trustees, the Amount of such Cost to be, in case of Difference, settled by Arbitration.

Trustees, at Request and Expense of Companies, to cleanse Channels, &c.

XLII. The Trustees from Time to Time, at the Request and Expense of the Two Companies or either of them, shall exercise all or any of the Rights, Powers, or Authorities of the Trustees for the Purpose of cleansing, clearing, or repairing any of the Channels, Cuts, or Courses of the River, whether navigable or not: Provided always, that in the Cases by this Act expressly provided for of Repairs to be made by the Trustees at their own Expense, neither of the Two Companies, though requesting the Trustees to make such Repairs, shall be liable to the Expense thereof.

Specified Works to be executed by Trustees.

XLIII. Within Three Years after the passing of this Act the Trustees shall expend Thirty thousand Pounds, Part of the Forty-two thousand Pounds to be paid to them by the *New River* Company, so far as the same will go, in executing, so far as the same are authorized under the recited Acts relating to the Trustees, and unless and except so far as the Trustees and the Two Companies otherwise agree, in the following Order, the following Works, and in paying for the Land necessary for the same; to wit,

First, *Old Ford* Lock shall be replaced by a Pair of Locks with communicating Sluices, one of those Locks to be Ninety-six Feet long and Eighteen Feet Six Inches wide in clear Inside Measure, and the other of those Locks to be Ninety Feet long and Sixteen Feet wide in clear Inside Measure; the *Hackney* Cut between *Old Ford* Lock and *Homerton* Lock may be raised to the Level of *Lee Bridge* Cut; *Homerton* Lock may be removed, but before such Removal the Trustees shall provide a suitable Place between *Homerton* Lock and *Lee Bridge* for inserting Stop Planks, which shall be inserted there, and shall be so made and maintained by the Trustees as effectually to prevent all Escape of Water whenever they draw down the Water at or above *Old Ford* Lock, for its Repair or Alteration, or for any other Purpose:

Secondly, *Stanstead* Lock and Weir shall be removed; *Field*'s Weir Level shall be carried back to near *Amwell Marsh*, where a new Lock shall be built of no greater Dimensions than *Tottenham* Lock; *Hardmead* Lock shall be rebuilt:

Thirdly, *Tottenham* Lock may be raised to a Fall of Nine Feet Eight Inches, and the Banks thence to *Stonebridge* Lock may be proportionately raised; *Edmonton* Lock may be removed; the Level of *Stonebridge* Cut may be raised; *Stonebridge* Cut may be continued up to *Picket*'s Lock, where a new Lock may be built suitable to the new Fall caused by those Alterations; and no such new Lock shall be built of less Width than Thirteen Feet Eight Inches.

XLIV. Those

Certificates of Completion of those Works.

XLIV. Those several Works to be executed by the Trustees shall be executed to the Satisfaction of the Engineer of the Trustees; and whenever he shall give to the Trustees his Certificate that any Monies have been duly expended on any of those Works, or in paying for any Land necessary for the same, and until the whole of the Sum of Thirty thousand Pounds to be, as by this Act provided, paid by the *New River* Company to the Trustees by Instalments, is so paid, the *New River* Company shall, within Seven Days after the Delivery to them of every such Certificate, pay to the Trustees the Amount so therein specified, with such Interest thereon as by this Act provided.

Providing by Companies of Land for Trustees of some of those Works.

XLV. The Two Companies or either of them, and the Trustees, from Time to Time may agree for the providing by the Two Companies or either of them for the Trustees of any Lands requisite for the raising of the Banks of the Navigation on the Eastern and Western Sides of the Cut between *Tottenham* Lock and *Stonebridge* Lock, and on the Eastern Side of the Cut between *Homerton* Lock and *Old Ford* Lock, and also of the Land on which *Tottenham* Lock and the new Cut respectively stand, except the Eastern Bank of the new Cut above and below *Tottenham* Lock; and every such Agreement may be on such Terms and Conditions as the Parties thereto think fit, and may and shall be carried into execution accordingly.

Companies to manage the France Weir.

XLVI. The Two Companies shall henceforth manage and be responsible for the due Management of the *France* Weir, and shall be entitled to the Interest and subject to the Liabilities of the Trustees in and with respect to the adjacent Weirs and Cuts as expressed in a Deed relating thereto dated the Seventeenth Day of *March* One thousand eight hundred and forty.

Companies to repair Works.

XLVII. The Two Companies respectively shall put and keep in good Repair and Condition all such Works belonging to them respectively as it may from Time to Time be necessary to put and keep in good Repair and Condition for the Purpose of preventing Waste of Water.

Provision as to Section 30. of Trustees Act of 1850.

XLVIII. Section Thirty of "The Trustees Act of 1850," providing that the Trustees shall not make any Cut, Lock, Tide Gate, or other Alteration or Work of or in the Navigation of the River *Lee* in any Place between the *Old Ford* Lock and *Bromley* Lock until a Sewer and other Drains as therein described shall have been made for draining Property of the *East London* Waterworks, and of Messieurs *Farnan* and Sons, shall, upon the *East London* Company, under their Common Seal, and Messieurs *Farnan* and Sons, their Heirs, Executors, Administrators, or Assigns, under their Hands, declaring their Consent to the Repeal of the same, become null and void.

Provision as to Section 39. of Trustees Act of 1850.

XLIX. Notwithstanding the Provisions of Section Thirty-nine of "The Trustees Act of 1850," but without Prejudice to the Provisions of Section Forty of that Act, the Conveyance by the first-mentioned Section provided for to the Trustees of the Compensation Reservoir may, if the *East London* Company so think fit, be subject to any Exceptions and Reservations for them and all other Persons interested in the now existing Right and Passage of Drainage into and through the Compensation Reservoir, and in order to secure the Preservation thereof, of the Mouth of the Sluices, and also of any Part of the Barrier Bank which that Company may think necessary, but subject to the Obligation of their maintaining the Part so retained by them of that Bank.

As to Sect. 41. of Trustees Act of 1850.

L. If the *East London* Company so require, the Trustees shall, at their Request, release them from the Obligation imposed on them by Section Forty-one of "The Trustees Act of 1850."

As to Pipes for East London Company.

LI. Subject to the Provisions of Section Forty-three of "The Trustees Act of 1850," the *East London* Company may lay Pipes and Services and execute Works at any Point, not being within Five Furlongs of the Junction of the *Stort* with the River *Lee*, under or over the Navigation.

Gates to be made across Copper Mill Tail.

LII. In case the Two Companies or either of them shall consider it necessary, the Trustees shall, at the Expense of the Two Companies or either of them, make and maintain such Gates, either with or against the Stream, or both, as may be required, across the Tail of the *Walthamstow* Copper Mill.

Water taken by Companies to be gauged.

LIII. The Quantities of Water from Time to Time taken by the Two Companies respectively from the River, and in the River at *Field's* Weir, shall respectively from Time to Time be taken, measured, observed, and registered by such Gauges and in such Manner as the Two Companies from Time to Time agree on, and all such Gauges shall be furnished with such Apparatus as shall be proper and sufficient for duly measuring and registering the respective Quantities of Water.

For erecting a self-acting Gauge.

LIV. And for the Purpose of limiting the Water to be taken by the *New River* Company to the said Quantity of Two thousand five hundred Cubic Feet *per* Minute, the said *New River* Company shall, within Twelve Months from the passing of this Act, in lieu of the Gauge and Standards now required by the said Act of the Twelfth *George* the Second, construct, and shall from Time to Time maintain and keep in proper Repair and Condition, a Gauge which shall limit the Water so to be taken to a Quantity not exceeding Two thousand five hundred Cubic Feet *per* Minute, such Gauge to be constructed under the Inspection of and to the Satisfaction of an Engineer to be appointed for that Purpose by Her Majesty's Secretary of State for the War Department; and the said Gauge shall at all Times be open to the Inspection of the Companies, of the Trustees of the River *Lee*, of the Owners and Occupiers of Mills, and of Her Majesty's Officers of Ordnance; and if and whenever the said Gauge shall be out of repair, inaccurate, or insufficient, Her Majesty's Secretary of State for the War Department, giving not less than Ten Days Notice of his Intention in that Behalf to the *New River* Company, together with a Plan and Specification of the Works required, may, in case such Want of Repair continues, do all such Works as shall be specified in such Notice, or, in case of Disputes, be settled by Arbitration as proper and sufficient for repairing the said Gauge, or making it accurate and sufficient; and the *New River* Company shall, on Demand, repay to the said Secretary of State the Expense of doing such Works and Things as aforesaid, and the same, if not so repaid, may be recovered from the

New River Company by Information at the Suit of Her Majesty's Attorney General at the Court of Exchequer at *Westminster*.

New River Company to deposit Drawings of Gauge.

LV. The *New River* Company shall deposit with the Clerks of the Peace for the Counties of *Hertford*, *Essex*, and *Middlesex* accurate Drawings of the said Gauge, and such Drawings shall be sufficient Evidence in all Courts and for all Purposes of the Nature, Construction, and Operation of the said Gauge; and the said Drawings shall at all Times be open to the Inspection of the Companies, of the Trustees, of the Owners and Occupiers of Mills, and of Her Majesty's Officers of Ordnance.

Examination of Gauges.

LVI. Each of the Two Companies from Time to Time shall afford to the other all proper and sufficient Facilities for inspecting, examining, and testing the Accuracy and Sufficiency of the several Gauges from Time to Time provided or in use by them respectively for any of the Purposes of this Act, and for measuring and registering, by means of such Gauges or otherwise, the Quantities of Water which from Time to Time are or ought to be measured by such Gauges respectively.

Repair of Gauges.

LVII. If and whenever any such Gauge belonging to either of the Two Companies is ascertained by the other Company to be out of repair, inaccurate, or insufficient, that Company, giving not less than Eight Days Notice of their Intention in that Behalf to the Company to which the Gauge belongs, may, in case such Want of Repair continues, do all such Works and Things as shall be proper and sufficient for repairing such Gauge, or making it accurate or sufficient, and that Company shall, on Demand, repay to the Company doing such Works and Things the Expense thereof: Provided always, that if any Difference arise between the Two Companies as to any such Want of Repair, Inaccuracy, or Insufficiency, or as to any such Works or Things, the Difference shall be settled by Arbitration.

Differences as to Gauges to be settled by Arbitration.

LVIII. Provided always, That if any Difference arise between the Two Companies respectively as to the Propriety or Sufficiency of the Gauge specified in the recited Act of the Twelfth Year of *George* the Second, or of any Alteration thereof, or of any Gauge substituted or proposed to be substituted for the same, or of any other Gauge from Time to Time provided by the Two Companies or either of them, for any of the Purposes of this Act, or as to the Mode in which the Quantities of Water taken by the Two Companies respectively from the River and in the River at *Field*'s Weir shall be taken, measured, observed, or registered, or as to the Propriety or Sufficiency of any Gauge or other Means theretofore agreed or determined on for the Purpose of taking, measuring, observing, or registering the same, every such Difference shall be settled by Arbitration.

Companies may purchase Interest of Trustees in Chingford Mill, &c.

LIX. If the Two Companies or either of them so think fit, they may, within Two Years after the passing of this Act, purchase from the Trustees, who (being willing so to do) shall within such Two Years sell to them, the Interest of the Trustees in *Chingford* Mill and *Charlton* Mill, or either of them, and the Tolls and Property of the Trustees held therewith respectively: Provided always, that, unless the Two Companies or One of them and the Trustees otherwise agree, the Sum to be paid by the Two Companies or either of them for such Purpose shall be ascertained by Valuation according to the Provisions of "The Lands Clauses Consolidation Act, 1845."

Intercepting Drains, &c. for Companies.

LX. Provided always, That the Rights, Interests, Powers, and Authorities of the Trustees shall be subject and without Prejudice to all such Powers and Authorities as the Two Companies or either of them from Time to Time have for the making of any intercepting Drains for excluding foul Waters from their respective Supplies of Water, and for the Discharge of such intercepting Drains into the Navigation, and for altering and removing from Time to Time their respective Supply Heads, the Mode of Entry and Mouth of such intercepting Drains being made to the Satisfaction of the Engineer for the Time being of the Trustees, or, in case of Dispute, an Umpire, as herein-after described.

Companies to indemnify Trustees from Claims for Compensation.

LXI. Except as by this Act otherwise provided, the Two Companies respectively shall indemnify the Trustees against all Claims by Millowners or others for Compensation on account of any Abstraction of Water by the Two Companies or either of them, or on account of the Exercise by the Two Companies or either of them of any of their Powers and Authorities under this Act.

Trustees not to claim Compensation from Companies for Abstraction of Water, &c.

LXII. Provided always, That the Trustees shall not be entitled to claim against the Two Companies or either of them, with respect to any Weirs, Falls, Mills, or Fisheries, or any other Rights or Privileges now belonging to or enjoyed by the Trustees, any Compensation on account of any Abstraction of Water or any other incidental Damage or Injury from Time to Time occasioned by the Exercise by the Two Companies or either of them of any of their Powers and Authorities under this Act.

Agreements between Trustees and the Two Companies as to their Powers under Act.

LXIII. The Trustees on the one hand and the Two Companies on the other hand, and the *New River* Company on the one hand and the *East London* Company on the other hand, from Time to Time may enter into such Agreements as they respectively think fit for the Purpose of executing or carrying into effect any of their respective Powers and Authorities, and for vesting in or securing to them respectively their respective Rights and Interests under this Act; and every such Agreement may be on such Terms and Conditions as the Parties thereto think fit, and may and shall be carried into effect accordingly; provided that no such Agreement so to be made by the Trustees or the Companies shall in any Manner contravene the Provisions of this Act for the Maintenance of the said Navigation.

Exercise of Powers of Act by either Company alone.

LXIV. Provided always, That in every Case in which it shall be requisite for the Purposes of the Supply of Water by either of the Two Companies, or for the Preservation of the Quantity or Quality of the Water to be supplied by that Company, or otherwise for the Protection of that Company, that any of the Powers or Authorities of this Act should be exercised by the Two Companies, and the other Company shall fail to concur in the Exercise thereof with the Company requiring the Exercise thereof, then, but subject and without Prejudice to the respective Rights of the Two Companies *inter se*, and notwithstanding the Pendency of any Arbitration with respect to any Difference thereon, but subject and

and without Prejudice to the Result of such Arbitration (if any), the Company requiring such Exercise may exercise with respect to the Matter in question the Powers and Authorities under this Act of the Two Companies.

Differences under Act to be settled by Arbitration.

LXV. If and whenever any Difference shall arise between the Trustees and the Two Companies or either of them with respect to the Exercise of any of the Powers or Authorities of this Act, or with respect to anything to be done, authorized, or suffered for any of the Purposes of this Act, or otherwise with respect to the Execution or Operation of this Act, every such Difference shall be settled by Arbitration.

Certain Clauses of Companies Clauses Act incorporated.

LXVI. The Provisions "with respect to the Settlement of Disputes by Arbitration" of "The Companies Clauses Consolidation Act, 1845," are incorporated with this Act, and, subject to the Provisions of this Act, shall apply to all Arbitrations under this Act.

Appointment of single Arbitrator.

LXVII. For the Purposes of Arbitration under this Act, the Trustees and the Two Companies shall, within One Month after the passing of this Act, and in the then next and every subsequent Month of *December*, appoint One Person, being a Civil Engineer, to be the single Arbitrator until the End of the Month of *December* next after the Month in which he is appointed: Provided always, that if the Trustees and the Two Companies differ with respect to the Person to be appointed the Arbitrator, then and in every such Case the Board of Trade, on the Application of the Trustees and the Two Companies or either of them, may appoint One competent and impartial Person, being a Civil Engineer, to be the single Arbitrator until the End of the Month of *December* next after the Month in which he is appointed.

Reference to Arbitration.

LXVIII. Every Matter which according to this Act is to be settled by Arbitration shall, and every Difference between the Trustees and the Two Companies or any Two of them which the Parties in Difference agree so to refer, may be referred to the single Arbitrator: Provided always, that if the single Arbitrator fail to make his final Award on any Matter referred to him within Three Months after it is so referred, then and in every such Case the Matter so referred, or the Part thereof on which he so fails to award, shall be determined by Arbitration, according to the Provisions "with respect to the Settlement of Disputes by Arbitration," of "The Companies Clauses Consolidation Act, 1845."

Arbitrators may make several Awards instead of One.

LXIX. In any Arbitration under this Act the Arbitrator or Arbitrators or Umpire from Time to Time may make several Awards, each as to Part of the Matter referred, instead of One Award as to the whole Matter; and every such Award on Part of a Matter shall, as to the Part thereof thereby duly awarded on, be a final and conclusive Award as if that Part were the whole Matter referred.

Cost of Reference.

LXX. All the Costs, Charges, and Expenses of and incident to any Reference and Arbitration under this Act shall be duly ascertained and determined by the Arbitrator or Arbitrators or Umpire, and shall be borne by the Parties in difference or any of them, and if by more than One Party, in such Proportions as the Arbitrator or Arbitrators or Umpire shall award.

Not to exempt Companies from Metropolis Water Act.

LXXI. Nothing in this Act shall exempt the Two Companies or either of them from the Provisions of "The Metropolis Water Act, 1852."

Certain Owners, &c. of Lands may take Water.

LXXII. Provided always, That nothing in this Act contained shall prevent any Owner or Occupier of Land through which the Water flowing into or down the River *Lee* passes from taking and using such Water for any agricultural, domestic, or sanitary Purposes within his own Household or Estate.

Respecting the Rights of the Mayor, &c. of Hertford.

LXXIII. Nothing in this Act contained shall prejudice, diminish, or affect any of the Rights, Powers, or Authorities vested in the Mayor, Aldermen, and Burgesses of the Borough of *Hertford*, particularly the Right of Water Power by which the Pumps of the Waterworks of the said Mayor, Aldermen, and Burgesses are worked; and the Right of the said Mayor, Aldermen, and Burgesses to take Water from the River *Lee* by means of the present or any future Waterworks within the said Borough shall be limited not to exceed daily One hundred thousand Gallons, the estimated Quantity at present taken, and such further Quantity beyond the One hundred thousand Gallons as shall be necessary to make up a Supply of Twenty-five Gallons *per* Head daily upon the Population of the said Borough for the Time being supplied with Water; and the said Borough shall mean the Municipal Borough.

For Protection of the Regent's Canal Company.

LXXIV. For the Protection of the Company of Proprietors of the *Regent's* Canal (herein-after called the Canal Company),

1. Nothing in this Act contained shall take away, diminish, alter, prejudice, or affect any of the Rights, Privileges, Powers, or Authorities vested in the Canal Company, either under the several Acts passed for making and maintaining that Canal or the *Limehouse* Basin, or any other Acts relating thereto, or to which the Canal Company are entitled in respect of the Waters of the River *Lee*, under any Agreement between the Trustees and the Canal Company, and (except only as is by this Act provided with respect to the Quantity of Water to be taken by the *New River* Company through the Marble Gauge) the Waters of the River *Lee*, so far as they are by any such Agreement made liable to be applied for the Purposes or Benefit of the Canal Company, shall, notwithstanding anything in this Act contained, remain so liable:
2. Nothing in this Act contained shall take away, diminish, alter, prejudice, or affect any of the Rights, Privileges, Powers, or Authorities vested in Sir *George Duckett* or his Assigns, under the Act for making and maintaining the *Hertford Union* Canal, or under any other Act relating thereto.

Saving the Rights of the Board of Ordnance.

LXXV. Except so far as the same are by this Act specially altered, nothing in this Act shall prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of Her Majesty's Secretary of State for the War Department, or prohibit, defeat, alter, or diminish any Power, Authority, Interest, or Jurisdiction which immediately before the passing of this Act that Secretary of State, as the Successor

Successor to the Master General and the Principal Officers of Her Majesty's Ordnance, did or might lawfully claim, use, or exercise.

Saving Rights of the Ware Local Board.

LXXVI. Except so far as the same are by this Act specially altered, this Act or anything therein shall not take away, alter, abridge, lessen, or prejudicially affect any Property, Right, Remedy, Protection, Power, Authority, Privilege, Exemption, or Benefit vested in or now enjoyed or exercised by the *Ware* Local Board of Health, but, except as aforesaid, all such Property, Rights, Remedies, Protections, Powers, Authorities, Privileges, Exemptions, or Benefit shall be and remain in full Force and Effect, and shall be available for the Benefit of the said Board, in the same Manner to all Intents and Purposes as if this Act were not passed.

Rights of Tottenham Local Board of Health not to be affected.

LXXVII. Except so far as the same are by this Act specially altered, this Act or anything therein shall not take away, alter, abridge, lessen, or prejudicially affect any Property, Right, Remedy, Protection, Power, Authority, Privilege, Exemption, or Benefit vested in or now enjoyed or exercised by the *Tottenham* Local Board of Health, but, except as aforesaid, all such Property, Rights, Remedies, Protections, Powers, Authorities, Privileges, Exemptions, or Benefit shall be and remain in full Force and Effect, and shall be available for the Benefit of the said Board, in the same Manner to all Intents and Purposes as if this Act were not passed.

Saving Rights of Undertakers of the Stort Navigation.

LXXVIII. Except so far as the same are by this Act specially altered, this Act or anything therein shall not take away, alter, abridge, lessen, or prejudicially affect any Property, Right, Remedy, Protection, Power, Authority, Privilege, Toll, Duty, Exemption, or Benefit vested in or now enjoyed or exercised by the Undertakers of the *Stort* Navigation, but, except as aforesaid, all such Property, Rights, Remedies, Protections, Powers, Authorities, Privileges, Tolls, Duties, Exemptions, or Benefit shall be and remain in full Force and Effect, and shall be available for the Benefit of the Undertakers of the *Stort* Navigation, in the same Manner to all Intents and Purposes as if this Act were not passed.

Saving Rights of the Trustees of the River Lee.

LXXIX. Except so far as the same are by this Act specially altered, this Act or anything therein shall not take away, alter, abridge, lessen, or prejudicially affect any Property, Right, Remedy, Protection, Power, Authority, Privilege, Toll, Duty, Exemption, or Benefit vested in or now enjoyed or exercised by the Trustees, but, except as aforesaid, all such Property, Rights, Remedies, Protections, Powers, Authorities, Privileges, Tolls, Duties, Exemptions, or Benefit shall be and remain in full Force and Effect, and shall be available for the Benefit of the Trustees in the same Manner to all Intents and Purposes as if this Act were not passed.

Rights of Mayor, &c. of London not to be affected, &c.

LXXX. Except as regards the Interpretation of the said Act of the Twelfth Year of King *George* the Second, Chapter Thirty-two, nothing in this Act shall affect the Claim for Compensation and Right secured to the City Mills by the *Lee* Navigation Improvement Act, 1850, or shall extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Mayor and Commonalty and Citizens of the City of *London* or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the said River *Thames*, or otherwise, did or might lawfully claim, use, or exercise.

Working Power to be secured to Charlton Mill.

LXXXI. That for the Purpose of satisfying the Rights of *James Poulter Manser* under a Lease granted to him by the said Trustees, the *New River* Company shall at all Times during the Continuance of such Lease, unless the Company and the said *James Poulter Manser* or his Assigns shall otherwise agree, and subject to any existing Rights of the Trustees to draw down Water, and unless prevented by Frost or inevitable Accident, whenever, after the End of Six Months from the passing of this Act, the Water flowing down to *Charlton* Mill, by the River *Lee*, and applicable to the Use of the said Mill, shall be less than Four thousand Cubic Feet *per* Minute, provide, either by pumping Water into the Pond at the Head of the said Mill, or by the Application of Steam Power, such further Power at the said Mill as shall, together with the Water then flowing by the said River, or if there be more then as shall alone, be equal to the Power of Four thousand Cubic Feet *per* Minute at such Mill, such Steam Power to be supplied to the Satisfaction of Two Engineers, to be appointed, one by the said *James Poulter Manser*, his Executors, Administrators, or Assigns, and the other by the said *New River* Company, and an Umpire to be appointed by them; and in case of any Default by the Company in such Supply of Water or Power the said Company shall pay a Sum of Ten Pounds to the said *James Poulter Manser*, his Executors, Administrators, or Assigns, for each and every Day during which such Default shall continue after Twenty-four Hours Notice in Writing thereof, to be recovered in any Court of competent Jurisdiction.

Saving Rights of the Two Companies.

LXXXII. Provided always, That, except as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, or prejudicially affect any of the Rights, Remedies, Powers, Authorities, Privileges, Exemptions, and Benefits vested in or granted or reserved to or now enjoyed or exercised by the Two Companies or either of them, by or by virtue of any Royal Charter, Letters Patent, Act of Parliament, Prescription, Usage, or otherwise howsoever, but all such Rights, Remedies, Powers, Authorities, Privileges, Exemptions, and Benefits (except so far as the same are necessarily altered by this Act) shall be and remain in full Force and Effect, and shall be in addition (so far as may be) to those provided by this Act, and shall be available for the Benefit of the Two Companies respectively, in the same Manner to all Intents and Purposes as if this Act had not passed.

Saving Rights of the Admiralty.

LXXXIII. Nothing in this Act contained shall diminish, prejudice, take away, alter, suspend, or affect any Right, Power, Authority, Privilege, or Jurisdiction of the Lord High Admiral of the United Kingdom

Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of Lord High Admiral aforesaid.

LXXXIV. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Two Companies, and except so far as they otherwise agree, in equal Shares. Expenses of Act.

Cap. cxcvii.

An Act to repeal, alter, and amend some of the Provisions of "The *Royal Conical* Flour Mill Company's Act, 1854;" to enable the Company to raise a further Sum of Money; and for other Purposes. [14th *August* 1855.]

Cap. cxcviii.

An Act for making a Railway from the *Manor Street* Terminus of the authorized *Westminster Terminus* Railway in the Parish of *Clapham* in the County of *Surrey* to *Norwood* in the Parish of *St. Mary Lambeth* in the same County, connecting the *Westminster Terminus* Railway with the *West End of London and Crystal Palace* Railway. [14th *August* 1855.]

[*Subscribers incorporated*, § 4. *Capital*, £148,000, § 5. *Power to borrow* £49,000, § 10. *Power to form Junctions with certain Railway Companies*, §§ 22 *and* 23. *Saving Rights of Railway Companies*, § 24. *Power to certain Companies to subscribe*, § 39. *Provisions respecting the Surrey and Sussex Roads*, §§ 41 *to* 49. *Saving Rights of Metropolitan Commissioners of Sewers*, § 50.]

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

"This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most "Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so "printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

AN Act for enabling Leases to be made of the Freehold Estates of the late *Matthew Hill* Esquire, and for other Purposes. [15th *June* 1855.]

[*Provisions respecting Appropriation of Lands for Building Purposes*, §§ 6 *to* 23. *General Saving of Rights*, § 31.]

Cap. 2.

An Act to enable the Trustees under the Settlement executed on the Marriage of *Philip Rideout Hoffe* to effect a Sale to Sir *Richard Plumptre Glyn* Baronet, of certain Hereditaments situate at *Twyford* in the Parish of *Compton Abbas* and County of *Dorset*, and for other Purposes; and of which the Short Title is "*Hoffe*'s Estate Act, 1855." [26th *June* 1855.]

[*General Saving of Rights*, § 11.]

Cap. 3.

An Act for authorizing the granting of Mining Leases of Estates subject to the Uses of the Will of *Robert Bell Livesey* Esquire, deceased, and for other Purposes. [23d *July* 1855.]

[*Power to grant Mining Leases*, § 3. *General Saving of Rights*, § 39.]

Cap. 4.

An Act for enabling Leases, Sales, Repairs, and Improvements to be made of the Estates of *James Walthall Hammond* Esquire, deceased, and for other Purposes, the Short Title of which is "*Hammond*'s Estate Act, 1855." [23d *July* 1855.]

[*Power to grant Building Leases, for Twenty-one Years*, § 3. *For* 999 *Years*, § 4. *Power to raise Money by Mortgage for Repairs or Improvements*, § 14. *General Saving of Rights*, § 23.]

Cap. 5.

An Act to authorize Conveyances in Fee or Demises for long Terms of Years, under reserved Rents, of certain Parts of Estates, settled by the Will of the late *Joseph Livesey* Esquire, deceased. [23d *July* 1855.]

[*General Saving of Rights*, § 16.]

Cap. 6.

An Act to enable *George William Holmes Ross*, of *Cromarty*, Esquire, to relieve the Estate of *Cromarty* from Burdens affecting the same, to charge the said Estate with certain Family Provisions and with certain Sums of Money expended in Improvements thereon. [23d *July* 1855.]

[*General Saving of Rights*, § 24.]

Cap. 7.

An Act for authorizing Mining and other Leases and Sales and Exchanges to be made of the Lands devised by the Will of *George Bray* deceased; and for other Purposes. [30th *July* 1855.]

[*Power to grant Mining Leases*, § 3. *Power to grant Farming Leases*, § 6. *General Saving of Rights*, § 40.]

Cap. 8.

An Act for authorizing the granting of Building Leases of certain Parts of the Estates subject to the Residuary Devise in the Will of *John Jenkins*, late of *Saltley Hall* in the County of *Warwick*, Esquire, and for appointing new Trustees of the said Will; and for other Purposes. [30th *July* 1855.]

[*Power to lease for Building and Improvement Purposes*, § 15. *General Saving of Rights*, § 32. *Exceptions from General Savings*, § 33.]

Cap. 9.

An Act for enabling the Right Honourable *William Nevill* Earl of *Abergavenny* to grant Leases of entailed Mines, Minerals, Lands, and Hereditaments in the County of *Monmouth*. [30th *July* 1855.]

[*Power to grant a renewed Lease of Mines, &c.*, § 2. *General Saving of Rights*, § 31. *Exceptions from General Saving*, § 32.]

Cap. 10.

An Act to enable the President and Scholars of *Saint John Baptist* College in the University of *Oxford* to grant Building Leases of their Lands in the Parishes of *Saint Giles, Saint Thomas*, and *Woolvercot, Oxford*; and for other Purposes. [14th *August* 1855.]

[*Power to appropriate, &c. Lands for Building Purposes*, § 2. *Provisions for leasing for Building Purposes*, §§ 5 *to* 33. *General Saving of Rights*, § 34. *Exceptions from General Saving*, § 35.]

Cap. 11.

An Act for vesting in the Commissioners of the Metropolis Turnpike Roads North of the *Thames* the Lands in *Islington* devised by the Will of *Edward Harvist* to the Brewers Company, upon trust for the Repair of the Highway from *Tyburn* to *Edgeworth*; and for discharging the Company from the Trusts of that Will; and for enabling the Commissioners to grant Building Leases of those Lands; and for other Purposes. [14th *August* 1855.]

[*Building Lands specified in Schedule to be vested in Commissioners of Metropolis Turnpike Roads*, § 3. *Provisions as to Appropriation, &c. of Trust Stock*, §§ 4 *to* 9. *Power to Commissioners to appropriate Building Lands for Building Purposes, and to grant Leases, &c.*, §§ 15 *to* 43. *General Saving of Rights*, § 47. *Exception from General Saving*, § 48.]

Cap. 12.

An Act to empower the Warden and Scholars of the House or College of Scholars of *Merton* in the University of *Oxford* to sell certain Lands situate in the Parish of *Holywell* otherwise *Saint Cross* in the City of *Oxford*, and to lay out the Monies to arise from such Sale in the Purchase of other Hereditaments. [14th *August* 1855.]

[*General Saving of Rights*, § 6.]

Cap. 13.

An Act for giving Effect to a Compromise of certain Suits and Claims affecting the Estates of *Josephine Catherine Handcock, Anne Mary Handcock*, and *Honoria Handcock*, Spinsters, deceased, and for vesting the said Estates in *John Stratford Handcock* Esquire, subject to certain Charges; and for other Purposes. [14th *August* 1855.]

[*Rights of Executors of Mrs. Handcock's Will transferred to John S. Handcock*, § 3. *Saving of Rights of all Persons not Parties to the Arrangement made under this Act*, § 4.]

Cap. 14.

An Act to authorize the granting of Building and other Leases of Estates in the Counties of *Louth* and *Armagh*, devised by the Will of the Right Honourable *William Charles* Viscount *Clermont* deceased, and the Sale and Exchange of certain Portions of the Estate so devised; and for other Purposes. [14th *August* 1855.]

[*Power to grant Agricultural Leases*, § 2. *Improvement Leases for Purposes of Reclamation*, § 3. *Building, &c. Leases*, § 4. *Provisions relating to Covenants, &c. of Leases*, §§ 5 *to* 21. *As to Expenses of Act*, § 32. *General Saving of Rights*, § 36. *Exception from General Saving*, § 37.]

Cap. 15.

An Act for the future Government, Management, and Regulation of the Charity of *John Marshall*, late of *Southwark* in the County of *Surrey*, Gentleman, deceased; and for other Purposes. [14th *August* 1855.]

[*Trust Estates vested in new Trustees*, § 2. *Power to provide House for Residence of the Rector*, § 7. *Power to grant Leases of Charity Estates*, §§ 8 *to* 10. *Provision respecting Payment of Stipend to the Rector*, § 45. *Saving Powers of Court of Chancery*, § 55. *General Saving of Rights*, § 62.]

Cap. 16.

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AN

INDEX TO THE STATUTES

OF

THE UNITED KINGDOM,

VOLUME THE TWENTY-SECOND,

Containing the Acts passed 17 & 18 Vict. and 18 & 19 Vict. (1854, 1854-5.)

☞ In this Index the Acts are arranged alphabetically according to the Subject, the Parliamentary Short Title being in most Cases adopted either as a principal Heading or as a cross Reference. Minute References are likewise made from one Head to another, in order that the Subject may be fully traced out.

The "*Local and Private Acts*" are inserted under that General Head, and are subdivided into Classes according to the Arrangement adopted in the Index to the Statutes compiled by Order of the Committee of the Library of the House of Lords. The Local Acts are denoted by Roman Numerals, and the Private Acts by Arabic Figures.

The Acts relating to Ireland and Scotland are placed under their respective Headings in the general Body of the Index. The Short Titles (alphabetically arranged) of those Acts will likewise be found under the Heads of "*Ireland*" and "*Scotland*" respectively.

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4. Mutiny Act and Articles of War to apply to Foreigners serving under this Act.
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3. Powers of the repealed Acts continued for certain Purposes in this Country.
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8. Past Appropriations to be valid.
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17 & 18 Vict. c. 119.—An Act for regulating Appointments to Offices in the Court of Bankruptcy, and amending the Laws relating to Bankrupts. Page 425

§ 1. Present Vacancies not to be filled up except upon Special Order of Lord Chancellor.
2. Lord Chancellor may declare future Vacancies not to be filled up, except upon Special Order.
3. Certain Provisions of 1 & 2 Will. 4. c. 56. s. 9. repealed, and Registrars may be removed upon Certificate of the Lords Justices.
4. Power to appoint a Person to act as Registrar temporarily.
5. Remuneration of a Person appointed to act under last preceding Section.
6. Power to appoint Substitute in Illness or unavoidable Absence of Commissioner or Registrar.
7. Power to appoint Substitute in reasonable Absence of Country Commissioner or Registrar.
8. Substitute to have like Authority, &c.
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10. Section 76. of 5 & 6 Vict. c. 122. and Section 49. of 7 & 8 Vict. c. 96. repealed, and Salaries of Officers to commence from Appointment.
11. Remuneration of Official Assignees.
12. Fees may be altered by Order of Lord Chancellor.
13. Per-centage paid to Chief Registrar's Account may be abolished or varied by Order. (12 & 13 Vict. c. 106. § 54.)
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Recital of 29 Car. 2. c. 8.
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3. Consents of Archbishop or Bishop and Patron to Annexation and Grant necessary.
4. Section 13. of 1 & 2 Will. 4. c. 45. to extend to Annexations under this Act.
5. Rectories Impropriate, Tithes, &c., may be released from Rentcharges, with the Consent of Archbishop, &c.
6. Who shall be deemed the Patron to consent.
7. Act to be construed as though contained in the Act 1 & 2 Will. 4. c. 45.
8. As to Apportionment of Income where Two Benefices belong to the same Patron.

Benefices (Union of).

18 & 19 Vict. c. 127.—An Act to make better Provision for the Union of Contiguous Benefices, and to facilitate the building and endowing of new Churches in spiritually destitute Districts. Page 941

Recital of 1 & 2 Vict. c. 106. and 13 & 14 Vict. c. 98.
§ 1. Contiguous Benefices may be united under this Act, without regard to the aggregate Population or yearly Value.
2. On Representation of Inhabitants of any Two or more Parishes that their Benefices might be advantageously united, the Bishop shall inquire into the same.
3. Church Building Commissioners may propose Scheme for Transfer of surplus Revenues to poor Parishes.
4. Scheme to be posted on Church Doors, &c. Parties interested may show Cause against Scheme. If no sufficient Cause shown, Commissioners to certify to Queen in Council. Proviso.
5. Protests against the Scheme may be considered by Judicial Committee.
6. Queen in Council may make Orders affirming or approving any Scheme.
7. Orders in Council to be gazetted and registered, and to have Force of Law.
8. Commissioners may propose Scheme for Erection of new Church or Parsonage, Removal of old Church or Parsonage, Sale of Site, &c., for Purposes of this Act.
9. No Burial Ground, or Site of Church, to be sold under this Act. Vaults and Tablets.
10. Church and Vestry of Church left standing to be the Church and Vestry of united Parishes.
11. Bishop of London may, under certain Circumstances, appropriate for Service in Welsh One of the Churches in London otherwise to be pulled down.

§ 12. Bishop may prepare a Scheme for Transference of Lectures from Churches to be pulled down.
13. Commissioners may reappropriate Pews of Churches left standing in united Benefices.
14. Sites of Churches to be pulled down to vest in Commissioners, in trust to sell, and apply the Proceeds to Purposes indicated in Order in Council. Commissioners may make valid Conveyances of such Sites.
15. Commissioners to report.
16. Extent of Act.
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Bills of Exchange and Promissory Notes.

18 & 19 Vict. c. 67.—An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes by the Prevention of frivolous or fictitious Defences to Actions thereon. Page 646

§ 1. From October 24, 1855, all Actions upon Bills of Exchange, &c., may be by Writ of Summons as in Form Schedule A. Plaintiff, on filing Affidavit of personal Service, may at once sign final Judgment as in Form Schedule B.
2. Defendant showing a Defence upon the Merits to have Leave to appear.
3. Judge may, under special Circumstances, set aside Judgment.
4. Judge may order Bill to be deposited with Officer of Court in certain Cases.
5. Remedy for the Recovery of Expenses of noting Nonacceptance of dishonoured Bill.
6. Holder of Bill of Exchange may issue One Summons against all or any of the Parties to the Bill.
7. Common Law Procedure Acts and Rules incorporated with this Act.
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Bills of Lading.

18 & 19 Vict. c. 111.—An Act to amend the Law relating to Bills of Lading. Page 790

§ 1. Rights under Bills of Lading to vest in Consignee or Endorsee.
2. Not to affect Right of Stoppage in transitu or Claims for Freight.
3. Bill of Lading in Hands of Consignee, &c., conclusive Evidence of the Shipment as against Master, &c. Proviso for Exoneration of Master, &c.

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17 & 18 Vict. c. 36.—An Act for preventing Frauds upon Creditors by secret Bills of Sale of personal Chattels. Page 77

§ 1. Bills of Sale to be void, unless the same or a Copy thereof be filed within Twenty-one Days, in like Manner as Warrants of Attorney.
2. Defeasance or Condition of every Bill of Sale to be written on the same Paper or Parchment.
3. Officer of Court to keep a Book containing Particulars of each Bill of Sale.
4. Officer entitled to a Fee of 1*s.* for filing Bill of Sale, and to account for the same.
5. Office Copies or Extracts to be given on paying as for Copies of Judgments.
6. Satisfaction may be entered.
7. Interpretation of Terms.
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17 & 18 Vict. c. 55.—An Act for the Registration of Bills of Sale in Ireland. Page 116

[*Provisions similar to those of preceding Act, but this Act to extend only to Ireland.*]

Birmingham. See *Gun Barrels.*

Births, Registration of. See *Registration of Births, &c.*

Bishop Auckland. See *Public Health.*

Boards of Health. See *Public Health.*

Bonds and Securities to the Inland Revenue. See *Stamps.*

Borough Rates.

17 & 18 Vict. c. 71.—An Act to amend the Law concerning the making of Borough Rates in Boroughs not within the Municipal Corporation Acts. Page 131

Recital of 15 & 16 Vict. c. 81. relating to County Rates.
§ 1. Justices in Boroughs not within Provisions of Municipal Corporations Act may make Borough Rates. As to Appeals.

Boundary Survey (Ireland).

17 & 18 Vict. c. 17.—An Act to make further Provision for defining the Boundaries of Counties, Baronies, Half Baronies, Parishes, Townlands, and other Divisions and Denominations of Land in Ireland for public Purposes. Page 32

Recital of 6 Geo. 4. c. 91.
§ 1. Power to Lord Lieutenant to appoint Surveyors to ascertain the Boundaries of Baronies, Townlands, Parishes, &c., and remove them during Pleasure.
2. Power to Boundary Surveyors to appoint Assistant Surveyors.
3. Power to Surveyor to mark out and define altered Boundaries, &c.
4. Surveyor &c. empowered to enter Lands to fix Boundaries.
5. Surveyor shall ascertain the present Boundaries of the Townlands, and mark out the same.
6. Penalty on obstructing Surveyor, &c. in Execution of Duties.
7. Penalty on removing or defacing Boundaries, Stones, &c.
8. Penalties may be recovered before Justices of the Peace.
9. Appeal against Boundaries may be made to Quarter Sessions.

§ 10. Boundary Surveyor to submit to Grand Jury a Report, &c. of proposed Alterations in any County or Barony, and where County Boundaries are proposed to be altered, shall submit a Report and explanatory Map to Grand Juries of both Counties, which shall be fiated by Judges of Assize.
11. Boundary Surveyor to submit a Map and detailed Report to Lord Lieutenant, showing original and altered Boundaries. Lord Lieutenant may make Order directing that new Boundary shall, for all public Purposes, be deemed and taken as the Boundary of such County, Barony, &c.
12. Lord Lieutenant may declare from what Period the same shall take effect, and adjust all Matters in respect to Right of voting at Elections, &c.
13. Lord Lieutenant may make supplemental Order for removing Doubts or settling Disputes, &c.
14. Act not to affect the Boundaries of Lands with respect to Rights of Owners.
15. Boundary Surveyor and all other Persons shall receive for Trouble and Loss of Time such Sum or Sums as shall be fixed by the Lord Lieutenant.
16. Construction of certain Terms.
17. Act to extend to Ireland only.

Bounty Money. See *Royal Navy.*

Brewing of Beer. See *Excise.*

Bribery, &c.

17 & 18 Vict. c. 102.—An Act to consolidate and amend the Laws relating to Bribery, Treating, and undue Influence at Elections of Members of Parliament. Page 217

§ 1. Repeal of Acts named in the Schedule.
2. Bribery defined.
3. Bribery further defined. Penalty.
4. Treating defined. Penalty.
5. Undue Influence defined. Penalty.
6. Names of Offenders to be struck out of Register, and inserted in separate List.
7. No Cockades, &c. to be given at Elections. Penalty.
8. Voters not to serve as Special Constables during Elections.
9. Penalties how to be recovered.
10. Costs and Expenses of Prosecutions.
11. Returning Officer to give Notice of Election.
12. In Cases of private Prosecutions, if Judgment be given for the Defendant, he shall recover Costs from the Prosecutor.
13. Prosecutor not to be entitled to Costs unless he shall have entered into a Recognizance to conduct Prosecution and pay Costs.
14. Limitation of Actions.
15. Power to Returning Officers to appoint Election Auditors.
16. Bills, &c. to be sent in within One Month to Candidate, or Right to recover barred.
17. Bills, &c. received within One Month to be sent in to Election Auditor.
18. No Payments to be made except through Election Auditor.
19. Tender and Payment into Court by Election Auditor.
20. Copy of Judgment and Statement of Payments made in satisfaction to be sent to Auditor.
§ 21. Consent of Auditor necessary before settling Action.
22. Candidate to pay personal Expenses and Expenses of advertising.
23. Refreshments to Voters on the Days of Nomination or polling declared illegal.
24. No Person to pay Expenses of Elections, except to Candidate or Election Auditor.
25. Candidates and Agents may make Payments before Day of Election.
26. Account of Election Expenses to be made out by Election Auditor.
27. Election Auditor to keep Accounts in some convenient Place, which shall be open to Inspection.
28. Election Auditor to publish Abstract of such Accounts.
29. Returning Officer to appoint new Election Auditor in case of Death, &c.
30. Monies, &c. to be handed over to new Election Auditor.
31 Appointment and Notification of Agents.
32. Nomination of absent Candidates Expenses.
33. Payments before passing of Act.
34. Election Auditor, how paid.
35. In Actions for Penalties, Parties, &c. to be competent Witnesses.
36. Candidate declared guilty of Bribery incapable of being elected during Parliament then in existence.
37. Short Title.
38. Interpretation of Terms.
39. Duration of Act.

Brighton Incorporation.

18 & 19 Vict. c. 31.—An Act to confirm the Incorporation of the Borough of Brighton. Page 563

§ 1. Charter of Incorporation confirmed.
2. The Mayor to be the Returning Officer.

Buildings. See *Metropolitan Buildings.*

Burials.—Burial Grounds.

17 & 18 Vict. c. 87.—An Act to make further Provision for the Burial of the Dead in England beyond the Limits of the Metropolis. Page 181

§ 1. Her Majesty may, by Order in Council, invest Town Councils with the Power of providing Burial Grounds.
2. Upon the making of such Order Borough Council to have all the Powers vested in Burial Boards under 16 & 17 Vict. c. 134.
3. Expenses to be paid out of Borough Fund or Borough Rates.
4. Money may be borrowed at lower Rates of Interest to pay off Securities bearing a higher Rate.
5. Power to borrow Money to pay off former Mortgages.
6. Council how to act under this Act, and Conveyances and Sales of Lands how to be made.
7. Burial Ground to be for the Parishes in the Borough.
8. Council may fix a higher Rate of Payment for Interment, &c. in respect of outlying Part of any Parish partly situate in the Borough.
9. Order in Council may except Parishes already having Burial Grounds; and in such Case, if a Rate be necessary, a separate Rate to be made on the rest of the Borough.

§ 10. Powers of Vestry, with Consent of Bishop, of fixing and revising the Fees payable to Incumbent, &c. transferred to the Borough Council.
11. Council may appropriate Land belonging to the Borough.
12. Burial Ground not to be within 100 Yards of a Dwelling House.

18 & 19 Vict. c. 128.—An Act further to amend the Laws concerning the Burial of the Dead in England. Page 945

§ 1. Order in Council under the 15 & 16 Vict. c. 85., 16 & 17 Vict. c. 134., and 17 & 18 Vict. c. 87. may be varied by like Orders.
2. Penalty on Persons burying contrary to the Provisions of Orders in Council.
3. Power to Churchwardens to call Vestry Meetings for providing Burial Grounds. Where Order in Council has been made, or Notice given to apply to the Privy Council for closing Burial Grounds, Churchwardens shall call a Meeting of Vestry.
4. Vacancies in Burial Board to be filled up by Vestry within a Month.
5. Monthly Meetings of Boards repealed.
6. Sanction of Vestry not required for Expenditure and other Acts of Burial Board in certain Cases.
7. Fees, &c. to be subject to the Approval of Secretary of State.
8. Secretary of State may direct Inspection of Burial Grounds. Penalty for obstructing Inspector or violating Regulations.
9. Part of Section 24. of 15 & 16 Vict. c. 85. repealed. Burial Ground not to be within 100 Yards of a Dwelling House.
10. If Ratepayers resolve, Land for new Burial Ground may be conveyed and settled as old Burial Ground.
11. How Burial Grounds are to be provided for united Parishes.
12. Burial Boards may be appointed for Townships, &c. (not separately maintaining their own Poor) which have had separate Burial Grounds.
13. Provision for Expenses of Burial Boards of Places not separately maintaining their own Poor.
14. No Obligation to build a Chapel for Persons not Members of the Church of England when Secretary of State, upon Representation of Three Fourths of Vestry, declares it unnecessary.
15. Assessment to local Rates not to be increased after Purchases for the Purposes of this or any former Act.
16. Separate Burial Boards whose Burial Grounds adjoin may contract with each other for specific Purposes.
17. Burial Board may let Land not required for Burials.
18. Burial Board to keep in Order closed Burial Grounds, &c.
19. Act not to abridge Powers of Local Boards of Health, &c.
20. Local Boards of Health to exercise Powers of this Act.
21. Acts to be construed together.

18 & 19 Vict. c. 79.—An Act to amend the Law regarding the Burial of poor Persons by Guardians and Overseers of the Poor. Page 671

Recital of 7 & 8 Vict. c. 101. s. 31.
§ 1. Where Burial Ground of Parish closed or overcrowded, Guardians or Overseers may bury in neighbouring Parish.
§ 2. Power to enter into Agreements with Cemetery Companies or Burial Boards.
3. Construction of Words to be as in 4 & 5 Will. 4. c. 76., &c.

18 & 19 Vict. c. 68.—An Act to amend the Laws concerning the Burial of the Dead in Scotland. Page 648

§ 1. Short Title.
2. Parochial Board to carry this Act into execution.
3. Provision as to Parishes partly burghal.
4. Proceedings on Complaints of Danger to Health.
5. On Representation of Secretary of State, Her Majesty in Council may restrain the opening of new Burial Grounds, and order Discontinuance of Burials in specified Places.
6. Penalties for acting contrary to Orders in Council.
7. Order not to extend to Burial Grounds of Quakers or Jews, or private Burial Grounds, unless expressly included.
8. Saving of certain Rights to bury in Vaults, &c.
9. Upon Requisition of Ratepayers or Members of Parochial Board, Meeting of Parochial Board to be convened, to determine whether Burial Ground shall be provided.
10. When Burial Grounds are closed by Order in Council, Board to provide suitable Burial Grounds, &c.
11. Consent of Owners of Houses to new Burial Grounds, where necessary.
12. Board may purchase Land for Cemeteries, or contract with Cemetery Companies.
13. Certain Provisions of Lands Clauses Consolidation (Scotland) Act, 1845 (8 & 9 Vict. c. 19.), incorporated with this Act.
14. Parochial Boards may concur in providing a Burial Ground for the common Use of their Parishes.
15. Burial Ground to be the Burial Ground of the Parish or Parishes for which it is provided.
16. Liabilities of old Burial Grounds transferred to new Burial Grounds.
17. Management to be vested in Parochial Boards.
18. Boards may sell exclusive Rights of Burial, and Right to erect Monuments, &c.
19. Boards may make Arrangements for facilitating the Conveyance of Bodies to Burial Grounds.
20. Places may be provided for Reception of Bodies until Interment.
21. Secretary of State may make Regulations as to Burial Grounds, &c.
22. Exemption of Burials from Toll.
23. Board may lay out and embellish Burial Ground.
24. Board to fix Payments for Interments in Burial Ground.
25. Certain Provisions of Cemeteries Clauses Act, 1847 (10 & 11 Vict. c. 65.), incorporated with this Act.
26. Expenses to be paid by Assessments.
27. Power to borrow Money.
28. The Public Works Loan Commissioners may advance Money for the Purposes of this Act.
29. Minutes of Proceedings of Board to be entered in a Book. Board to keep Accounts, which shall be open to Inspection.
30. Board may appoint and remove Officers, &c.
31. Register of Burials to be kept in every Ground provided under this Act. Registers to be Evidence.
32. Sheriffs Decisions to be final.

18 & 19 Vict. c. 89.—An Act to amend the Provisions of the Huddersfield Burial Ground Act, 1852. Page 697

§ 1. Section 16. of 15 & 16 Vict. c. 41. repealed.
2. Expenses of this Act, how to be paid.

C.

Canada.

17 & 18 Vict. c. 118.—An Act to empower the Legislature of Canada to alter the Constitution of the Legislative Council for that Province, and for other Purposes. Page 424

§ 1. Power to the Legislature of Canada to alter the Constitution of the Legislative Council.
2. Provisions of former Acts of Parliament to apply to the new Legislative Council.
3, 4. Power to the Legislature of Canada to vary the Provisions of the Act or Acts constituting the new Legislative Council, and to vary, &c. the Property Qualification of Members of Assembly.
5. Proviso in Section 26. of 3 & 4 Vict. c. 35. repealed.
6. Section 42. of 3 & 4 Vict. c. 35. repealed.
7. Interpretation of Terms.

Canals.

17 & 18 Vict. c. 31.—An Act for the better Regulation of the Traffic on Railways and Canals. Page 72

§ 1. Interpretation of Terms.
2. Railway Companies to make Arrangements for receiving and forwarding Traffic, without unreasonable Delay, and without Partiality.
3. Parties complaining that reasonable Facilities for forwarding Traffic, &c. are withheld may apply by Motion or Summons to the Superior Courts.
4. Judges may make such Regulations as may be necessary for Proceedings under this Act.
5. Court or Judge may order a Rehearing.
6. Mode of Proceeding under this Act.
7. Company to be liable for Neglect or Default in the Carriage of Goods, notwithstanding Notice to the contrary. Company not to be liable beyond a limited Amount in certain Cases, unless the Value declared and extra Payment made. Proof of Value to be on the Person claiming Compensation. No special Contract to be binding unless signed. Saving of Carriers Act, 11 Geo. 4. & 1 Will. 4. c. 68.
8. Short Title.

Capitular Estates. See *Episcopal and Capitular Estates.*

Carriage of Passengers. See *Passengers by Sea. Railway and Canal Traffic Regulation.*

Carriages. See *Dublin.*

Chancery, Court of.

17 & 18 Vict. c. 100.—An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery. Page 215

§ 1. Master may inquire respecting Abatement, &c.
2. Master may certify as to the Abatement, &c.
3. Order of Revivor, &c. shall be drawn up on Master's Certificate.
4. Upon Master's Certificate of Abatement, &c. Court may order Prosecution or Disposal of Suit.
5. Proceedings may be carried on by Solicitor to Suitors Fund.
6. Master may obtain Assistance of Accountant.
7. Master may certify specially to obtain Opinion of Court.
8. Additional temporary Clerks in Masters Offices.
9. Salaries, how to be paid.
10. Term "The Lord Chancellor" applies to all Persons entrusted with the Great Seal of the United Kingdom for the Time being.

18 & 19 Vict. c. 134.—An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord Chancellor the Ground and Buildings of the said Court situate in Southampton Buildings, Chancery Lane, with Powers of leasing and Sale thereof. Page 960

§ 1. Additional Junior Clerk to each Chief Clerk may be appointed forthwith.
2. Duties, &c. of the Junior Clerks under this Act.
3. Lord Chancellor may increase Salaries of Chief Clerks.
4. Salaries of Junior Clerks may be apportioned among them.
5. Office of Master of Reports and Entries abolished from first Vacancy.
6. Report Office to be thenceforth under Superintendence of Clerks of Records and Writs, the Entering Clerks to be under that of the Senior Registrar.
7. Repeal of Part of Sect. 29. of 15 & 16 Vict. c. 87. (Suitors Relief Act).
8. Number, &c. of Clerks in Report Office.
9. Provision respecting other Duties of the Master of Reports and Entries not repealed as to present Master.
10. Provision for Continuance of present Master's Salary.
11. Additional Salary to present Clerks of Records and Writs in certain Cases.
12. Salaries of the Clerks in the Report Office.
13. Power to Lord Chancellor to grant Retiring Allowance to Alexander McKean.
14. How Salaries, Compensations, &c. are to be paid.
15. Persons taking false Oaths before Solicitors appointed under this and the other Acts hereby repealed guilty of Perjury.
16. Business which Court is not empowered to dispose of in a summary Way may be disposed of at Chambers. 32 Geo. 3. c. 42.
17. Repeal of Sect. 51. of 15 & 16 Vict. c. 80.
18. The Ground and Buildings vested in the Lord Chancellor in trust.
19. Power of leasing.
20. Power of Sale.

§ 21. Power to vest the Ground, &c. in a Purchaser.
22. Application of the Rents, Purchase Moneys, &c.
23. Meaning of the Term "The Lord Chancellor."

Chancery, Court of (County Palatine of Lancaster).

17 & 18 Vict. c. 82.—An Act further to improve the Administration of Justice in the Court of Chancery of the County Palatine of Lancaster. Page 167

§ 1. Formation of Court of Appeal in Chancery of the County Palatine.
2. Powers, &c. of Court of Appeal may be exercised by Lords Justices, &c. Saving Rights of the Chancellor sitting alone.
3. Decrees, &c. of the Court of Appeal may be appealed from to the House of Lords.
4. Decision of the Majority to be binding, and if Court equally divided Decree to be affirmed.
5. Court of Appeal to make Regulations for Sittings and Business of the Court, and Officers now attendant on the Chancellor in Matters of Appeal to be the Officers of the Court of Appeal.
6. Powers given by the 13 & 14 Vict. c. 43. to the Chancellor, with the Advice and Consent of the Vice-Chancellor of the County Palatine and One of the Vice-Chancellors of the High Court of Chancery, to be exercised with the Advice and Consent of the Lords Justices of Appeal in Chancery and the Vice-Chancellor of the County Palatine.
7. Court of Appeal may make Orders for the Protection of Wards or other Persons entitled to the Protection of the Court of Chancery of the County Palatine, and for Punishment of Contempt of Court, to have the Effect of Orders of the High Court of Chancery.
8. In Cases where Parties are out of the Jurisdiction, Court of Appeal may either direct the Cause or Matter to be transferred to the High Court of Chancery, or Service to be effected out of the Jurisdiction.
9. Suits transferred to be proceeded with according to the Practice of the Court of Chancery, &c.
10. Provisions of 13 & 14 Vict. c. 43. as to enforcing Decrees, &c. of Court of Chancery to apply to Court of Appeal.
11. All the Powers and Authorities of the Trustee Act, 1850, and the 15 & 16 Vict. c. 55. shall extend to Lands and Personal Property in the County Palatine.
12. Powers of Court of Chancery to deal with Property of Infants, &c., and in the Administration of Assets, to be exercised by Palatine Court.
13. Monies payable under 13 & 14 Vict. c. 43. s. 12. into the Bank of England may be paid into Branch Bank within the County Palatine.
14. Provision as to Costs and Appeal.
15. Short Titles.

Chancery (Scotland).

17 & 18 Vict. c. 72.—An Act to provide for Payment of the Salaries of the Sheriff and Sheriff Clerk of Chancery in Scotland. Page 132

Recital of 10 and 11 Vict. c. 47.

§ 1. Salaries of Sheriff and Sheriff Clerk of Chancery to be payable out of the Funds from which those of Sheriffs of Counties are payable.
2. Power to Treasury to grant to Sheriff of Chancery such Salary as shall seem meet, and a retiring Annuity, subject to Provisions of 16 & 17 Vict. c. 80. s. 38.

Channel Islands. See *Customs.*

Charges on the Consolidated Fund. See *Revenue, &c.*

Charitable Trusts.

18 & 19 Vict. c. 124.—An Act to amend the Charitable Trusts Act, 1853. Page 919

§ 1. Charitable Trusts Act, 1853 (16 & 17 Vict. c. 137.), and this Act to be construed together.
2. Provision as to the Salary of One of the Commissioners repealed.
3. Power to appoint additional Inspectors.
4. The Acts of the Board, how to be authenticated.
5. Entries in and Extracts from the Books of the Board, how to be authenticated.
6. The Powers of the Commissioners and Inspectors to inquire into Charities extended.
7. Power to require Trustees and others to attend and be examined.
8. Precepts or Orders for the preceding Purposes, how to be made.
9. Persons not complying with Requisitions, &c. to be deemed guilty of a Contempt of the Court of Chancery.
10. Power to apportion Parochial Charities after Division of Parishes.
11. Evidence as to annual Income of any Charity not exceeding 30*l.*
12. The Official Trustees of Charitable Funds may be empowered to call for Transfers to them of Stock, &c.
13. Notices to be given of certain Orders of the Board.
14. Proceedings upon the Receipt of Objections or Suggestions.
15. The Official Trustee of Charity Lands constituted.
16. Power to acting Trustees to grant Leases.
17. Appointments of Official Trustees of Charitable Funds regulated.
18. Such Trustees to have perpetual Succession, and may hold Funds in that Name.
19. Funds to vest in the Official Trustees for the Time being.
20. The Official Trustees to keep Banking Account.
21. Mode of drawing on the Banking Account.
22. Trustees may transfer Stock to Official Trustees.
23. As to Disposal of Principal Monies paid to them.
24. All Dividends and Interest due to the Official Trustees of Charitable Funds to be placed to their Banking Account.
25. For the Regulation of Transfers and Payments to or by the Official Trustees.
26. Copies of Orders affecting the Account of the Official Trustees to be sent to the Board.
27. Indemnity to the Bank and others.
28. Dividends on Stock in Name of Official Fund Trustees to be carried to Account free from Income Tax.

§ 29. Restrictions of Charges and Leases of Charity Estates.
30. Sinking Fund to be provided for paying off Mortgages in lieu of Provision in Mortgage Deeds.
31. Extension of Power of Board as to Compromise of Claims.
32. Board may authorize Payment for Equality of Exchange or Partition.
33. Power to ascertain Lands charged with Rents to Charities.
34. Expenses of Exchanges and Partitions, and determining Application of Charges.
35. Incorporated Charities and Trustees for Charities may re-invest in Land.
36. Order of Board for Investments to be carried into effect, and Cost to be raised.
37. Board may direct Official Trustees to convey Lands, &c.
38. Leases, &c. to be valid, notwithstanding disabling Acts.
39. Board may approve Schemes for letting Charitable Property.
40. Power to refer Bills of Costs in Charity Matters to Taxation.
41. Construction of Section 27. of 16 & 17 Vict. c. 137.
42. Deeds, &c. relating to Charities may be enrolled at the Office, and Copies to be Evidence.
43. Construction of Sections 55. and 59. of 16 & 17 Vict. c. 137.
44. Amendment of Section 61. of 16 & 17 Vict. c. 137. and other Provision made as to the annual Returns of Accounts by Trustees of Charities.
45. Board may make Orders as to Delivery and Publication of Account by Trustees, &c.
46. Application of Section 64. of 16 & 17 Vict. c. 137.
47. Acts not to apply to Roman Catholic Charities until 1st September 1856.
48. As to the Term "Charity."
49. Act not to extend to Eton or Winchester.
50. Short Title.

Chinese Passenger Ships.

18 & 19 Vict. c. 104.—An Act for the Regulation of Chinese Passenger Ships. Page 772
§ 1. Definition of certain Terms.
2. Legislature of Hong Kong to make Regulations respecting Passenger Ships, &c.
3. Governor of Hong Kong to declare Length of Voyages.
4. No Chinese Passenger Ship to clear out on Voyage of more than Seven Days without Emigration Officer's Certificate and Copy of Regulations, nor until Bond be given to the Crown.
5. Penalty of Bond, when recoverable.
6. Commander of Ships of War, &c. may search Ships, or require Production of Papers.
7. Penalty for Neglect to comply with Regulations, &c.
8. Ship to be forfeited for clearing without Emigration Papers, or for Forgery of such Papers.
9. Penalties in addition to Forfeiture.
10. Mode of enforcing Forfeiture.
11. Officer not liable for any Seizure made on reasonable Grounds.
12. Fine may be substituted for Forfeiture.
13. Mode of Procedure in Criminal Cases.
14. Application of Penalties.
15. Written Declarations of Commanders, &c. primâ facie Evidence.
16. Short Title.
17. Commencement of Act.

Christ Church (Monmouth). See *Public Health.*

Christ Church (Todmorden) Marriages Validity.

18 & 19 Vict. c. 66.—An Act to render valid certain Marriages in Christ Church in the Chapelry of Todmorden and Parish of Rochdale, in the Counties of Lancaster and York. Page 646
§ 1. Marriages solemnized in Christ Church, Todmorden, declared valid.
2. Ministers having solemnized Marriages indemnified.
3. Registers to be Evidence.

Church Temporalities (Ireland). See *Ministers Money.*

Churches Building Commission.

17 & 18 Vict. c. 14.—An Act to continue Her Majesty's Commission for building new Churches. Page 26
§ 1. Commissioners for building new Churches continued until 20th July 1856.

17 & 18 Vict. c. 32.—An Act to facilitate the Apportionment of the Rent when Parts of Lands in Lease are taken for the Purposes of the Church Building Acts. Page 74
§ 1. Rents and Fines may be apportioned.
2. Parties to the Apportionment.
3. Jury may apportion.
4. Apportioned Rent to be recoverable by the same Remedies as the entire Rent.
5. How Sums secured by way of Insurance, &c. may be apportioned.
6. Act to extend to Cases where Part of Hereditaments are included in Leases, &c.
7. Act to extend to Contracts for Leases.
8. Acts herein referred to are 14 & 15 Vict. c. 97. and Acts therein referred to; also 6 & 7 Vict. c. 37.

Cider. See *Sale of Beer.*

Cinque Ports.

18 & 19 Vict. c. 48.—An Act for the better Administration of Justice in the Cinque Ports. Page 589
§ 1. Jurisdiction of Lord Warden in Civil Proceedings abolished.
2. Writs and Judgments to be directed and executed in the Cinque Ports as in other Places.
3. On Petition of Inhabitants of Parishes within the Thanet Division, Her Majesty may order such Parishes to be Part of said County, and County Justices to have Jurisdiction.
4. Justices of Kent empowered to levy County Rates in the Parishes and Places which may be severed from Dover.

§ 5. 51 Geo. 3. c. 36., 5 & 6 Will. 4. c. 135., and Sect. 11. and Part of Sect. 10. of 6 & 7 Will. 4. c. 105., repealed as to Places severed from Dover.
6. Places severed from Dover to continue liable to existing Debt.
7. Saving as to Persons committed or held to Bail in Places separate from Dover.
8. Compensations.
9. Prisoners in Gaol of Dover Castle to be removed to County Gaol.
10. Saving Rights of Lord Warden, &c.

Civil Causes. See *Trials by Jury.*

Civil List. See *New South Wales.*

Claims on the New Forest. See *New Forest.*

Cleansing of Towns. See *Towns Improvement (Ireland).*

Coal Mines Inspection.

18 & 19 Vict. c. 108.—An Act to amend the Law for Inspection of Coal Mines in Great Britain. Page 780
§ 1. 13 & 14 Vict. c. 100. repealed.
2. Power to Secretary of State to appoint Inspectors of Mines.
3. No Land Agent or Manager, &c. of Coal Mine to act as Inspector.
4. General Rules to be observed in all Coal Mines.
5. Special Rules to be made for each Colliery, with the Approval of Secretary of State.
6. Publication of Rules.
7. Powers and Duties of Inspectors.
8. Owners of Coal Mines to produce Maps or Plans of Mines to Inspector. If Owners do not produce Maps, &c. Inspector may require them to be made.
9. Notice of Accidents in Mines to be given to Secretary of State.
10. Provision for giving Notice to Secretary of State of holding Inquests on Deaths from Accidents in Coal Mines.
11. Penalties for Offences against this Act.
12. Penalty for obstructing Inspectors.
13. Penalty for defacing Notice used for such Publication.
14. Penalties how recoverable.
15. Certified Copy of Special Rules to be Evidence.
16. Reports of Inspectors to be laid before Parliament.
17. Interpretation of Terms.
18. Extent of Act.
19. Term of Act.

Coasting Trade.

17 & 18 Vict. c. 5.—An Act to admit Foreign Ships to the Coasting Trade. Page 11
[*Repealed by Customs Laws Consolidation Act* (18 & 19 *Vict. c.* 96), *which see.*]

Coffee. See *Customs.*

Collectors of Taxes.

17 & 18 Vict. c. 85.—An Act for better securing the collecting and accounting for the Land Tax, Assessed Taxes, and Income Tax by the Collectors thereof. Page 178
§ 1. Commissioners of Inland Revenue may require Security to be given by Collectors of Taxes.
2. In default of Security being given, Commissioners of Inland Revenue may appoint Collectors.
3. Security to be by Bond to Her Majesty, with Sureties approved by Commissioners of Inland Revenue.
4. Duplicates of Assessments to be delivered to Collectors appointed by Commissioners of Inland Revenue.
5. Parishes not to be answerable for the Default of Collectors appointed by Commissioners of Inland Revenue.
6. Commissioners of Inland Revenue may provide Books of printed Forms of Receipts and Counterfoils to be used by Collectors of Taxes.
7. Collectors to give Receipts for Taxes on the proper printed Forms, and to fill up Counterfoils. Penalty for Refusal or Neglect.

Colleges. See *Oxford University.*

Colonial Lighthouses. See *Merchant Shipping.*

Commissioners of Control and General Correspondence. See *Lunatics, &c.*

Commissioners of Sewers. See *Metropolis Local Management. Metropolitan Sewers.*

Commissioners of Works and Public Buildings. See *Works and Public Buildings.*

Common Fund of Unions. See *Poor.*

Common Law Procedure.

17 & 18 Vict. c. 125.—An Act for the further Amendment of the Process, Practice, and Mode of Pleading in and enlarging the Jurisdiction of the Superior Courts of Common Law at Westminster, and of the Superior Courts of Common Law of the Counties Palatine of Lancaster and Durham. Page 446
§ 1. Judge may, by Consent, try Questions of Fact.
2. Two Judges may sit at same Time for Trial of Causes pending in the same Court.
3. Power to Court or Judge to direct Arbitration before Trial.
4. Special Case may be stated, and Question of Fact tried.
5. Arbitrator may state Special Case.
6. Power to Judge to direct Arbitration at Time of Trial, when Issues of Fact left to his Decision.
7. Proceedings before and Power of such Arbitrator.
8. Power to send back to Arbitrator.

§ 9. Application to set aside the Award may be made within Seven Days.
10. Enforcing of Awards within Period for setting them aside.
11. If Action commenced by One Party after all have agreed to Arbitration, Court or Judge may stay Proceedings.
12. On Failure of Parties or Arbitrators, Judge may appoint single Arbitrator or Umpire.
13. When Reference is to Two Arbitrators, and One Party fail to appoint, other Party may appoint Arbitrator to act alone.
14. Two Arbitrators may appoint Umpire.
15. Award to be made in Three Months, unless Parties or Court enlarge Time.
16. Rule to deliver Possession of Land pursuant to Award to be enforced as a Judgment in Ejectment.
17. Agreement or Submission in Writing may be made Rule of Court, unless a contrary Intention appear.
18. As to Speeches by Counsel to the Jury. [*Extended to Ireland by* 18 & 19 Vict. c. 7.]
19. Power to adjourn Trial.
20. Affirmation instead of Oath in certain Cases.
21. Persons making a false Affirmation to be subject to the same Punishment as for Perjury.
22. How far a Party may discredit his own Witness.
23. Proof of contradictory Statements of adverse Witness.
24. Cross-examination as to previous Statements in Writing.
25. Proof of previous Conviction of a Witness may be given.
26. Attesting Witness need not be called, except in certain Cases.
27. Comparison of disputed Writing.
28. Provision for stamping Documents at the Trial.
29. Officer of the Court to receive the Duty and Penalty. 13 & 14 Vict. c. 97.
30. No Document under this Act to require a Stamp.
31. No new Trial for ruling as to Stamp.
32. Error may be brought on a Special Case.
33. Grounds to be stated in Rule Nisi for New Trial.
34. If Rule Nisi refused, Party may appeal.
35. Appeal upon Rule discharged or absolute.
36. Courts of Error to be Courts of Appeal.
37. Notice of Appeal.
38. Bail.
39. Form of Appeal.
40. Rule Nisi granted on Appeal, how disposed of.
41. Judgment of Court of Appeal.
42. Powers of Court of Appeal as to Costs and otherwise.
43. Error upon Award of Trial de novo.
44. Payment of Costs upon new Trial on Matter of Fact.
45. Affidavits on new Matter.
46. Power to Court or Judge to direct oral Examinations of Witnesses.
47. Proceedings before and upon such Examination. 1 Will. 4. c. 22.
48. Examination of Person who refuses to make an Affidavit.
49. Proceedings upon Order for Examination.
50. Discovery of Documents.
51. Power to deliver written Interrogatories to opposite Party.
52. Affidavits by Party proposing to interrogate, and his Attorney.
§ 53. Oral Examination of Parties, when to be allowed.
54. Proceedings upon such Rule or Order.
55. Depositions upon such Examinations to be returned to Master's Office. 1 Will. 4. c. 22.
56. Examiner may make special Report to the Court.
57. Costs of Rule and Examination to be in the Discretion of the Court.
58. Inspection by Jury of Parties or Witnesses.
59. Rule or Order for summoning Jury.
60. Examination of Judgment Debtor as to Debts due to him.
61. Judge may order an Attachment of Debts.
62. Order for Attachment to bind Debts.
63. Proceedings to levy Amount due from Garnishee to Judgment Debtor.
64. Judge may allow Judgment Creditor to sue Garnishee.
65. Garnishee discharged.
66. Attachment Book to be kept by the Masters of each Court.
67. Costs of Application.
68. Action for Mandamus to enforce the Performance of Duties.
69. Declaration in Action for Mandamus.
70. Proceedings upon Claim for Mandamus.
71. Judgment and Execution.
72. Form of peremptory Writ.
73. Effect of Writ of Mandamus, and Proceedings to enforce it.
74. The Court may order the Act to be done at the Expense of the Defendant.
75. Prerogative Writ of Mandamus preserved.
76. Proceedings for Prerogative Writ of Mandamus accelerated.
77. Proceedings on Prerogative Writ of Mandamus.
78. Specific Delivery of Chattels.
79. Claim of Writ of Injunction.
80. Form of Writ of Summons and Endorsement thereon.
81. Form of Proceedings and of Judgment.
82. Writ of Injunction may be applied for at any Stage of the Cause.
83. Equitable Defence may be pleaded.
84. Equitable Defence after Judgment.
85. Equitable Replication.
86. Court or Judge may strike out equitable Plea or Replication.
87. Actions on lost Instruments.
88. Jurisdiction under Shipowners Act. 53 Geo. 3. c. 159.
89. False Evidence.
90. Execution to fix Bail.
91. Scire facias on Judgment of Assets in futuro.
92. To compel Continuance or Abandonment of Action in case of Death.
93. Claimant in Second Ejectment for same Premises against same Defendant may be ordered to give Security for Costs.
94. As to Writs of Execution issued before the 24th October 1852.
95. Courts may appoint Sittings.
96. Amendments.
97. General Rules may be made by the Judges.
98. New Forms of Writs and other Proceedings.
99. Interpretation of Terms.
100. Provisions relating to Superior Courts to apply to Court of Common Pleas at Lancaster and Court of Pleas at Durham.

§ 101. Provisions as to Masters of Superior Courts to apply to Prothonotaries of Palatinate Courts.
102. Court of Queen's Bench to be the Court of Appeal from Palatinate Courts.
103. Enactments in ss. 19. to 32. to apply to every Civil Court of Judicature in England and Ireland.
104. Commencement of Act.
105. Her Majesty may direct all or Part of this Act to extend to any Court of Record.
106. Short Title of Act.
107. Act not to extend to Ireland or Scotland.

18 & 19 Vict. c. 7.—An Act to extend to Ireland the Provisions of the Eighteenth Section of the Common Law Procedure Act, 1854. Page 522

§ 1. Provisions of Section 18. of 17 & 18 Vict. c. 125., as to Addresses by Counsel to Jury, extended to Ireland.

18 & 19 Vict. c. 26.—An Act to continue an Act [13 & 14 Vict. c. 16.] for enabling the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading. Page 559

§ 1. Powers conferred by 13 & 14 Vict. c. 16. on Judges of Superior Courts of Common Law at Westminster continued for Five Years.

See also *Bills of Exchange. Crown Suits. Purchasers Protection against Judgments.*

Common, &c. Rights (Ordnance).

17 & 18 Vict. c. 67.—An Act to facilitate the Purchase of Common, Commonable, and other Rights by the Principal Officers of Her Majesty's Ordnance. Page 128

§ 1. Principal Officers of Ordnance may avail themselves of certain Powers contained in 8 & 9 Vict. c. 18., as to extinguishing Rights of Common, &c.
2. Power of Valuer appointed under Inclosure Act to cease on Purchase of Common Rights by Ordnance.
3. Purchase may be made although Inclosure Proceedings pending.

Commons House of Parliament. See *Bribery. House of Commons. Parliamentary Representation. Returning Officers.*

Commons Inclosure.

17 & 18 Vict. c. 97.—An Act to amend and extend the Acts for the Inclosure, Exchange, and Improvement of Land. Page 208

§ 1. Lands subject to be inclosed may be exchanged pending Inclosure Proceedings.
2. Undivided Shares may be exchanged.
3. Land to include incorporeal Hereditaments.
4. Lessee the "Person interested" in certain Cases.
5. Orders of Exchange, Partition, and Division may be made, upon Application of Parties in possession under an Agreement.
6. Extending Time for Application for Conversion of Land to be inclosed into a regulated Pasture.
7. Extending Time for Enrolment of Awards under Common Fields Act or Local Act.
§ 8. Tenure of Allotments in respect of Rights.
9. Fencing and making Roads dispensed with, in certain Cases.
10. Apportionment of Fee-farm Rents, &c.
11. Order of Apportionment; Order to determine Boundaries.
12. Confirmation of Order.
13. Recovery of apportioned Amounts.
14. Expenses attending Apportionment.
15. Application of Compensation for Common Rights paid under "Lands Clauses Consolidation Act, 1845."
16. Money to be paid into Bank of England.
17. Interests to be ascertained by Commissioners.
18. As to the Payment of Costs of Inclosure Commissioners, and as to the Residue of Monies.
19. Compensation for limited Interests to be paid to Trustees.
20. As to Sums payable in respect of Lands not exceeding 20*l.*
21. Act deemed Part of "The Acts for the Inclosure, &c. of Land."

17 & 18 Vict. c. 9. and 18 & 19 Vict. c. 14.—An Act to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales. Pages 22. 538

[*The Lands authorized to be inclosed are set out in the Schedules.*]

17 & 18 Vict. c. 48. and 18 & 19 Vict. c. 61.—An Act to authorize the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales. Pages 96. 631

[*The Lands authorized to be inclosed are set out in the Schedules.*]

18 & 19 Vict. c. 52.—An Act to continue Appointments under the Act 14 & 15 Vict. c. 53. for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. Page 592

§1. Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued.

Consolidated Fund. See *Revenue.*

Constitution of Legislative Council for Canada. See *Canada.*

Constitutions for New South Wales and Victoria. See *New South Wales. Victoria.*

Consular Agents Abroad. See *Oaths.*

Conventions and Treaties. See *Fisheries. Sardinia. Turkish Loan. United States.*

Convict Prisons (Ireland).

17 & 18 Vict. c. 76.—An Act for the Formation, Regulation, and Government of Convict Prisons in Ireland. Page 136

§ 1. So much of 7 Geo. 4. c. 74. as relates to Hulks, &c. repealed.

§ 2. Power to Lord Lieutenant to set apart Places, &c. for Convict Prisons.
3. Convict Prisons to be free from all Rates, Taxes, &c.
4. Lord Lieutenant to appoint Directors of Convict Prisons.
5. Directors empowered to contract for Diet, Clothing, and Manufactures for Convict Prisons.
6. Directors to report to Chief Secretary and to Parliament annually.
7. Appointment of Officers.
8. Directors of Prisons may require Officers to give Security.
9. Power to remove dismissed Officers refusing to give up Possession of Houses, &c.
10. Directors to make Rules for Convict Prisons, subject to Approval of Chief Secretary.
11. Offenders under Sentence of Transportation or Penal Servitude may be removed from and to Government Prisons.
12. As to Employment of Convicts at Work.
13. As to Discharge of Convicts.
14. None but certain Persons to enter Convict Prisons.
15. Governor to have the same Power over Prisoners in his Custody as the Sheriff or Gaoler.
16. Directors may order Convicts to be punished by close Confinement, or by personal Correction.
17. Additional Punishment to Convicts escaping, breaking or attempting to break Prison.
18. Punishment of Persons rescuing or attempting to rescue Convicts.
19. Punishing Officers for furnishing Convicts with prohibited Articles.
20. Directors may act as Justices of the Peace.
21. Penalty for false Evidence.
22. Protection of the Directors and Officers of Convict Prisons.
23. Limitation of Actions.
24. Mode of Trial and Conviction.
25. Convict Clothing to be furnished by Directors of Prisons.
26. Officers not to be concerned in Contracts, &c. Penalty 100*l.*
27. Clerks of Crown and Peace to furnish Schedule of Convicts.
28. Officers of the Convict Prisons to be within the Provisions of the several Superannuation Acts.
29. Penalty on Persons trespassing on Grounds, &c. pertaining to Convict Prisons.
30. Lord Lieutenant includes all Chief Governors of Ireland.

Copyhold, &c. Commission.

18 & 19 Vict. c. 52.—An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. Page 592

§ 1. Powers of Appointment of Commissioner, &c. under 14 & 15 Vict. c. 53. continued.

Cornwall, Office of Duchy of.

17 & 18 Vict. c. 93.—An Act for the Exchange of the Office in Somerset House of the Duchy of Cornwall for an Office to be erected in Pimlico on the Hereditary Possessions of the Crown. Page 199

§ 1. Agreement made 15 July 1854 between Warden of Stannary Council of the Duchy of Cornwall, First Part; Commissioners of Works, Second Part; and Treasurers, Third Part; confirmed.
2. Price of the Land specified in the Schedule to the Agreement to be paid to the Commissioners of Woods, and such Land thereupon to vest in the Commissioners of Works.
3. Upon Completion of the Building in Pimlico, and the Delivery of Possession to the Council of the Duchy, the same to vest in Her Majesty; and present Office of the Duchy to be held as the other Portions of Somerset House.
4. Such Money as may become payable by the Duchy to be paid to the Account of the Consolidated Fund.

Costs, Payment of. See *Crown Suits.*

Counties Palatine. See *Lancaster. Durham.*

County Courts.

17 & 18 Vict. c. 16.—An Act to amend the Act of the Thirteenth and Fourteenth Victoria, Chapter Sixty-one, and the Act of the Fifteenth and Sixteenth Victoria, Chapter Fifty-four. Page 31

§ 1. Right of Appeal given by Sect. 14. of 13 & 14 Vict. c. 61. to extend to Cases in which Jurisdiction is given by s. 17.
2. Petitions for Protection from Process to be within the Provisions of the 8th Section of 15 & 16 Vict. c. 54.

County Elections. See *Parliamentary Representation (Scotland).*

Courts. See *Admiralty Court. Bankruptcy. Chancery. Common Law. County Courts. East Indies. Exchequer. Prince of Wales Island. Stannary Court. Vice-Admiralty Court. Witnesses.*

Crime and Outrage (Ireland).

17 & 18 Vict. c. 92. and 18 & 19 Vict. c. 112.—An Act to continue an Act [11 & 12 Vict. c. 2.] for the better Prevention of Crime and Outrage in certain Parts of Ireland. Pages 198. 790

§ 1. Recited Act continued until 1st July 1856.

Criminal Justice.

18 & 19 Vict. c. 126.—An Act for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases. Page 937

§ 1. Power to Justices at Petty Sessions to punish Persons charged with Larceny, &c. summarily. If Parties accused do not consent, Justices to deal with Cases as if this Act had not passed.

§ 2. Justices to ask the Accused whether he consents to the Charge being summarily determined.
3. Persons charged with Larceny, &c. may plead guilty before Justices in Petty Sessions, and be sentenced forthwith. Justices to warn the Accused that he is not obliged to plead.
4. Persons accused may have Assistance of Counsel, &c.
5. Power to remand Persons charged to next Petty Sessions.
6. Forfeited Recognizances to be transmitted to the Clerk of the Peace.
7. Convictions and other Proceedings to be returned to the Quarter Sessions.
8. Justices may order Restitution of Property.
9. Petty Sessions to be an open Court, and held for Petty Sessional Division.
10. 11 & 12 Vict. c. 43. not to apply to Proceedings under this Act.
11. Effect of Conviction.
12. Proceedings under this Act a Bar to further Proceedings.
13. No Conviction to be quashed for Want of Form.
14. Justices may order Payment of Expenses.
15. Town Hall, Court House, &c. of County, City, or Borough may be used for Petty Sessions held under this Act.
16. Any Metropolitan Police Magistrate or Stipendiary Magistrate may act alone.
17. Nothing to affect Provisions of 10 & 11 Vict. c. 82. and 13 & 14 Vict. c. 37.
18. As to Compensation to Clerks of Peace and other Officers.
19. Power to increase Salary of Chief Magistrate to a Sum not exceeding 1,500*l.*
20. Provisions of 15 & 16 Vict. c. 73. for Payment by Salary in lieu of Fees to Clerks of Assize for their Duties as Associates extended to the whole Office of Clerk of Assize, &c.
21. So much of 12 Ric. 2. c. 10. and 14 Ric. 2. c. 12. &c. as directs Payment of Wages to Justices and their Clerks repealed.
22. In Cases of Injuries to Property, Parties aggrieved may receive Compensation, though examined as Witnesses.
23. Interpretation of Terms.
24. Extent of Act.

Crown Debts. See *Purchasers Protection against Judgments.*

Crown Suits.

18 & 19 Vict. c. 90.—An Act for the Payment of Costs in Proceedings instituted on behalf of the Crown in Matters relating to the Revenue, and for the Amendment of the Procedure and Practice in Crown Suits in the Court of Exchequer. Page 698

§ 1. In all Crown Suits, &c. where the Crown is successful Costs to be recovered as between Subject and Subject.
2. Defendant entitled to Costs, if successful against the Crown.
3. Power to Judges to make Rules and Orders for Regulation of Pleading and Practice in Crown Suits.

Cruelty to Animals.

17 & 18 Vict. c. 60.—An Act to amend an Act [12 & 13 Vict. c. 92.] for the more effectual Prevention of Cruelty to Animals. Page 123

§ 1. Recital of 5 & 6 Vict. c. 59. and 12 & 13 Vict. c. 92. Persons who have impounded Animals since the passing of 12 & 13 Vict. c. 92. may recover Expenses; Power to sell Animals after being impounded Seven Days.
2. Provision of 2 & 3 Vict. c. 47. prohibiting the using of Dogs for the Purposes of Draught within the Metropolitan District extended to all Parts of the Kingdom.
3. Interpretation of Terms.

Customs.

17 & 18 Vict. c. 5.—An Act to admit Foreign Ships to the Coasting Trade. Page 11

[*Repealed by* 18 & 19 *Vict. c.* 6.]

17 & 18 Vict. c. 28.—An Act to alter and amend certain Duties of Customs. Page 67

[*Repealed by* 18 & 19 *Vict. c.* 97.]

17 & 18 Vict. c. 29.—An Act to alter the Duties of Customs on Sugar, Molasses, and Spirits. Page 68

[*Repealed by* 18 & 19 *Vict. c.* 97.]

17 & 18 Vict. c. 122.—An Act for the further Alteration and Amendment of the Laws and Duties of Customs. Page 439

[*Repealed by* 18 & 19 *Vict. cc.* 96, 97.]

18 & 19 Vict. c. 9.—An Act to suspend the Decline of the Customs Duties on Tea from and after the Fifth Day of April One thousand eight hundred and fifty-five. Page 522

[*Repealed by* 18 & 19 *Vict. c.* 97.]

18 & 19 Vict. c. 21.—An Act for granting certain Duties of Customs on Tea, Coffee, Sugar, and other Articles. Page 550

[*Repealed by* 18 & 19 *Vict. c.* 97.]

18 & 19 Vict. c. 96.—An Act to consolidate certain Acts, and otherwise amend the Laws of the Customs, and an Act [4 & 5 Will. 4. c. 15.] to regulate the Office of the Receipt of Her Majesty's Exchequer at Westminster. Page 726

§ 1. Customs Duties, &c. payable to Exchequer Account of Bank of England to be received under such Regulations as the Treasury shall prescribe. 4 & 5 W. 4. c. 15.
2. Importation of Tobacco in Packages less than 80 lbs. prohibited. 16 & 17 Vict. c. 107. s. 144.
3. Goods not reported may be detained till Requisites complied with.
4. Time for perfecting Entries by Bills of Sight may be extended. 16 & 17 Vict. c. 107. s. 169.
5. Commissioners of Customs may permit special Entries in particular Cases.
6. Goods not worth the Duty, &c. in the Queen's Warehouse may be destroyed.

§ 7. Combustibles not to be deposited in Queen's Warehouse. 16 & 17 Vict. c. 107. s. 74.
8. Power to dispense with the re-weighing, &c. of Goods on quinquennial re-warehousing, in certain Cases. 16 & 17 Vict. c. 107. ss. 103. and 104.
9. Goods not to be shipped except on proper Days and Places, nor until Entry and Clearance. Searcher may open Packages and examine Goods.
10. Penalty on failing to deliver Shipping Bill. 16 & 17 Vict. c. 107. s. 125.
11. Penalty on departing without being cleared.
12. As to Exportation of British and Irish Spirits to Isle of Man, &c.
13. Foreign Ships in the Coasting Trade to be subject to the same Rules as British Ships.
14. Foreign Ships employed in the Coasting Trade not to be subject to higher Rates than British Ships.
15. Powers conferred by Sections 324, 325, and 326 of 16 & 17 Vict. c. 107. extended to the Coasting Trade.
16. Powers of Commissioners of Customs as to Colonies extended to Governors, &c.
17. The Bay Islands to be placed on the same Footing as the Bermudas. 16 & 17 Vict. c. 107. s. 159.
18. Provision as to Importation of Tobacco, &c. into Channel Islands.
19. No Spirits to be imported to or exported from the Channel Islands in Ships of less than 50 Tons and Casks of less than 20 Gallons. Prohibition not to extend to Spirits in Glass Bottles, or to Stores; nor to certain warehoused Goods exported; nor to licensed Boats of Ten Tons supplying Island of Sark.
20. Prohibited Goods not to be shipped from the Channel Islands to the United Kingdom.
21. Reward to Officers for Seizures in Channel Islands. 16 & 17 Vict. c. 107. s. 184.
22. The Terms "Governor, &c." in Channel Islands to include Jurats, who are to have the same Power. 16 & 17 Vict. c. 107. ss. 263. and 277.
23. Goods the Growth or Manufacture of Isle of Man may be imported into Great Britain or Ireland on Certificate, &c.
24. Isle of Man to be Part of United Kingdom for Customs Purposes.
25. Certain Vessels belonging to Her Majesty's Subjects, or whereof Half the Persons on board are Subjects of Her Majesty, and Foreign Vessels, found within certain Distances of the Coast of the United Kingdom or Channel Islands with certain Goods on board, forfeited, with the Goods.
26. Any Vessel or Boat arriving within any Port of the United Kingdom or of the Channel Islands having prohibited Goods on board or attached thereto forfeited. Power to Commissioners to waive Forfeiture.
27. Forfeiture not to extend to Ships and Goods in certain Cases.
28. Persons on board Vessels within Ports of the United Kingdom or the Channel Islands, with contraband Articles, subject to Penalty of 100*l.* and Detention.
29. Notice of Seizure of Goods. 16 & 17 Vict. c. 107. s. 226.
30. Where Persons are taken before a Justice for any Offence under any Act relating to the Customs, or likely to abscond, such Justice may order them to be detained a reasonable Time, or admit to Bail.
§ 31. Penalty and Costs to be stated in Convictions, &c.
32. Execution may issue, after Trial, out of Term. 15 & 16 Vict. c. 76. s. 120.
33. Defendant's Option to remove Case to Superior Court to be exercised before the Hearing commences. 16 & 17 Vict. c. 107. s. 264.
34. Count for harbouring, &c. smuggled Goods. 16 & 17 Vict. c. 107. Schedule B. (16.)
35. Evidence of Condemnation.
36. Section 2. of 14 & 15 Vict. c. 99. not to extend to Revenue Cases.
37. Defendants in Customs Cases to have choice of Attorney and Counsel in Scotland.
38. Penalty on making false Declarations, signing false Documents and untruly answering Questions, and counterfeiting and using false Documents.
39. Persons complaining of Prohibition of Books in Copyright Lists may appeal to a Judge in Chambers. 16 & 17 Vict. c. 107. ss. 44. 46. and 160.
40. Declaration of Truth of Notice of Copyright. Nothing to prevent Persons aggrieved from proceeding at Law, &c.
41. Soldiers, &c. not to be billeted on Coast Guard.
42. Declaratory Explanation of Term "Malt." 16 & 17 Vict. c. 107. s. 44.
43. Interpretation of Terms (Customs Consolidation Act, 1853). 16 & 17 Vict. c. 107. s. 357.
44. Acts and Parts of Acts set forth in Schedule repealed. Orders, &c. under Acts repealed to be valid.
45. Sections of this Act set forth in Table incorporated in the Customs Consolidation Act, 1853. (16 & 17 Vict. c. 107.)
46. Act to be registered in Royal Courts of Guernsey and Jersey.
47. Commencement and Short Title of Acts.

18 & 19 Vict. c. 97.—An Act for the Amendment and Consolidation of the Customs Tariff Acts. Page 734

§ 1. Instead of all other Duties and Drawbacks of Customs, there shall be paid and allowed the Duties and Drawbacks in Table (A.) annexed. Duties in Table (B.) to be levied on Goods imported into Isle of Man. As to Free Goods in Tables (A.) and (B.).
2. Power to the Treasury to remit and reimpose the Duties levied on unenumerated Articles imported into Isle of Man. Orders to be published in the Gazette, and laid before Parliament.
3. Drawbacks on Sugar.
4. Commissioners of Customs to provide Standard Samples of White Clayed Sugar and Brown Clayed Sugar.
5. As to Metage Dues on Fruit.
6. Entries of Arms, &c. to contain the Numbers and Description of the Articles.
7. Manufactures of Gibraltar, &c. from Foreign Materials deemed Foreign. 16 & 17 Vict. c. 106.
8. Recital of Acts hereby repealed; viz., Customs Tariff Act (16 & 17 Vict. c. 106.), 17 & 18 Vict. c. 28.; 17 & 18 Vict. c. 29.; 17 & 18 Vict. c. 122. ss. 1. and 5; 18 Vict. cc. 9. and 21. s. 8. Orders, &c. under Acts repealed to be valid.
9. When Contracts have been entered into, Amount of increased or decreased Duty to be added or deducted.
10. Short Title.

D.

Dead, Burial of. See *Burials.*

Dean Forest, &c.

18 & 19 Vict. c. 16.—An Act to authorize the letting Parts of the Royal Forests of Dean and Woolmer, and certain other Parts of the Hereditary Possessions of the Crown. Page 542

§ 1. Powers of leasing given by the 10 Geo. 4. c. 50. extended to certain Parts of the Royal Forests of Dean and Woolmer.
2. Power of leasing extended to certain other Parts of the Hereditary Possessions of the Crown.
3. By whom Powers hereby given may be exercised.

Deaths. See *Registration of Births, &c.*

Declarations. See *Oaths.*

Decline of the Tea Duties. See *Tea Duties.*

Deeds, Acknowledgment of.

17 & 18 Vict. c. 75.—An Act to remove Doubts concerning the due Acknowledgment of Deeds by Married Women in certain Cases. Page 135

§ 1. Acknowledgment of Deed by a Married Woman not impeachable by reason only that Party before whom same was taken was interested.
2. Staying Proceedings instituted before 13th July 1854 for quashing Certificate of Acknowledgment.
3. Court of Common Pleas may make Rules, &c.

Defamation.

18 & 19 Vict. c. 41.—An Act for abolishing the Jurisdiction of the Ecclesiastical Courts of England and Wales in Suits for Defamation. Page 582

§ 1. Jurisdiction of Ecclesiastical Courts in England, &c. in Suits for Defamation abolished.
2. Persons in Custody for Defamation under Ecclesiastical Courts to be discharged, but such Order not to be made until Costs are paid or One Month's Imprisonment suffered.

Defences to Actions. See *Bills of Exchange.*

Degrees in the Universities, Stamp Duty on. See *Stamps.*

Desertion. See *Army.*

Despatch of Business. See *Chancery.*

Devonport and Keyham Tunnel.

17 & 18 Vict. c. 15.—An Act to empower the Commissioners of the Admiralty to construct a Tunnel between Her Majesty's Dockyard at Devonport and Her Majesty's Steam Factory Yard at Keyham, and to acquire certain Property for Her Majesty's Service. Page 27

§ 1. Incorporation of Lands Clauses Act (8 & 9 Vict. c. 18.) with this Act.
2. Interpretation of Terms.
3. Powers for constructing the Tunnel.
4. As to Deviation of Tunnel.
5. As to Compensation for Lands, &c. required for Tunnel.
6. Commissioners to keep Tunnel and Roads in repair.
7. Power for Commissioners to purchase Lands in First Schedule to Act.
8. After Purchase of Devonport Yard, the same to be used as One of Her Majesty's Dockyards.
9. A certain Piece of Ground to be always used as a Footway.
10. Errors and Omissions in Book of Reference and Schedules may be corrected by Two Justices, who shall certify the same. Certificate to be deposited.
11. Powers for compulsory Purchase of Lands limited.
12. Powers given to Commissioners to apply to Purchases made, as well as those to be made.
13. All Lands purchased or taken by Commissioners to vest in them in trust.
14. Commissioners may sell or let Lands.
15. Monies produced by Sale of Lands to be paid to Her Majesty's Paymaster General.
16. After Payment, Purchaser to stand possessed of the Lands so purchased.
17. Moon Cove not to be built upon without Consent of Admiralty.
18. All Works connected with the Gas Company to be executed to Satisfaction of their Engineer.
19. To prevent Interruption of the Supply of Gas.
20. As to Repairs of Pipes, &c. in certain Cases.
21. Powers for the Gas Company after Execution of Works.
22. Not to affect Powers of the Gas Company.

Diplomatic and Consular Agents abroad. See *Oaths.*

Diseases Prevention. See *Nuisances Removal and Diseases Prevention.*

Disembodied Militia. See *Militia.*

Dissenters. See *Religious Worship.*

Distillation of Spirits. See *Sale of Spirits (Ireland).*

Dockyards. See *Devonport and Keyham Tunnel.*

Dogs for Purposes of Draught. See *Cruelty to Animals.*

Downing Street Public Offices Extension.

18 & 19 Vict. c. 95.—An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to provide additional Offices for the Public Service in or near Downing Street, Westminster. Page 713

§ 1. Commissioners incorporated for the Purposes of the Act.
2. Hereditaments in the Second Schedule (subject to Leases, &c.) vested in the Commissioners of Works.
3. Hereditaments in the First Schedule (subject to Leases, &c.) vested in the Crown.
4. Commissioners of Works to pay to Commissioners of Woods 2,600*l.*, being the Difference between Valuations of Property comprised in Schedules 1. and 2.
5. The Ground and Buildings coloured Yellow on Plan to vest in Commissioners hereby incorporated.
6. Commissioners of Works to carry this Act into execution.
7. The new Buildings and Offices to be erected out of Monies to be appropriated by Parliament.
8. Plan to be deposited in the Office of Works, &c., and be open for Inspection.
9. Certain Sections of Land Revenue Act (3 & 4 Vict. c. 87.) incorporated with this Act.
10. Period for Commissioners purchasing Houses, &c. limited.
11. Application of Purchase Monies. 12 Geo. 1. c. 32., 12 Geo. 2. c. 24.
12. Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.
13. Contracts made by First Commissioner of Works to be valid.
14. Deeds to be enrolled in the Court of Exchequer.
15. Short Title.

Drafts on Bankers. See *Stamps.*

Drainage. See *Metropolis Local Management. Towns Improvement (Ireland).*

Dublin.

17 & 18 Vict. c. 22.—An Act to enable the Collector General of Dublin to levy Money to repay a certain Outlay by the Corporation for preserving and improving the Port of Dublin in and about repairing the Quay Wall of the River Liffey, and for future Repairs thereof, and for repairing and rebuilding Bridges over the said River. Page 53

§ 1. Certain Sums to be included by Town Clerk in Schedule of Applications previous to Michaelmas Term.
2. When Application fiated, the said Sum shall be applotted, &c. by Collector General, as defined by 6 & 7 Will. 4. c. 29.
3. Sum when collected to be paid into Bank.
4. Ballast Board to furnish Estimates for Repair of Quay Wall, and Levies to be made, if Estimates approved.
5. If Estimate not approved of, Application to be made to Court at Time of fiating Presentments.
6. Sums to be applotted and raised same as the Police Rate.
§ 7. So much of 1 & 2 Vict. c. 36. as inconsistent with this Act, &c. repealed.
8. Parts of Acts recited in this Act to be incorporated.
9. Commencement of Act.

17 & 18 Vict. c. 45.—An Act to amend the Dublin Carriage Act, 1853. Page 89

§ 1. Parts of 16 & 17 Vict. c. 112. repealed.
2. Commissioners to grant Licences to Proprietors. Commissioners may refuse or revoke Licences.
3. Licences to be an Authority only to Persons named therein.
4. Supplementary Licences may be granted in certain Cases. Such Supplementary Licences to be then the only Licences in force. Commissioners may refuse to grant such in Cases of wilful Damage.
5. Hackney Carriage Licences granted under 16 & 17 Vict. c. 112. null and void.
6. Limitation as to Number of Licences to be granted.
7. Licence Duties to be paid as in Schedule (B.)
8. Duties may be altered or abolished, with Consent of Lord Lieutenant.
9. Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal.
10. Interpretation of certain Words in this Act.
11. Act of 16 & 17 Vict. c. 112. and this Act to be construed together.
12. Security to be given by Officers, &c. employed under this Act.
13. Reputation to be sufficient Evidence of Officer's Authority.
14. Short Title.
15. Misnomers not to affect the Execution of the Act.
16. Commencement of Act.

18 & 19 Vict. c. 65.—An Act to amend the Dublin Carriage Acts. Page 645

§ 1. Enactments of 16 & 17 Vict. c. 112. and 17 & 18 Vict. c. 45. to apply to Cabriolets.
2. Acts to be construed together.
3. Short Title.

17 & 18 Vict. c. 99.—An Act to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in Dublin. Page 211

§ 1. Building Trustees appointed and empowered to receive Subscriptions and Donations.
2. Trustees empowered to lay out Monies in the Purchase of a Site.
3. Persons enabled to make Leases for the Purposes of this Act.
4. Governors or Guardians of Marsh's Library empowered to remove the Library to the new Building.
5. Governors, &c. of Marsh's Library empowered to dispose of their present Premises after such Removal.
6. Governors, &c. of Marsh's Library to retain their exclusive Control over the Library.
7. Governors and Guardians of the National Gallery for Ireland incorporated.
8. Governors, &c. empowered to receive Donations and Subscriptions, &c.
9. Building to be erected according to Plans approved, &c.

§ 10. After the Completion of the Building, the Governors, &c. of the National Gallery, and the Governors, &c. of Marsh's Library, to be a Body Corporate, as Trustees of the Building for ever.
11. Term of Office of the Governors, &c. of the National Gallery limited to Five Years. [*Repealed by* 18 & 19 *Vict. c.* 44.]
12. Mode of filling Vacancies in the Number of the Governors of the National Gallery. [*Repealed by* 18 & 19 *Vict. c.* 44.]
13. Power to Governors, &c. to make Byelaws and to appoint Officers.
14. Power to Governors, &c. of Marsh's Library to admit any other Collection of Books into the same Building.
15. Interpretation of Terms.
16. Land in possession of Royal Dublin Society for the Promotion of Husbandry may be appropriated for a Building for the Purposes of a Museum.
17. Board of Trade and Navigation to divide Lands between the said Building Trustees and the Royal Dublin Society.
18. Act to extend only to Ireland.

18 & 19 Vict. c. 44.—An Act to amend an Act [17 & 18 Vict. c. 99.], to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in Dublin. Page 584

§ 1. Donors of Ten Pounds to vote at Election of Governors.
2. Donors of Ten Pounds to any Fund transferred to the Governors of the National Gallery to vote at Election of Governors.
3. Joint Donors entitled to vote at Elections of Governors, &c.
4. Five to be a Quorum of the Board of Governors, &c.
5. Power to Public Bodies to deposit Works of Art in the National Gallery of Ireland.
6. 17 & 18 Vict. c. 99. s. 11. repealed as far as regards Number of outgoing Governors.
7. This Act and 17 & 18 Vict. c. 99. to be construed as One. Short Title.

18 & 19 Vict. c. 82.—An Act to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, Dublin, and of certain Professors in said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the University of Dublin. Page 682

§ 1. Payment of certain Sums to Trinity College, Dublin, to cease.
2. Stamp Duties on Matriculation and on Admission to Degrees in Dublin University repealed.

18 & 19 Vict. c. 69.—An Act to discontinue the taking of Toll on the Turnpike Roads leading from the City of Dublin and on the Turnpike Road from Kinnegad to Athlone, and to provide for the Maintenance of such Roads as public Roads, and for the Discharge of the Debts due thereon, and other Purposes. Page 652

§ 1. Short Title.
2. Interpretation of Terms.
3. Appointment of Commissioner for executing the Act.
§ 4. Authentication of Documents. To be Evidence.
5. Proceedings, &c. of Commissioner to be binding and not to be removed by Certiorari.
6. Notices may be sent by Post.
7. Remuneration of Commissioner.
8. Declaration to be taken by Commissioner.
9. Commissioner to carry Act into execution. Notice to be given of Sittings. Sittings may be adjourned.
10. Commissioner to inquire into Debts, Conditions, &c. of Trusts. When Securities lost Commissioner may include Holders amongst Creditors.
11. Power to summon Witnesses, and to require Production of Documents.
12. As to giving false Evidence, refusing to give Evidence, destroying Documents, &c.
13. Record of Proceedings.
14. Commissioner to ascertain Mortgages charged on each Trust, and Sums to be payable in respect of such Mortgages.
15. Commissioner to ascertain Rents payable by each Trust.
16. Commissioner to ascertain Debts other than Mortgages due on such Trusts.
17. Debts so ascertained to be charged on Counties and Baronies. Apportionment of Charges and Annuities.
18. Award of Commissioner. Notice of Award to be sent to Parties interested.
19. Awards may be to Representatives of Persons under Disabilities.
20. Provisions as to Payment of Expenses of Act, &c.
21. Commissioner to make a General Award.
22. Award to be enrolled, &c.
23. Commissioner may make Supplemental Awards.
24. Grand Juries to present Interest, Annuities, &c.
25. Commissioner to give Mortgagees Certificate of Amount due.
26. Register to be kept.
27. Register of Transfers.
28. Payment to be a Discharge.
29. Treasurer of County may deposit Sums awarded in the Court of Chancery.
30. Claims to be extinguished.
31. Grand Juries may present for Mortgages.
32. Power to Grand Juries to borrow Money to pay off Mortgages, &c. Grand Jury to nominate Committee to treat, &c. for a Loan.
33. Committee to negotiate Loan.
34. Loan to be paid to Treasurer.
35. Treasurer to insert in Warrants Instalments of Loan.
36. Grand Juries may redeem Mortgages or Annuities.
37. Redeemed Mortgages or Annuities to be cancelled.
38. Acts named in Schedule (A.) to be repealed. Tolls to cease, and Roads declared public Roads.
39. Officers to account, and deliver up Documents, &c. Penalty for not accounting.
40. Penalties, &c. how to be recovered.
41. Property of Trusts to vest in Commissioner.
42. Trust Property to be sold.
43. Application of Produce of Sales and Balances in Hands of Trustees.

Duchies of Cornwall and Lancaster. See *Cornwall. Lancaster.*

Durham, County Palatine of. See *Common Law Procedure.*

Duties, Rates, and Taxes. See *Assessed Taxes. Customs. Excise. Highways. Income Tax. Poor. Stamps.*

Dwellings for Labouring Classes.

18 & 19 Vict. c. 132.—An Act for facilitating the Erection of Dwelling Houses for the Labouring Classes. Page 955

§ 1. Short Title.
2. Power to form Company.
3. Registration of Articles.
4. Certificate of Incorporation.
5. Companies Clauses Act (8 & 9 Vict. c. 16.) incorporated with this Act.
6. Purpose of Company.
7. Regulations as to Dwellings.
8. Permissive Rights of the Company.
9. Power to mortgage given in certain Cases.
10. Rules as to Demises by the Company.
11. Power to Company to purchase Interests of Lessees.
12. Penalty on Misappropriation of Funds.
13. Penalty in case Dwellings are not sufficiently drained, &c.
14. Penalty on obstructing Inspector.
15. Certain Provisions of Lands Clauses Act (8 & 9 Vict. c. 18.) incorporated with this Act.
16. Recovery of Penalties.
17. Extent of Act.

18 & 19 Vict. c. 88.—An Act to facilitate the Erection of Dwelling Houses for the Working Classes in Scotland. Page 689

§ 1. Persons proposing to form Association for erecting or improving Dwelling Houses under Act to apply to Sheriff for his Sanction.
2. Sheriff, if satisfied with Contract, Plans, &c., may interpone his Sanction, and grant Warrant for recording the Contract and proceeding with the Undertaking.
3. On Registration, the Members of the Association and their Successors to subsist as an Association for the Purposes of the Act, subject to only a limited Liability for Debts, &c.
4. Association may acquire Property, and Sheriff may grant Warrant for Erection of additional Dwelling Houses.
5. When Work duly executed Sheriff to declare so, and till then not lawful to let or dispose of Houses nor transfer Shares.
6. No Engagement lawful except for Purposes of Association or beyond Stock or Rents.
7. Title of Association to be effectual in perpetuity, without Renewal of the Investiture.
8. Rules in Contract to be Real Burdens on the Property.
9. Shares to be deemed Moveable Estate.
10. As to Transfer of Shares.
11. Contract may provide either that Houses may be held and let or that they may be disposed of in separate Lots.
§ 12. Where Lots are provided to be disposed of, the Association to lodge with Sheriff Clerk a Plan and a Register Book for recording Transfers thereof.
13. Mode of disponing Lots by the Association.
14. Recovery of Feu Duty.
15. Powers of Owners in repairing and rebuilding.
16. As to subsequent Transfers.
17. Mode of registering Right of the Representative of a Party deceased.
18. Inhibitions and Adjudications.
19. Each Dwelling shall constitute a distinct Lot not liable to Subdivision.
20. Fees for recording Entries in Register Book.
21. The Stamp Duties on Tacks and Transfers may be denoted by impressed or adhesive Stamps. Adhesive Stamps to be adapted for certain Particulars.
22. Register Book open to Inspection, and Extract of Entries to be received in Evidence.
23. Power to acquire dilapidated or noisome Buildings in Towns.
24. Court may remit to Sheriff to ascertain Value.
25. Sheriff to ascertain Value according to Provisions of Land Clauses Act.
26. Value or Price, when ascertained, to be lodged in Bank in Name of Accountant of Court of Session, and Court thereupon to adjudge Property to Association.
27. Accountant to receive Claims on Money lodged;
28. And to prepare a Scheme of Division.
29. Party dissatisfied with Scheme may appeal to Court of Session.
30. Accountant to divide Price, retaining the Amount unclaimed or to which no Right made good.
31. Expenses of Procedure.
32. Accountant yearly to lay before Court a State of retained Monies.
33. Interest on Monies lodged in Bank to be yearly added to Capital.
34. Sheriff may in certain Cases sanction the Disposal of the Buildings for other Objects.
35. Short Title.
36. Interpretation of Terms. 8 & 9 Vict. c. 19.
37. Nothing to exempt Association from Provisions of future General Acts.

E.

East Indies—East India Company.

17 & 18 Vict. c. 77.—An Act to provide for the Mode of passing Letters Patent and other Acts of the Crown relating to India, and for vesting certain Powers in the Governor General of India in Council. Page 140

§ 1. Warrants, &c. under Royal Sign Manual relating to India to be countersigned by President of Board of Control.
2. If Office of President vacant, then by Secretary of State.
3. The immediate Government of any Part of the Indian Territories may be vested in the Governor General of India in Council.

§ 4. Governor General may limit the Powers of Governors herein named.
5. Powers of Governor General as Governor of Bengal transferred to the Governor of India in Council.
6. Past Acts declared valid.
7. Interpretation.
8. Act to be construed with 16 & 17 Vict. c. 95.

18 & 19 Vict. c. 93.—An Act to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca, and to the Supreme Courts of Judicature in India. Page 705

§ 1. Sections 5., 7., 13., 14., and 16. of 6 Geo. 4. c. 85. to apply to Recorders of Singapore and Prince of Wales Island.
2. Sum to be paid to Recorders for Equipment and Voyage.
3. Court for Relief of Insolvent Debtors may be held by either of the Recorders.
4. Act 6 & 7 Will. 4. c. 53. to apply to the present Charter, which is confirmed.
5. As to Allowances to Judges of the Supreme Courts in India on Retirement.

18 & 19 Vict. c. 53.—An Act to relieve the East India Company from the Obligation to maintain the College at Haileybury. Page 592

§ 1. College to be discontinued.
2. No Student to be admitted after 25th January 1856.
3. Students certified at the last Examination in 1857 to be qualified may be admitted to the Service of the Company.
4. Commissioners to determine Questions of Priority of Rank.
5. Power to Company to sell College, &c.
6. As to Compensations to Officers, &c.

Ecclesiastical Courts.

17 & 18 Vict. c. 47.—An Act to alter and improve the Mode of taking Evidence in the Ecclesiastical Courts of England and Wales. Page 96

§ 1. Power to Ecclesiastical Courts to summon Witnesses, and examine them vivâ voce.

18 & 19 Vict. c. 41.—An Act for abolishing the Jurisdiction of the Ecclesiastical Courts of England and Wales in Suits for Defamation. Page 582

§ 1. Jurisdiction of Ecclesiastical Courts in England, &c. in Suits for Defamation abolished.
2. Persons in Custody for Defamation under Order of Ecclesiastical Courts to be discharged, but such Order not to be made until Costs are paid, or One Month's Imprisonment suffered.

Ecclesiastical Jurisdiction.

17 & 18 Vict. c. 65. and 18 & 19 Vict. c. 75.—An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in England. Pages 128. 669

§ 1. Provisions of 10 & 11 Vict. c. 98. continued until 1st August 1856.

Ecclesiastical Property (Ireland).

18 & 19 Vict. c. 28.—An Act to provide that the Property or Income Tax payable in respect of the Income from Ecclesiastical Property in Ireland shall be a Deduction in estimating the Value of such Property for the Purpose of Taxation by the Ecclesiastical Commissioners. Page 561

Edinburgh.

18 & 19 Vict. c. 80.—An Act to ratify conditional Agreements entered into by the Commissioners of Her Majesty's Works and Public Buildings; and to vest in the said Commissioners certain Property situate near the College of Edinburgh in the City of Edinburgh, together with the General Register House in the said City, and all Lands held therewith; and to enable the said Commissioners to acquire certain Property near the Palace of Holyrood. Page 672

§ 1. Certain Deeds of Agreements confirmed.
2. Property near the College to be conveyed to the Commissioners of Works.
3. The Price to be paid by the said Commissioners to an Account at the Royal Bank of Scotland.
4. Receipt of Treasurer to be a good Discharge.
5. Upon Execution of Conveyance and Payment of Price the Property to be disburdened of the Trusts, &c. affecting the same.
6. The Price to be invested, under the Direction of the Court of Session, in the Purchase of other Property, to be conveyed on the same Trusts.
7. Interest accruing on the Capital in the meantime to be applied in providing a temporary Place of Worship for the Congregation on whose Behalf the Trust was created.
8. Trustees on passing their Accounts to be discharged by Court of Session.
9. Provision for the Appointment of new Trustees.
10. Majority to be a Quorum.
11. The Property near the College to be vested in the Commissioners of Works for the Purposes of the said National Museum.
12. The Town Council empowered to convey Property for widening the Street.
13. Property acquired from Town Council not to be used for other Purposes than those of the National Museum, without their Consent.
14. Disposition granted by the Maiden Hospital not to be objected to for Defect in Title.
15. General Register House vested in the Commissioners of Works.
16. Owners of Property near Holyrood empowered to sell same to Commissioners of Works. Provisions of 8 & 9 Vict. c. 19. incorporated for certain Purposes.

Education.

18 & 19 Vict. c. 34.—An Act to provide for the Education of Children in the Receipt of Out-door Relief. Page 574

§ 1. Guardians may grant Relief to enable certain poor Persons to provide Education for their Children.

§ 2. Poor Law Board may issue Orders to regulate Proceedings of Guardians.
3. Such Education not to be a Condition of Relief.
4. Cost of Relief to be charged to the same Account as the other Relief.
5. Orphans and deserted Children may be relieved.
6. Act to be construed with 5 Will. 4. c. 76.

18 & 19 Vict. c. 131.—An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education. Page 954

§ 1. Sale, &c. of Premises in respect of which Grant of Money has been made not to be valid without Consent of Secretary of State.
2. Purchasers not to be affected without Notice.

18 & 19 Vict. c. 59.—An Act to facilitate Inquiries of the Commissioners of Endowed Schools in Ireland. Page 629

§ 1. Construction of Terms.
2. Commissioners to meet and to inquire into the Edowments and State of all Schools, &c.
3. Power to Commissioners to repair to Schools, examine Witnesses, and call for Documents.
4. Penalty on Persons refusing to attend to be examined or to produce Documents.
5. Power to Commissioners to make Report to Her Majesty, and suggest Plans of Improvement of Schools.
6. Appointment of Assistant Commissioners.
7. Duties of Assistant Commissioners.
8. This Act not to affect Powers of Commissioners.

See also *Parochial Schoolmasters. Schools.*

Elections of Members of Parliament. See *Bribery. Parliamentary Representation (Scotland). Returning Officers.*

Emigration Commissioners. See *Passengers by Sea.*

Endowed Schools. See *Education.*

Enlistment of Foreigners.

18 & 19 Vict. c. 2.—An Act to permit Foreigners to be enlisted and to serve as Officers and Soldiers in Her Majesty's Forces. Page 517

§ 1. Foreigners may be enlisted, and Commissions may be granted to Foreigners, to be formed into separate Corps.
2. Men serving under this Act not to be employed in United Kingdom, except for being trained, &c. for Foreign Service or for training Recruits. Such Men not to be billeted, &c. Number of Men limited.
3. Attestation on Enlistment and Oath.
4. Mutiny Act and Articles of War to apply to Foreigners serving under this Act.
5. Officers when reduced not entitled to Half Pay, but Her Majesty may make Provision for such as are wounded, &c.
6. Continuance of Act.

Enrolment of Annuities. See *Usury.*

Episcopal and Capitular Estates.

17 & 18 Vict c. 116.—An Act to continue and amend an Act [14 & 15 Vict. c. 104.] to facilitate the Management and Improvement of Episcopal and Capitular Estates in England. Page 413

§ 1. 14 & 15 Vict. c. 104. continued.
2. On Sale or Exchange of Part of Lands, &c. comprised in any Lease, Rent may be apportioned.
3. Trustees of Will or Settlement may raise Money for Enfranchisement.
4. Arbitrators may be named.
5. How Copyholder's Right of Renewal to be ascertained.
6. Provision relating to Apportionment of Proceeds of Sales.
7. Like Provision in respect of Purchases and Exchanges.
8. Provisions respecting Local Claim on Tithes.
9. Reference to Arbitration to determine Value of Lands vested or to be vested in Ecclesiastical Commissioners.
10. Ecclesiastical Commissioners to state like Particulars as Church Estates Commissioners.
11. Basis of Report of 1850 may be taken.
12. How Computations on the Duration of Lives are to be calculated.
13. Interpretation of Act.

Estates. See *Administration. Episcopal and Capitular Estates. Incumbered Estates. Real Estate Charges.*

Evidence.

17 & 18 Vict. c. 47.—An Act to alter and improve the Mode of taking Evidence in the Ecclesiastical Courts of England and Wales. Page 96

§ 1. Power to Ecclesiastical Courts to summon Witnesses, and examine them vivâ voce.

17 & 18 Vict. c. 34.—An Act to enable the Courts of Law in England, Ireland, and Scotland to issue Process to compel the Attendance of Witnesses out of their Jurisdiction, and to give Effect to the Service of such Process in any Part of the United Kingdom. Page 76

§ 1. Courts of Law in England, Ireland, and Scotland may issue Process to compel the Attendance of Witnesses although not within their Jurisdiction.
2. Statement to be made at Foot of Writ that it is issued by special Order.
3. Witnesses making default, to be punished by the Courts of the Country in which the Process was served.
4. Persons not to be punished if it shall appear that sufficient Money has not been tendered to pay Expenses.
5. Act not to prevent the issuing of a Commission to examine Witnesses.
6. Not to affect the Admissibility of Evidence where now receivable.

Exchequer.

18 & 19 Vict. c. 96.—An Act to consolidate certain Acts and otherwise amend the Laws of the Customs, and an Act [4 & 5 Will. 4. c. 15.] to regulate the Office of the Receipt of Her Majesty's Exchequer at Westminster. Page 726

§ 1. Customs Duties, &c. payable to Exchequer Account of Bank of England to be received under such Regulations as the Treasury shall prescribe.

Exchequer Bills and Bonds. See *Revenue, &c.*

Exchequer, Court of.

18 & 19 Vict. c. 90.—An Act for the Payment of Costs in Proceedings instituted on behalf of the Crown in Matters relating to the Revenue, and for the Amendment of the Procedure and Practice in Crown Suits in the Court of Exchequer. Page 698

§ 1. In all Crown Suits, &c. where the Crown is successful, Costs to be recovered as between Subject and Subject.
2. Defendant entitled to Costs if successful against the Crown.
3. Power to Judges to make Rules and Orders for Regulation of Pleading and Practice in Crown Suits.

18 & 19 Vict. c. 50.—An Act to amend the Provisions of the Court of Exchequer (Ireland) Act, 1850 [13 & 14 Vict. c. 51.] Page 591

§ 1. Power to pass certain Monies into the Bank of Ireland to the Credit of the Accountant General of the Court of Chancery.
2. Monies already paid into the Court of Chancery to be dealt with by that Court.

Excise.

17 & 18 Vict. c. 27.—An Act for granting certain additional Rates and Duties of Excise. Page 60

§ 1. Grant of Duties of Excise in Schedules (A.) and (C.) Allowances and Drawbacks in Schedules (B.) and (D.) [*Drawbacks in Schedule B. repealed by 18 & 19 Vict. c. 22.*]
2. The Duties by this Act granted on Malt to continue during the War only.
3. Duties, &c. to be under the Management of Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.
4. Maltsters, Brewers, &c. to give an Account of the Malt in their Possession on 8th May 1854, and Maltsters to give a like Account of the Malt made and disposed of by them within One Month previous to that Day, stating certain Particulars of Sale. Penalty for Default. Duty on Malt Stock in hand, when to be payable. Penalty for Refusal.
5. Officers of Excise may enter Premises of Maltsters, &c. to take an Account of Malt in Stock. Penalty for not suffering Officers to take Stock, or molesting them in the Execution of their Duty, or for clandestinely removing Malt, &c.
6. Allowance to be deducted from the Amount taken of the Malt Stock in hand for the Increase.
§ 7. Additional Duties to be added to the Articles contracted for.
8. Penalty for untruly stating the original Gravity of Beer entered for Exportation, or claiming a higher Rate of Drawback than entitled to. Proof of the original Gravity of Worts to lie on the Claimant.
9. As to Amount to be repaid on Removal of Malt Spirits from Scotland to England or Ireland.
10. Spirits distilled from Malt in England and Ireland may be delivered for Consumption there on Repayment of Half the Malt Allowance, or for Consumption in Scotland without Repayment.

17 & 18 Vict. c. 30.—An Act for granting certain Duties of Excise on Sugar made in the United Kingdom. Page 70

§ 1. Grants of Duties of Excise on Sugar.
2. Grant of Duties on Sugar used in the brewing of Beer, and on Licences to Brewers to use Sugar.
3. New Duty to be raised and levied in the same Manner as other Excise Duties; and Powers and Penalties of all Excise Acts to apply to this Act.
4. Brewers intending to use Sugar to take out Licence for that Purpose.
5. Commissioners of Inland Revenue to make Regulations for using Sugar in the brewing of Beer. Brewers not to use Sugar contrary to Regulations or without Licence.
6. Brewers to make Entry of Premises for storing or using Sugar.
7. Brewers using Sugar to enter in the proper Book the Hour at which they intend to mash or dissolve Sugar.

18 & 19 Vict. c. 22.—An Act for granting certain additional Rates and Duties of Excise. Page 552

§ 1. Grant of Duties of Excise as in Schedule (A.) Allowance and Drawbacks as in Schedule (B.)
2. Drawback on Spirit Mixtures to cease, except as to Made Wines. [*Repealing Drawback in Schedule B of 17 & 18 Vict. c. 27.*]
3. Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.
4. Where Contracts made before the additional Duties to be added to the Price of the Articles contracted for.
5. Full British Duty to be paid on Spirits delivered from a Duty-free Warehouse in Ireland for Consumption in England or Scotland.
6. Spirits may be sent out or warehoused at Proof Strength or within Six Tenths thereof.
7. Distillers in England and Ireland to be entitled to Allowance on Spirits distilled from Malt for Home Consumption as well as for Exportation.
8. Certain Provisions of Acts in force, requiring Repayment of Malt Allowance on Spirits for Consumption in England or Ireland, and Prohibition to remove Spirits, and Spirit Mixtures, between England and Scotland otherwise than by Sea repealed.
9. Distillers may remove Duty-paid Spirits between England and Scotland, in like Manner as between Places in the same Part of Great Britain.

§ 10. Duty-paid Spirits may be removed from the Stocks of Rectifiers and Dealers between England and Scotland.
11. Allowance on the Cistern or Couch Gauges of Malt-making for distilling Purposes to be 17 per Cent.
12. Commissioners may revoke the Licence of a Maltster for Distillery Purposes, or a Distiller from Malt, on a Second Conviction of any of the Offences herein specified.

18 & 19 Vict. c. 94.—An Act to impose increased Rates of Duty of Excise on Spirits distilled in the United Kingdom; to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively; and to amend the Laws relating to the Duties of Excise. Page 706

§ 1. On and after 1st October 1855, certain Duties of Excise to be paid on Spirits distilled in Great Britain and Ireland.
2. Duties to be under the Management of the Commissioners of Inland Revenue, and to be collected under the Provisions of Acts in force relating to Excise.
3. Allowances on Spirits in Distillers Stock or in Warehouse.
4. Former Allowances in respect of Malt and on Sugar used in distilling to cease.
5. Malt may be made and used free from Duty in distilling Spirits.
6. Special Entry to be made of Malthouse.
7. Persons other than Distillers making Duty-free Malt to give Security against Frauds.
8. Malt may be removed for Exportation.
9. Distillers on giving Security to have Duty-free Sugar and Molasses delivered to them, to be used in the distilling of Spirits.
10. Distiller to give Bond, with Sureties, conditioned to secure the due Consumption of Duty-free Sugar and Molasses in the distilling of Spirits.
11. Distiller and Maltster to make Entry of his Malthouse, and to provide a Kiln adapted for securing the Malt whilst drying.
12. Distillers to make Entry of Kilns used for drying Barley or other Corn or Grain.
13. If Malthouse more than a Mile from a Market Town, Distiller or Maltster to provide Lodgings for the Officer.
14. Secure Rooms to be provided for the Purposes expressed; viz., a Storeroom at the Malthouse for the Deposit of Malt on Removal from the Kiln; a Storeroom at the Distillery for Malt on Removal from the Malthouse; also a Millroom at the Distillery for grinding Malt. All such Rooms to be properly secured.
15. All Fastenings (except Locks) for the Security of Kilns and other Rooms to be provided at the Expense of the Distiller. Penalty for refusing to defray such Expense, or for removing or damaging Locks or Fastenings.
16. Commissioners may revoke Approval of Malthouse, Kiln, or Storerooms, and require Alterations or additional Fastenings.
17. Allowance on Cistern or Couch Gauges to be 17 per Cent.
18. Distiller and Maltster to give Notice to Officer to attend, when it is intended to load the Kiln.
§ 19. Officer to admit the Workmen into the Kiln to stir the Grain from Time to Time, pursuant to Notice.
20. Notice to be given for Removal of Malt from the Kiln. Malt to be measured, and Deficiency charged with Duty.
21. Removal of Malt from the Storeroom at the Malthouse to the Storeroom at the Distillery.
22. Malt to be removed from Malthouse to Distillery in Sacks containing Four Bushels or 168 Pounds each.
23. Twelve Hours Notice to be given for Removal of Malt from Storeroom to Millroom. Four Hours Notice for Removal of Malt to Mash Tun.
24. Distiller and Maltster to enter in Books Particulars of Malt received into and removed from their Storerooms.
25. Malt remaining in Storeroom to be measured, and a Balance to be struck of Account of Malt received and delivered; if a Deficiency, Duty to be charged on the Quantity; if an Excess, the same to be forfeited.
26. Malt to be either measured or weighed, or both, as the Commissioners may order.
27. Distiller and Maltster to provide a correct Bushel Measure and Scales and Weight; and assist Officer in measuring and weighing Malt.
28. Distiller to deliver an Account of the Malt, Sugar, and Molasses used in every distilling Period, verified by Declaration.
29. Distillers and Maltsters to designate their Malthouses by painting certain Words on the principal Entrance. Penalty on Neglect.
30. Distillers prohibited from selling Malt, Sugar, or Molasses. Penalty.
31. Commissioners may revoke the Licence of a Distiller or Maltster on a Second Conviction of certain specified Offences.
32. Persons unlawfully removing Malt from a Distiller's Malthouse or a Distillery may be arrested and taken before a Justice, and summarily dealt with.
33. No Abatement for Deficiencies on Spirits deposited in Warehouse less than Three Days.
34. Rectifiers may send out compounded Spirits at certain additional Strengths.
35. Malting Barley or other Corn how long to be kept in operation.
36. Brewer not to have raw or unmalted Grain in his Brewery or in Premises adjacent.
37. Malt used by Brewers to be ground by Metal Rollers only.

18 & 19 Vict. c. 38.—An Act to allow Spirit of Wine to be used Duty-free in the Arts and Manufactures of the United Kingdom. Page 575

§ 1. A Mixture of Spirit of Wine and Methylic Alcohol may be allowed Duty-free for Use in the Arts or Manufactures.
2. The Mixture to be termed Methylated Spirit.
3. Persons (other than Distillers or Rectifiers) authorized to make Methylated Spirit, to pay for a Licence for that Purpose.
4. Places of mixing to be approved and entered, and Removal of Articles for mixing and of Methylated Spirit to be made under the Regulations of the Commissioners.
5. Wood, Naphtha, &c. to be inspected by Officer before mixing, and Commissioners may provide same.

§ 6. Commissioners may provide Warehouses and Labour for mixing and storing Methylated Spirit, for a certain Payment.
7. A Stock Account to be kept of Methylated Spirit in the Possession of every Maker. Excess of Stock to be forfeited, and Deficiency charged with Duty.
8. Methylated Spirit to be delivered only from an entered Place, and accompanied by a Permit. Penalty for unlawful Delivery or Removal, 50*l.*; and Forfeiture of the Spirit.
9. Persons to be authorized by the Commissioners to receive Duty-free Methylated Spirit for Use in the Arts or Manufactures.
10. Persons authorized to receive Duty-free Methylated Spirit to give Security for the proper Use of it in their Manufactures.
11. Enactments in former Acts as to Permits and Certificates to be applied to Permits, Certificates, &c. under this Act.
12. Persons ordering Methylated Spirit to fill up Requisition and Counterfoil, and produce the latter to Officer when required.
13. Officers of Excise may enter Premises where Methylated Spirit is used, and inspect and take Samples.
14. Commissioners may revoke Authority to make or use Methylated Spirit, or Approval of Places for making or storing same.
15. Makers not to supply Methylated Spirit to Persons whose Authority to use the same is revoked.
16. Methylated Spirit found in the Possession of a Person not entitled to have same, or in an unentered Place, forfeited, and Penalty incurred.
17. Commencement of Act.

See also *Sale of Spirits (Ireland)*.

Exemption from Rate to Relief of the Poor. See *Poor.*

Exemptions from Tolls. See *Turnpike Roads and Trusts.*

F.

Fees in the Admiralty Court. See *Admiralty Court.*

Fine Arts. See *Dublin. Literary and Scientific Institutions.*

Fisheries.

18 & 19 Vict. c. 3.—An Act to carry into effect a Treaty between Her Majesty and the United States of America. Page 518

§ 1. Recital of Treaty of 5th June 1854. Acts of Parliament, &c. at variance with Provisions of the said Treaty suspended.
2. Act to come into operation as soon as proclaimed in the Colonies of Canada, New Brunswick, Nova Scotia, and Prince Edward Island.
3. Extension of the Treaty to Newfoundland.

18 & 19 Vict. c. 101.—An Act for the more effectual Execution of the Convention between Her Majesty and the French Government concerning the Fisheries in the Seas between the British Islands and France. Page 766

Preamble recites Convention between Her Majesty and the King of the French, dated 2d August 1839; and also 6 & 7 Vict. c. 79.
§ 1. Oysters and Dredges found on board Fishing Vessels from 1st May to 31st August may be seized.
2 Oysters landed between 1st May and 31st August may be seized.
3. Penalties on Persons in charge of British Vessels for offending.
4. British Consuls may take Depositions on Oath concerning Offences against the Fishery Regulations.
5. Depositions admissible in Evidence.
6. Penalties and Proceeds of Sales, &c. to be paid into Exchequer. 6 & 7 Vict. c. 79.
7. As to the Term "British Consul."
8. Recited Act and this Act to be read together.

Foreign Ships. See *Coasting Trade.*

Forests. See *Dean Forest. Woolmer Forest.*

France. See *Fisheries. Turkish Loan.*

Frauds upon Creditors. See *Registration of Bills of Sale.*

Free Public Libraries. See *Public Libraries and Museums.*

Friendly Societies.

17 & 18 Vict. c. 56.—An Act to make further Provisions relating to certain Friendly Societies. Page 118

Recital of 10 Geo. 4. c. 56. and 5 & 6 Will. 4. c. 40.
§ 1. This Act to apply only to such Societies as grant Policies of Assurance at Death exceeding 1,000*l.*, and such Societies shall cease to be deemed Friendly Societies.
2. Provisions of certain Acts affecting such Societies to continue in force, except, &c.
3. No Exemption from Stamp Duties. Societies not to assure in favour of Nominees.
4. Societies affected by this Act may effect the Objects allowed by their Rules, and other legal Assurances.
5. Investment of Funds of such Societies.
6. Power for Judge or Court to enforce Attendance of Witnesses before Arbitrators.
7. Trustees may purchase and hold Buildings for Offices.
8. Trustees not to invest Funds in Savings Banks, &c.
9, 10. Short Title and Extent of Act.

17 & 18 Vict. c. 101.—An Act to continue and amend the Acts now in force relating to Friendly Societies. Page 216

[*Repealed by* 18 & 19 Vict. c. 63. s. 1.]

17 & 18 Vict. c. 50.—An Act to continue an Act [11 & 12 Vict. c. 133.] for amending the Laws relating to Savings Banks in Ireland, and to authorize Friendly Societies to invest the whole of their Funds in Savings Banks. Page 101

§ 1. 11 & 12 Vict. c. 133. further continued.
2. Funds of Friendly Societies may be deposited in Savings Banks to any Amount. [*Repealed by* 18 & 19 Vict. c. 63.]
3. If Savings Banks Rules are already enrolled they need not be again enrolled.

18 & 19 Vict. c. 35.—An Act to continue the Act [16 & 17 Vict. c. 91.] for extending for a limited Time the Provisions for Abatement of Income Tax in respect of Insurance on Lives. Page 574

§ 1. Persons having made Insurances with Friendly Societies to be entitled to Benefits of recited Act.

18 & 19 Vict. c. 63.—An Act to consolidate and amend the Law relating to Friendly Societies. Page 633

§ 1. Acts or Parts of Acts set forth in Schedule repealed.
2. Societies under former Acts to continue.
3. Their Rules to continue in force, and Enrolments to be sent to Registrar.
4. All their Contracts, and all Bonds, &c. to them, to continue in force.
5. Their Exemptions, Powers, and Privileges under this Act.
6. Registrars, how and by whom appointed.
7. Their Salaries.
8. Their Expenses of Office, &c.
9. Societies, how and for what Purpose formed. For Payments on Death. For Relief in Sickness, &c. For other Purpose authorized by Secretary of State, &c.
10. No Money to be paid on the Death of a Child without a Copy of Entry of the Registrar of Deaths.
11. Benevolent Societies, in what Case entitled to the Benefits of this Act.
12. Statutes as to unlawful Oaths not to extend to Societies under this Act or any repealed Acts.
13. Societies, how dissolved.
14. Societies may unite with others, or One Society may transfer its Engagements to another.
15. Minors may be elected as Members.
16. Buildings for the Purpose may be purchased or leased.
17. Trustees, how appointed.
18. Property of the Society vested in them.
19. Actions, &c. by or against them.
20. Limitation of Responsibility.
21. Treasurer to give Security.
22. Treasurer to account.
23. Property how recovered, if the Officer die, or become bankrupt or insolvent.
24. Punishment of Fraud in withholding Money, &c.
25. Rules to be made.
26. Copies to be sent to the Registrar, and his Certificate obtained. Actuary's Certificate to be sent with the Copies in case of Tables of Annuities.
27. Rules may be altered, amended, and rescinded, or new Rules made.
28. When Place of Meeting is altered, Notice to be sent to Registrar.
§ 29. Circulating false Copies of Rules, &c. to be deemed a Misdemeanor.
30. Rules, how received in Evidence.
31. On Death of Member, Sum under 50*l.* may be paid without Administration. Indemnity to Trustees.
32. Funds how invested.
33. Funds may be invested with the Commissioners of the National Debt.
34. What Interest old Societies shall have.
35. Re-depositing of Money withdrawn.
36. Transfer of Stock.
37. Power of Attorney, &c. not liable to Stamp Duty. Limitation of Exemptions to Societies not assuring above 200*l.*
38. No Member to receive more than 200*l.* or 30*l.* a Year from any Number of Societies.
39. Trustees may subscribe to a Hospital or Provident Institution.
40. As to the Determination of Disputes according to the Rules.
41. In what Cases by the County Court.
42. Order of County Court, how enforced.
43. Lord Chancellor may make Orders for regulating the Proceedings in this respect.
44. In the Case of Societies whose Rules are not certified, Disputes between the Society and its own Members to be settled as in Cases of certified Societies.
45. Returns to the Registrar, when and how to be made.
46. Certain Societies established for granting annual Payments to Nominees before the Year 1850 to have Privileges of this Act.
47. Extra Contribution may be demanded of a Member serving in the Militia.
48. Act to apply to Societies constituted under the Industrial and Provident Societies Act, 1852.
49. Interpretation of "Society."
50. Extension of Act.
51. Commencement of Act.

17 & 18 Vict. c. 25.—An Act to amend the Industrial and Provident Societies Act, 1852 [15 & 16 Vict. c. 31.] Page 58

Recital of 15 & 16 Vict. c. 31., enacting that the Laws relating to Friendly Societies shall apply to Societies under this Act.
§ 1. Suits to be carried on in the Name of One of the Officers of any Society, to be appointed for that Purpose.
2. Officers to be appointed to sue and be sued on behalf of Society, and their Names, &c. to be returned to Registrar of Friendly Societies. Form of Return. In Default of Appointment as aforesaid Trustees of Society may appoint such Officers and make Returns.
3. Returns to be certified and Certificates to be Evidence.
4. Proceedings commenced in Name of Officer not to be abated by his Death, &c., or by Change of Members of Society.
5. Effect of Judgments, &c. against the Society.
6. Bankruptcy, &c. of Officer not to affect Liability of Society.
7. Service of Process on Society.
8. Dissolution of Society not to prevent winding up of its Affairs.

§ 9. Suits pending against Trustees to be carried on against Officers appointed as aforesaid.
10. Provisions of Friendly Societies Act incapacitating Trustees from suing till they shall have made to the Registrar a Financial Statement of Society's Affairs not to apply.
See also 18 & 19 Vict. c. 63. s. 48. *suprà.*

G.

Gallery (National) of Paintings, &c. See *Dublin.*

Galway.

17 & 18 Vict. c. 124.—An Act to settle the Contribution to be made by certain Baronies in Roscommon and Galway, and the County of the Town of Galway, to the Midland Great Western Railway of Ireland Company. Page 444
§ 1. The Sum of 470,000*l.* to be considered and taken as that in respect of which the said Baronies, &c. are to contribute. Nothing to alter Liability of Railway Company to pay the Money advanced by the Public Works Commissioners.

Gaming Houses.

17 & 18 Vict. c. 38.—An Act for the Suppression of Gaming Houses. Page 80
§ 1. Penalty on Persons obstructing the Entry of Constables authorized to enter any House suspected to be a Common Gaming House.
2. Obstructing Entry of Constables to be Evidence of House being a Common Gaming House.
3. Penalty on Persons apprehended for giving false Names or Addresses.
4. Penalties on Persons keeping Gaming Houses.
5. Justices may require any of the Persons apprehended to be sworn and give Evidence. Penalty on refusing to be sworn.
6. Persons required to be examined as Witnesses, and making a full Discovery, to be freed from all Penalties, &c.
7. Penalties and Costs may be levied by Distress.
8. Applications of Penalties.
9. On Neglect to prosecute any Summons, Justices may authorize some other Person to proceed.
10. Appeal to Quarter Sessions. 7 & 8 Geo. 4. c. 28.
11. No Objection allowed to Information whereon Conviction has taken place, &c., in Matter of Form. Judgment not removable by Certiorari.
12. Distress not unlawful for Want of Form.
13. Tender of Amends.
14. Limitation of Actions.
15. Commencement of Act.

General Board of Health. See *Public Health.*

General Register House, Edinburgh. See *Edinburgh.*

Gold and Silver Wares.

17 & 18 Vict. c. 96.—An Act for allowing Gold Wares to be manufactured at a lower Standard than that now allowed by Law, and to amend the Law relating to the assaying of Gold and Silver Wares. Page 207
§ 1. Her Majesty may, by Order in Council, allow any Standard for Gold Wares not less than One Third Part in the whole.
2. Gold and Silver Wares may be assayed at any lawful Assay Office wherever manufactured.
3. Gold Wares unnecessarily marked not liable to Duty on Gold Plate.
4. Provisions of existing Acts to be applicable to the new Standard.
5. Penalty for marking Gold Ware of a lower Standard with the Mark appropriated to a higher Standard.

18 & 19 Vict. c. 60.—An Act for excepting Gold Wedding Rings from the Operation of the Act [17 & 18 Vict. c. 96.] relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relating to Gold Wares. Page 631
§ 1. Gold Wedding Rings to be assayed and marked.
2. Sect. 3. of 17 & 18 Vict. c. 96. repealed so far as it affects Gold Wedding Rings.
3. Certain Companies, &c. authorized to assay and mark Gold Wares indemnified.

Graduates (University of London).

17 & 18 Vict. c. 114.—An Act to extend the Rights enjoyed by the Graduates of the Universities of Oxford and Cambridge in respect to the Practice of Physic to the Graduates of the University of London. Page 411
§ 1. Graduates in Medicine of the University of London to be entitled to practise Physic in the same Manner as Graduates of the Universities of Oxford and Cambridge.
2. Graduates in Medicine of the University of London indemnified for having acted without having obtained Authority from Universities of Oxford or Cambridge.
3. Short Title.

Grand Juries. See *Boundary Survey (Ireland). Dublin. Treasurers of Counties.*

Grants of Lands.

18 & 19 Vict. c. 39.—An Act to facilitate Grants of Land and Tenements for Purpose of Religious Worship and other Purposes connected therewith. Page 578
§ 1. Interpretation of Terms.
2. Short Title.
3. Power to make Leases of Land of not more than Five Acres for Religious Purposes.
4. In Cases of Disability of Parties, Guardians, &c. may make Leases.
5. Forms of Leases under this Act.
6. Provisions as to Leases made previous to the Act.
7. Rent reserved in any Lease to be the best improved Rent.

§ 8. Conditions, &c. of Leases to be specified.
9. Reserved Rent and Covenants of Lease to enure to proper Owner.
10. Lease to be by Indenture.
11. Lease to be binding on Lessor, his Heirs and Successors in Estate.
12. Informality in Proceedings not to affect the Lease.
13. Lease in virtue of Power valid, though not expressed.

Grants for Schools. See *Education.*

Gun Barrels.

18 & 19 Vict. c. cxlviii.—An Act for ensuring the due Proof of Gun Barrels in England, and for other Purposes. Page 985

Recital of Charter of 14th March 1637, and of Acts 53 Geo. 3. c. 115. and 55 Geo. 3. c. 59.
§ 9. Recited Acts repealed.
10. General Saving of Rights.
11. Existing Scale of Proof to continue till 1st January 1856.
12. Birmingham Company to continue incorporated by the Name of Guardians of the Birmingham Proof House.
13 *et seq.* Provisions and Regulations as to Transaction of Business by the Company.

H.

Haileybury College.

18 & 19 Vict. c. 53.—An Act to relieve the East India Company from the Obligation to maintain the College at Haileybury. Page 592

§ 1. College to be discontinued.
2. No Student to be admitted after 25th Jan. 1856.
3. Students certified at the last Examination in 1857 to be qualified may be admitted to the Service of the Company.
4. Commissioners to determine Questions of Priority of Rank.
5. Power to Company to sell College, &c.
6. As to Compensations to Officers, &c.

Harbours See *Holyhead Harbours.*

Haworth. See *Public Health.*

Health, Public. See *Public Health.*

Hempen Manufactures. See *Linen, &c. Manufactures (Ireland).*

Heritable Securities (Scotland).

17 & 18 Vict. c. 62.—An Act to extend the Benefits of Two Acts of Her Majesty relating to the Constitution, Transmission, and Extinction of Heritable Securities in Scotland. Page 125

§ 1. Provisions of 8 & 9 Vict. c. 31. and 10 & 11 Vict. c. 50. to apply to all Heritable Securities, as well as to Bonds and Dispositions in Security.
2. Assignations, &c. may be registered for Preservation.
3. Unregistered Assignation to be available to Heir of Grantee. 8 & 9 Vict. c. 35.
4. Existing Forms of Security still to be competent.

Heritages, Valuation of. See *Valuation (Scotland).*

High Court of Admiralty. See *Admiralty Court.*

High Court of Chancery. See *Chancery.*

High Treason (Ireland).

17 & 18 Vict. c. 26.—An Act to assimilate the Law and Practice existing in Cases of High Treason in Ireland to the Law and Practice existing in Cases of High Treason in England. Page 59

[*Provisions of 7 Anne, c. 21. extended to Ireland.*]

Highways and Highway Rates.

17 & 18 Vict. c. 7.—An Act for extending the Time limited for putting into execution the Act [14 & 15 Vict. c. 16.] for the better Management and Control of Highways in South Wales. Page 20

§ 1. County Roads Boards shall, at First Meeting after the passing of this Act, proceed to put the recited Act into execution.

17 & 18 Vict. c. 52.—An Act to continue an Act [4 & 5 Vict. c. 59.] for authorizing the Application of Highway Rates to Turnpike Roads. Page 103

§ 1. Recited Act continued to 1st October 1860.

17 & 18 Vict. c. 69.—An Act to indemnify Local Boards of Health as regards rating for the Repair of Highways, under the Public Health Act, 1848. [11 & 12 Vict. c. 63.] Page 129

§ 1. Highway Rate not to be deemed invalid.
2. Short Title.

Holyhead Harbours.

17 & 18 Vict. c. 44.—An Act for regulating and maintaining the Harbours of Holyhead, and for vesting them in the Admiralty. Page 86

§ 1. Harbours at Holyhead, and all Docks, &c. belonging thereto, vested in the Admiralty.
2. Power to Admiralty to demand Tonnage Rates for Vessels, &c. as herein mentioned. Vessels using Her Majesty's Steam Tugs to pay such Sums as the Admiralty shall appoint.
3. Certain Clauses of Harbours, Docks, and Piers Clauses Act (10 & 11 Vict. c. 27.) incorporated with this Act.
4. As to Clauses of 10 & 11 Vict. c. 27. incorporated.
5. Application of Rates.
6. Admiralty may appoint Harbour Master and other Officers for the Harbour of Refuge.

§ 7. Certain Sections of 4 Geo. 4. c. 74. extended to the Harbour of Refuge. How Penalties may be recovered. Application of Penalties.
8. As to Removal of Wrecks, &c.
9. Ships, &c. laid by or neglected within the Harbours, to be removed at Expense of Owners, &c. Proceedings in case Owners, &c. neglect or refuse Payment.
10. Section 2. of 14 Vict. c. 111. repealed, and other Provisions made in lieu thereof.
11. Works constructed, &c. without Consent of Admiralty may be abated, &c. at Expense of Parties acting without such Consent.
12. Works abandoned may be removed by Admiralty, at Expense of Parties, &c.
13. Section 44. of 4 Geo. 4. c. 74., as to Rates for Graving Docks, repealed.
14. Treasury may order Compensation to Harbour Officers.
15. Powers of the Admiralty may be exercised by Two or more of the Commissioners.

House of Commons.

18 & 19 Vict. c. 10.—An Act to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons. Page 522

§ 1. Recital of 6 Anne, c. 7., 22 Geo. 3. c. 82., and 15 Geo. 2. c. 22. Power to any Three of the Principal Secretaries and any Three of the Under Secretaries of State to sit in the House of Commons.

18 & 19 Vict. c. 33.—An Act to prevent Doubts as to the Validity of certain Proceedings in the House of Commons. Page 573

§ 1. Removing Doubts as to Validity of Proceedings in the House of Commons during the Absence of the Speaker.

18 & 19 Vict. c. 84.—An Act to provide for the Performance of certain Duties of the Speaker during his temporary Absence from the House of Commons. Page 685

§ 1. Acts done, &c. by Deputy Speaker during Absence of Speaker valid.
2. Deputy Speaker not to appoint to any Office.
3. Nothing herein to affect Election of Speaker, &c.

See also *Bribery. Parliamentary Representation. Returning Officers.*

House Drainage. See *Metropolitan Sewers.*

Huddersfield Burial Ground.

18 & 19 Vict. c. 89.—An Act to amend the Provisions of the Huddersfield Burial Ground Act, 1852. Page 697

§ 1. Section 16. of 15 & 16 Vict. c. 41. repealed.
2. Expenses of Act how to be paid.

I.

Illicit Distillation. See *Sale of Spirits (Ireland).*

Improvement of Towns. See *Towns Improvement (Ireland).*

Inclosure of Lands.

17 & 18 Vict. c. 97.—An Act to amend and extend the Acts for the Inclosure, Exchange, and Improvement of Land. Page 208

§ 1. Lands subject to be inclosed may be exchanged pending Inclosure Proceedings.
2. Undivided Shares may be exchanged.
3. Land to include incorporeal Hereditaments.
4. Lessee the "Person interested" in certain Cases.
5. Orders of Exchange, Partition, and Division may be made, upon Application of Parties in possession under an Agreement.
6. Extending Time for Application for Conversion of Land to be inclosed into a regulated Pasture.
7. Extending Time for Enrolment of Awards under Common Fields Act or Local Act.
8. Tenure of Allotments in respect of Rights.
9. Fencing and making Roads dispensed with, in certain Cases.
10. Apportionment of Fee-farm Rents, &c.
11. Order of Apportionment; Order to determine Boundaries.
12. Confirmation of Order.
13. Recovery of apportioned Amounts.
14. Expenses attending Apportionment.
15. Application of Compensation for Common Rights paid under "Lands Clauses Consolidation Act, 1845."
16. Money to be paid into Bank of England.
17. Interests to be ascertained by Commissioners.
18. As to the Payment of Costs of Inclosure Commissioners, and as to the Residue of Monies.
19. Compensation for limited Interests to be paid to Trustees.
20. As to Sums payable in respect of Lands not exceeding 20*l.*
21. Act deemed Part of "The Acts for the Inclosure, &c. of Land."

17 & 18 Vict. c. 9. and 18 & 19 Vict. c. 14.—An Act to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales. Pages 22. 538

[*The Lands authorized to be inclosed are set out in the Schedules.*]

17 & 18 Vict. c. 48. and 18 & 19 Vict. c. 61.—An Act to authorize the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales. Pages 96. 631

[*The Lands authorized to be inclosed are set out in the Schedules.*]

18 & 19 Vict. c. 52.—An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. Page 592

§ 1. Powers of Appointment of Commissioners, &c., under 14 & 15 Vict. c. 53., continued.

Income Tax.

17 & 18 Vict. c. 10.—An Act for granting to Her Majesty additional Duties on Profits arising from Property, Professions, Trades, and Offices. Page 22

§ 1. Additional Duties of One Moiety of the Duties charged by 16 & 17 Vict. c. 34. to be charged on Property, &c. for the Year commencing on 6th April 1854.

2. Duties to be assessed and raised under the Provisions of 16 & 17 Vict. c. 34. and the Acts therein referred to.

17 & 18 Vict. c. 24.—An Act for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices. Page 56

§ 1. Increased Rate of Income Tax (1*s.* 2*d.* in the Pound) to be charged from 5th April 1854, in lieu of existing Rates.

2. Duty to be assessed and raised under the Provisions of 16 & 17 Vict. c. 34. and the Acts therein referred to.

3. Interest on Exchequer Bills, how to be charged.

4. All Relief, Abatement, and Deduction, to be proportionate to the increased Rate of Duty granted by this Act.

5. Copies of Poor Rates in Ireland to be transmitted to the Commissioners of Inland Revenue only when required by them.

6. Act to commence on 5th April 1854, and to continue during the present War.

7. Act to continue in force for Recovery of Arrears of Duty, &c.

18 & 19 Vict. c. 20.—An Act for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices. Page 549

§ 1. Additional Rate of 2*d.* in the Pound on Income Tax to be charged from 5th April 1855.

2. All Relief, Abatement, and Deduction to be proportionate to the increased Rate of Duty granted by this Act.

3. Duty to be assessed and raised under the Provisions of recited Acts.

4. Continuance of Duties during the present War.

5. Continuance of Act for Recovery of Arrears of Duty, &c.

17 & 18 Vict. c. 85.—An Act for better securing the collecting and accounting for the Land Tax, Assessed Taxes, and Income Tax by the Collectors thereof. Page 178

§ 1. Commissioners of Inland Revenue may require Security to be given by Collectors of Taxes.

2. In default of Security being given, Commissioners of Inland Revenue may appoint Collectors.

§ 3. Security to be by Bond to Her Majesty, with Sureties approved by Commissioners of Inland Revenue.

4. Duplicates of Assessments to be delivered to Collectors appointed by Commissioners of Inland Revenue.

5. Parishes not to be answerable for the Default of Collectors appointed by Commissioners of Inland Revenue.

6. Commissioners of Inland Revenue may provide Books of printed Forms of Receipts and Counterfoils to be used by Collectors of Taxes.

7. Collectors to give Receipts for Taxes on the proper printed Forms, and to fill up Counterfoils. Penalty for Refusal or Neglect.

17 & 18 Vict. c. 1.—An Act to explain and amend an Act [16 & 17 Vict. c. 90.] relating to the Duties of Assessed Taxes; and to authorize Justices of the Peace in Ireland to administer Oaths required in Matters relating to Income Tax. Page 1

§ 5. Justices of the Peace in Ireland may administer Oaths required by the Acts relating to the Income Tax.

17 & 18 Vict. c. 40.—An Act to continue an Act [16 & 17 Vict. c. 91.] for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives. Page 84

§ 1. Recited Act continued till 5th July 1855. [*See next Act.*]

18 & 19 Vict. c. 35.—An Act to continue the Act [16 & 17 Vict. c. 91.] for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives. Page 574

§ 1. Persons having made Insurances with Friendly Societies to be entitled to Benefits of 16 & 17 Vict. c. 91., 17 & 18 Vict. c. 40.

2. Provisions of 16 & 17 Vict. c. 91. to continue in force until 5th July 1856, and to be applicable to Duties granted by 17 & 18 Vict. c. 24. and 18 & 19 Vict. c. 20.

Incorporation of Brighton.

18 & 19 Vict. c. 31.—An Act to confirm the Incorporation of Brighton. Page 563

§ 1. Charter confirmed.

2. Mayor to be the Returning Officer.

Incumbered Estates (Ireland).

18 & 19 Vict. c. 73.—An Act to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in Ireland. Page 668

§ 1. Period for Application for Sale extended to Three Years from 28th July 1853.

Incumbered Estates (West Indies).

17 & 18 Vict. c. 117.—An Act to facilitate the Sale and Transfer of Incumbered Estates in the West Indies. Page 415

§ 1. Short Title of Act.

2. How Act to come into operation.

§ 3. Interpretation of certain Terms in this Act.
4. Three Commissioners to be appointed under Sign Manual.
5. Style of Commissioners.
6. Residence of Commissioners.
7. Power to appoint Local Commissioners.
8. Commissioners to have a Common Seal.
9. Power to appoint and remove Secretary, Clerks, &c.
10. Duration of Office and Powers of Commissioners.
11. Commissioners incapable of sitting in Parliament.
12. Salaries of Commissioners, &c., and out of what Funds paid.
13. Power of Commissioners to fix Scale of Fees.
14. Expenses of Act how provided for.
15. Oath of Commissioners.
16. Publication of Appointment of Commissioners.
17. Commissioners to be a Court of Record.
18. Powers of Commissioners, by whom to be exercised.
19. Commissioners to frame and promulgate Forms of Application, &c.
20. Commissioners to make General Rules for regulating Proceedings under this Act.
21. Rules to be laid before Privy Council.
22. Power to Commissioners to summon Witnesses, &c. and examine upon Oath.
23. Power to Commissioners to proceed upon Affidavits, and to appoint Persons to take Affidavits and Examinations.
24. Power of Commissioners to direct Trials and Issues of Fact.
25. Power of Commissioners to enforce Orders.
26. Power of Commissioners to sell Land in Colonies, upon Application of the Incumbrancer.
27. No Application to be entertained unless Cost of any previous Application paid.
28. Application to be made by legal or beneficial Owners.
29. When Incumbrance subject to Limitations, the First Person entitled, &c. to make Application.
30. Form of Application, and to whom to be made.
31. Duty of Commissioners on Application for Sale.
32. Restrictions on Sale.
33. Regard to be had to yearly Tenancies and other temporary Interests.
34. Power to sell, subject to annual Sums, and also to Incumbrances, in certain Cases.
35. Sale by Commissioners.
36. Saving of certain Rights.
37. Payment of Purchase Money.
38. Effect of Conveyance.
39. Commissioners may order Delivery of Counterparts of Deeds, &c. and Possession to Purchaser.
40. Where an Incumbrancer purchases, Commissioners may authorize Payment into the Bank of Balance of Purchase Money, after retaining Amount of Incumbrance.
41. Application of Purchase Money.
42. Application of Money where Owner not absolutely entitled.
43. Appointment of new Trustees.
44. Provision where a Part only of Land subject to an Incumbrance is sold.
45. Provision for setting aside Monies to meet Incumbrances.
46. No Payment, not being in full, to affect Right of Incumbrancer for Balance, and no Payment in respect of any Incumbrance to impair Remedy over.
§ 47. Purchase Money may be invested.
48. Power to Commissioners to order Money to be paid into Court of Chancery.
49. Lands included in different Applications and different Interests in the same Land may be included in the same Sale.
50. Provision for Persons under Disability.
51. Proceedings not to abate by Death, &c.
52. Costs.
53. Sales under this Act may be made notwithstanding Proceedings in any other Court.
54. After Order by Commissioners for Sale, Proceedings for a Sale under Decree to be stayed, and no Suit, &c. to be commenced without Leave of Commissioners, pending Proceedings under this Act.
55. On Application for Sale of an undivided Share, or after Sale, Commissioners may, on Application of Party interested, and giving Notices and hearing Parties, make Order for Partition.
56. On Application for Sale or after Sale, Commissioners, on Application of Party interested, and with Consent, may make Order for Exchange.
57. Partition may be made of Land where Shares are not subject to be sold under this Act.
58. Exchanges may be made of Lands not subject to be sold under this Act.
59. Division of intermixed Lands not subject to be sold under this Act.
60. Notices of Partitions, Exchanges, and Divisions to be given.
61. Conveyance, Assignment, and Orders for Partition, Exchange, or Division and Allotment, conclusive.
62. Proceedings before Commissioners not to be restrained by Injunction, &c.
63. Commissioners not to be liable in respect of Acts done bonâ fide.
64. Penalty for false swearing.
65. Orders may be reviewed by Commissioners; and Appeal to Privy Council.
66. Power of Commissioners to make Alteration.
67. Orders to be submitted to Legislature of Colony, and confirmed by Queen in Council.
68. Order may be altered.
69. Act how to come into operation.

Indemnity.

17 & 18 Vict. c. 39. and 18 & 19 Vict. c. 49.—An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. Pages 82. 591

See also *Highways. Militia. Vice-Admiralty Court (Mauritius).*

India. See *East Indies. West Indies.*

Industrial and Provident Societies.

17 & 18 Vict. c. 25.—An Act to amend the Industrial and Provident Societies Act, 1852 [15 & 16 Vict. c. 31.] Page 58
§ 1. Suits to be carried on in the Name of One of the Officers of any Society to be appointed for that Purpose.

§ 2. Officers to be appointed to sue and be sued on behalf of Society, and their Names, &c. to be returned to Registrar of Friendly Societies. Form of Return. In default of Appointment, Trustees of Society may appoint such Officers, and make Returns.
3. Returns to be certified, and Certificates to be Evidence.
4. Proceedings commenced in Name of Officer not to be abated by his Death, &c. or by Change of Members of Society.
5. Effect of Judgments, &c. against the Society.
6. Bankruptcy, &c. of Officer not to affect Liability of Society.
7. Service of Process on Society.
8. Dissolution of Society not to prevent winding up of its Affairs.
9. Suits pending against Trustees to be carried on against Officers appointed as aforesaid.
10. Provisions of Friendly Societies Act incapacitating Trustees from suing, till they shall have made to the Registrar a Financial Statement of Society's Affairs, not to apply.

18 & 19 Vict. c. 63.—An Act to consolidate and amend the Law relating to Friendly Societies. Page 633

§ 48. This Act to apply to Societies constituted under the Industrial and Provident Societies Act, 1852.

See further, *Friendly Societies.*

Industrial Schools. See *Youthful Offenders.*

Infants Marriage.

18 & 19 Vict. c. 43.—An Act to enable Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. Page 583

§ 1. Infants may, with the Approbation of the Court of Chancery, make valid Settlements or Contracts for Settlements of their Real and Personal Estate upon Marriage.
2. In case Infant die under Age, Appointment, &c. void.
3. The Sanction of the Court of Chancery to be given upon Petition.
4. Not to apply to Males under 20, or Females under 17 Years of Age.

Inland Revenue. See *Assessed Taxes. Excise. Land Tax. Stage Carriage Duties. Stamps.*

Institutions. See *Literary and Scientific Institutions. Public Libraries and Museums.*

Insurance on Lives (Abatement of Income Tax).

17 & 18 Vict. c. 40.—An Act to continue an Act [16 & 17 Vict. c. 91.] for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives. Page 84

§ 1. Recited Act continued till 5th July 1855. [*See next Act.*]

18 & 19 Vict. c. 35.—An Act to continue the Act for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives. Page 574

§ 1. Persons having made Insurances with Friendly Societies to be entitled to Benefits of 16 & 17 Vict. c. 91. and 17 & 18 Vict. c. 40.
2. Provisions of 16 & 17 Vict. c. 91. to continue in force until 5th July 1856, and be applicable to Duties granted by 17 & 18 Vict. c. 24. and 18 & 19 Vict. c. 20.

Intestacy (Scotland).

18 & 19 Vict. c. 23.—An Act to alter in certain respects the Law of Intestate Moveable Succession in Scotland. Page 557

§ 1. The Issue of a predeceasing Next of Kin shall come in the Place of their Parent in the Succession to an Intestate.
2. Issue of predeceasing Heir succeeding to the Intestate's Heritage may collate, but other Issue not excluded by his not collating from claiming out of Moveable Estate, Difference between Value of Heritage and Share their Parent would have taken on Collation.
3. Father to succeed to Extent of One Half when no Issue.
4. Where Father has predeceased, Mother to succeed to Extent of One Third.
5. Succession by Brothers and Sisters uterine.
6. On a Wife predeceasing her Husband her Representatives to have no Claim on the Goods in Communion.
7. Not to affect Rights of Spouses on Dissolution of Marriage in certain Cases.
8. Part of Act of Parliament of Scotland, 1617. c. 14. concerning Executors repealed.
9. Interpretation of Terms.

Inverness Bridge.

18 & 19 Vict. c. 113.—An Act to extend the Provisions of an Act [14 & 15 Vict. c. 66.] for rebuilding the Bridge over the River Ness at Inverness. Page 790

§ 1. Application of Monies provided by Parliament.
2. Treasury authorized to advance 3,000*l.* by way of Loan.
3. Sums advanced under this Act to be repaid, with Interest, from the County Allotments. Provisions of 14 & 15 Vict. c. 66. concerning former Loan extended to the Loan to be advanced under this Act.

Ireland. For Acts relating specially to Ireland see the following Heads:—

Boundary Survey.
Common Law Procedure.
Convict Prisons.
Crime and Outrage.
Dublin.
Ecclesiastical Property.
Education.
Endowed Schools.
Exchequer (Court of).
Friendly Societies.
Grand Juries.

Grants of Lands.
High Treason.
Income Tax.
Incumbered Estates.
Land Revenues, &c.
Linen, &c. Manufactures.
Lunatics, &c.
Mayo County Advances.
Midland Great Western Railway of Ireland.
Militia.
Ministers Money.
National Gallery (Dublin).
Navigation Works.
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Public Houses.
Public Libraries and Museums.
Registration of Bills of Sale.
Savings Banks.
Spirits, Sale of.
Towns Improvement.
Trinity College.
Turnpike Roads and Trusts.
Valuation.

Isle of Man. See *Customs.*

J.

Jamaica Loan.

17 & 18 Vict. c. 54.—An Act to guarantee the Liquidation of a Loan or Loans for the Service of the Colony of Jamaica. Page 114

§ 1. Sums borrowed under certain Jamaica Acts (8 Vict. c. 16. and 17 Vict.) not exceeding 500,000*l.*, and Interest guaranteed.
2. Advances out of Consolidated Fund of United Kingdom to be charged on Revenues of Jamaica.
3. No Act of Jamaica varying the Security on the Revenues of Jamaica to be valid until confirmed by Her Majesty in Council.
4. Certificate of Amount paid out of Consolidated Fund to be sent to Jamaica.
5. Accounts to be laid before Parliament.

Joint Stock Banks (Scotland).

17 & 18 Vict. c. 73.—An Act to amend the Acts for the Regulation of Joint Stock Banks in Scotland. Page 133

Recital of 7 & 8 Vict. c. 113. and 9 & 10 Vict. c. 75.
§ 1. Right of Retention or Lien over Shares of Partners not to be affected.
2. The Company to sell Shares acquired in virtue of Right of Lien.
3. Provision to be made as to signing Bills and Notes.

Joint Stock Companies. See *Limited Liability.*

Judgments. See *Purchasers Protection.*

Juries. See *Common Law Procedure. Trials by Jury.*

Jurisdiction, Criminal. See *Criminal Justice.*

Jurisdiction, Ecclesiastical. See *Ecclesiastical Jurisdiction.*

Jurisdiction of the Stannary Court. See *Stannary Court.*

Justice, Administration of. See *Administration of Justice.*

Justices of the Peace.

17 & 18 Vict. c. 1.—An Act to explain and amend an Act [16 & 17 Vict. c. 90.] relating to the Duties of Assessed Taxes; and to authorize Justices of the Peace in Ireland to administer Oaths required in Matters relating to Income Tax. Page 1

§ 5. Justices of the Peace in Ireland may administer Oaths required by the Acts relating to the Income Tax.

See also *Sale of Spirits (Ireland). Salford Borough and Manchester Division. Towns Improvement (Ireland).*

Juvenile Offenders. See *Youthful Offenders.*

K.

Keighley. See *Public Health.*

Keyham. See *Devonport and Keyham Tunnel.*

Kinnegad and Athlone Road. See *Dublin.*

L.

Labouring Classes. See *Dwellings for Labouring Classes.*

Lading, Bills of.

18 & 19 Vict. c. 111.—An Act to amend the Law relating to Bills of Lading. Page 790

§ 1. Rights under Bills of Lading to vest in Consignee or Endorsee.
2. Not to affect Right of Stoppage in transitu or Claims for Freight.
3. Bill of Lading in Hands of Consignee, &c. conclusive Evidence of the Shipment as against Master, &c. Proviso for Exoneration of Master.

Lady Raglan. See *Raglan (Lady) and Lord Raglan's Annuities.*

Lancaster, County Palatine of.

18 & 19 Vict. c. 45.—An Act for further assimilating the Practice in the County Palatine of Lancaster to that of other Counties with respect to the Trial of Issues from the Superior Courts at Westminster. Page 585

§ 1. Her Majesty may issue Commissions to Chief Justice of Common Pleas in the County Palatine of Lancaster, &c. authorizing them to take all the Assizes, Juries, &c. in the said County in like Manner as in other Counties.

17 & 18 Vict. c. 82.—An Act further to improve the Administration of Justice in the Court of Chancery of the County Palatine of Lancaster. Page 167

§ 1. Formation of Court of Appeal in Chancery of the County Palatine.
2. Powers, &c. of Court of Appeal may be exercised by Lords Justices, &c. Saving Rights of the Chancellor sitting alone.
3. Decrees, &c. of the Court of Appeal may be appealed from to the House of Lords.
4. Decision of the Majority to be binding, and if Court equally divided Decree to be affirmed.
5. Court of Appeal to make Regulations for Sittings and Business of the Court, and Officers now attendant on the Chancellor in Matters of Appeal to be the Officers of the Court of Appeal.
6. Powers given by the 13 & 14 Vict. c. 43. to the Chancellor, with the Advice and Consent of the Vice-Chancellor of the County Palatine and One of the Vice-Chancellors of the High Court of Chancery, to be exercised with the Advice and Consent of the Lords Justices of Appeal in Chancery and the Vice-Chancellor of the County Palatine.
7. Court of Appeal may make Orders for the Protection of Wards or other Persons entitled to the Protection of the Court of Chancery of the County Palatine, and for Punishment of Contempt of Court, to have the Effect of Orders of the High Court of Chancery.
8. In Cases where Parties are out of the Jurisdiction, Court of Appeal may either direct the Cause or Matter to be transferred to the High Court of Chancery, or Service to be effected out of the Jurisdiction.
9. Suits transferred to be proceeded with according to the Practice of the Court of Chancery, &c.
10. Provisions of 13 & 14 Vict. c. 43. as to enforcing Decrees, &c. of Court of Chancery to apply to Court of Appeal.
11. All the Powers and Authorities of the Trustee Act, 1850, and the 15 & 16 Vict. c. 55. (Trustee Act) shall extend to Lands and Personal Property in the County Palatine.
12. Powers of Court of Chancery to deal with Property of Infants, &c., and in the Administration of Assets to be exercised by Palatine Court.
13. Monies payable under 13 & 14 Vict. c. 43. s. 12. into the Bank of England may be paid into Branch Bank within the County Palatine.
14. Provision as to Costs and Appeal.
15. Short Titles.

See also *Common Law Procedure. Purchasers Protection against Judgments.*

Lancaster, Duchy of.

18 & 19 Vict. c. 58.—An Act to better enable the Chancellor and Council of the Duchy of Lancaster to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy of Lancaster. Page 628

§ 1. Chancellor and Council of Duchy of Lancaster enabled to sell and convey Land.
2. Purchase Monies for Land sold to be paid to Receiver General of Duchy, and invested or applied as herein mentioned.
3. Power to Chancellor to contract and agree for Purchase of Land, and convey the same to the Use of Her Majesty.
4. 8 & 9 Vict. c. 18. incorporated.
5. Short Title.

Land Revenues of the Crown (Ireland).

17 & 18 Vict. c. 68.—An Act to provide for the Application of certain Stock purchased with Monies which arose from the Sale of Part of the Land Revenues of the Crown in Ireland. Page 129

§ 1. Stock purchased with Monies arising from Sales of Crown Estates in Ireland under 3 Geo. 4. c. 63. to be applicable to same Purposes as Monies arising from Sales in Ireland under 10 Geo. 4. c. 50.

Land Tax.

17 & 18 Vict. c. 85.—An Act for better securing the collecting and accounting for the Land Tax, Assessed Taxes, and Income Tax by the Collectors thereof. Page 178

§ 1. Commissioners of Inland Revenue may require Security to be given by Collectors of Taxes.
2. In default of Security being given, Commissioners of Inland Revenue may appoint Collectors.
3. Security to be by Bond to Her Majesty, with Sureties approved by Commissioners of Inland Revenue.
4. Duplicates of Assessments to be delivered to Collectors appointed by Commissioners of Inland Revenue.
5. Parishes not to be answerable for the Default of Collectors appointed by Commissioners of Inland Revenue.
6. Commissioners of Inland Revenue may provide Books of printed Forms of Receipts and Counterfoils to be used by Collectors of Taxes.
7. Collectors to give Receipts for Taxes on the proper printed Forms, and to fill up Counterfoils. Penalty for Refusal or Neglect.

Lands. See *Grants of Land. Inclosure of Lands. Valuation. Navigation Works (Ireland).*

Law Courts. See *Courts.*

Ledbury Prebend.

18 & 19 Vict. c. 92.—An Act for appropriating the Corps of the Prebend or Portion of Netherhall Ledbury in the Diocese and County of Hereford, and for consti-

tuting the Living of Ledbury a Rectory with Cure of Souls, and for augmenting the Endowments thereof. Page 702

§ 1. Parish and Parish Church of Ledbury to become a Rectory with Cure of Souls.
2. Tithe Rentcharge and other Emoluments of Vicarage to remain vested in the Rector for the Time being;
3. Also Lands and Tithe Rentcharge specified in Schedule; subject to Payment of 30*l.* per Annum to Minister of District of Wellington Heath in Ledbury.
4. Until Determination of Lease, Ecclesiastical Commissioners to pay annual Sum to the Rector; charged with the annual Payment of 30*l.*
5. Residue of Lands and Profits of Prebend or Portion of Netherhall to vest in Ecclesiastical Commissioners, and be held as Part of Common Fund under 3 & 4 Vict. c. 113.
6. Powers of Ecclesiastical Commissioners as Reversioners of Property in Lease.
7. Style of Act.

Legislative Council (Canada).

17 & 18 Vict. c. 118.—An Act to empower the Legislature of Canada to alter the Constitution of the Legislative Council for that Province, and for other Purposes. Page 424

Preamble recites 3 & 4 Vict. c. 35. for the Reunion of the Provinces, &c.
§ 1. Power to the Legislature of Canada to alter the Constitution of the Legislative Council.
2. Provisions of former Acts of Parliament to apply to the new Legislative Council.
3, 4. Power to the Legislature of Canada to vary the Provisions of the Act or Acts constituting the new Legislative Council; and to vary, &c. the Property Qualification of Members of Assembly.
5. Proviso in Section 26. of 3 & 4 Vict. c. 35. repealed.
6. Section 42. of 3 & 4 Vict. c. 35. repealed.
7. Interpretation of Terms.

Letters Patent. See *East Indies, &c.*

Libraries, Public. See *Public Libraries, &c.*

Licences. See *Public Houses. Sale of Beer.*

Life Annuities. See *Purchasers Protection against Judgments.*

Life Insurance. See *Friendly Societies. Insurance on Lives.*

Liffey River.

17 & 18 Vict. c. 22.—An Act to enable the Collector General of Dublin to levy Money to repay a certain Outlay by the Corporation for preserving and improving the Port of Dublin in and about repairing the Quay Wall of the River Liffey, and for future Repairs thereof, and for repairing and rebuilding Bridges over the said River. Page 53

§ 1. Certain Sums to be included by Town Clerk in Schedule of Applications previous to Michaelmas Term.
2. When Application fiated, the said Sum shall be applotted, &c. by Collector General, as defined by 6 & 7 Will. 4. c. 29.
3. Sum when collected to be paid into Bank.
4. Ballast Board to furnish Estimates for Repair of Quay Wall, and Levies to be made, if Estimates approved.
5. If Estimate not approved of, Application to be made to Court at Time of fiating Presentments.
6. Sums to be applotted and raised same as the Police Rate.
7. So much of 1 & 2 Vict. c. 36. as inconsistent with this Act, &c. repealed.
8. Parts of Acts herein recited to be incorporated.
9. Commencement of Act.

Lighthouses. See *Merchant Shipping.*

Lighting of Towns. See *Towns Improvement (Ireland).*

Limited Liability.

18 & 19 Vict. c. 133.—An Act for limiting the Liability of Members of certain Joint Stock Companies. Page 957

§ 1. Mode of obtaining Limited Liability by future Companies.
2. Mode of obtaining Limited Liability by Companies now or hereafter registered.
3. Mode of obtaining Limited Liability by existing Companies constituted under Private Acts of Parliament.
4. Regulations to be observed on Complete Registration with Limited Liability.
5. Penalties to be inflicted for Non-observance of such Regulations.
6. Every Increase in the nominal Capital to be registered, under a Penalty.
7. Members of certificated Companies to be free from personal Liability.
8. Effect of Execution against Company.
9. If Dividends be made and Corporation insolvent, each Director consenting thereto liable.
10. Notes of Shareholders not receivable in Payment of Calls; Liability of each Officer consenting to a Loan to Shareholders.
11. Rights of Creditors of existing Companies preserved.
12. Change in the Name of a Company under the Act not to affect the Rights of the Company or other Parties.
13. Companies to be dissolved and wound up when Three Fourths of the Capital lost.
14. Auditors to be appointed subject to Approval of Board of Trade.
15. Recovery of Penalties.
16. Act to be taken as Part of 7 & 8 Vict. c. 110.
17. Provisions of 7 & 8 Vict. c. 111., 11 & 12 Vict. c. 45., and 12 & 13 Vict. c. 108. to apply to this Act.
18. Act not to apply to Scotland.
19. Short Title.

Linen, &c. Manufactures (Ireland).

17 & 18 Vict. c. 46.—An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in Ireland. Page 96

§ 1. 5 & 6 Will. 4. c. 27., 3 & 4 Vict. c. 91., 5 & 6 Vict. c. 68., 7 & 8 Vict. c. 47., 13 & 14 Vict. c. 48., 15 & 16 Vict. c. 13., and 16 & 17 Vict. c. 103. further continued.

Lis pendens. See *Purchasers Protection against Judgments.*

Literary and Scientific Institutions.

17 & 18 Vict. c. 112.—An Act to afford greater Facilities for the Establishment of Institutions for the Promotion of Literature and Science and the Fine Arts, and to provide for their better Regulation. Page 406

§ 1. Lands to be used as Sites for Institutions, &c.
2. Chancellor and Council of the Duchy of Lancaster empowered to grant Lands for the Site of an Institution.
3. Officers of the Duchy of Cornwall empowered, upon sufficient Authority, to grant Land for the Site of an Institution.
4. If Lands cease to be used for the Purposes of the Act they shall revert.
5. Persons not having legal Estates empowered to convey Lands for the Purposes of this Act without the Concurrence of their Trustees.
6. Corporation, Justices, Trustees, &c. to convey Lands for the Purposes of this Act. 5 & 6 Will. 4. c. 69.
7. How such Parties may convey. 7 Geo. 4. c. 18.
8. Where Part only of Lands subject to a Rent under Lease is conveyed, the Rent and Fine upon Renewal of Lease may be apportioned.
9. Liabilities of Tenants, and Remedies of Landlords as to Lands not conveyed.
10. Any Number of Sites may be granted for separate Institutions.
11. Grants of Site may be made to Corporations or Trustees to be held for the Purposes of the Institution.
12. Incorporation of 13 & 14 Vict. c. 28.
13. Form of Grants, &c.
14. Death of Donor within Twelve Months not to invalidate Grant.
15. Mode of conveying the Lord's Interest and that of the Copyholder in Copyhold Land.
16. Application of Purchase Money for Land sold by any Ecclesiastical Corporation or Corporation Sole.
17. Certain Clauses of the 8 & 9 Vict. c. 18. rendered applicable to this Act.
18. Trustees may sell or exchange Lands or Buildings, or may let.
19. Trustees to be indemnified from Charges; in default thereof empowered to mortgage or sell the Premises.
20. Property of Institution, how to be vested.
21. How Suits by and against Institutions to be brought.
22. Suits not to abate or discontinue.
23. How Judgment to be enforced against.
§ 24. Institution may make Byelaw to be enforced.
25. Members liable to be sued as Strangers.
26. Members guilty of Offences punishable as Strangers.
27. Institutions enabled to alter, extend, or abridge their Purposes.
28. Power to Board of Trade to suspend such Alteration, if applied to by Two Fifths Dissentients.
29. Provision for the Dissolution of Institutions and Adjustment of their Affairs.
30. Upon a Dissolution, no Member to receive Profit. Proviso for Joint Stock Companies.
31. Who is a Member.
32. The governing Body defined.
33. To what Institutions the Act shall apply.
34. Parish defined.
35. Short Title of the Act.

Loans. See *Revenue, &c. Sardinia. Turkish Loan. West Indies.*

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Fowler's.—17 & 18 Vict. c. 8.	504
Green's.—17 & 18 Vict. c. 6.	504
Halford's.—18 & 19 Vict. c. 16.	1027
Hammond's.—18 & 19 Vict. c. 4.	1026
Handcock's.—18 & 19 Vict. c. 13.	1027
Harrington's (Earl of).—17 & 18 Vict. c. 25.	506
Harvist's.—18 & 19 Vict. c. 11.	1027
Hill's.—18 & 19 Vict. c. 1.	1026
Hoffe's.—18 & 19 Vict. c. 2.	1026
Hornyhold's.—17 & 18 Vict. c. 31.	507
Jenkins's.—17 & 18 Vict. c. 15.	505
Jenkins's.—18 & 19 Vict. c. 8.	1026
Landon's.—17 & 18 Vict. c. 11.	505
Legh's.—17 & 18 Vict. c. 38.	507
Livesey's.—18 & 19 Vict. c. 3.	1026
Livesey's (Blackburn).—18 & 19 Vict. c. 5.	1026
Marshall's Charity.—18 & 19 Vict. c. 15.	1027
Master's.—17 & 18 Vict. c. 3.	504
Merton College.—17 & 18 Vict. c. 17.	505
" " 18 & 19 Vict. c. 12.	1027
Millbank (Thornhill).—17 & 18 Vict. c. 22.	506
Mitford's.—17 & 18 Vict. c. 18.	505
Park's.—17 & 18 Vict. c. 32.	507
Peel's.—17 & 18 Vict. c. 30.	507
Petre's (Lord).—17 & 18 Vict. c. 33.	507
Saint Catherine's Parish (Dublin) School and Charity.—17 & 18 Vict. c. 23.	506
Saint John's College, Oxford.—18 & 19 Vict. c. 10.	1027
Sewell's.—17 & 18 Vict. c. 27.	506
Smith's Charity.—17 & 18 Vict. c. 4.	504
Stainforth's.—17 & 18 Vict. c. 20.	505
Staveley's.—17 & 18 Vict. c. 29.	506
Stirling's.—17 & 18 Vict. c. 21.	506
Stockport Rectory.—17 & 18 Vict. c. 24.	506
Thornhill's (Clara).—17 & 18 Vict. c. 5.	504
" (Millbank).—17 & 18 Vict. c. 22.	506
Ward's.—17 & 18 Vict. c. 13.	505
Wilkinson's.—17 & 18 Vict. c. 16.	505
Willoughby de Broke (Lord).—17 & 18 Vict. c. 26.	506
Woking Common.—17 & 18 Vict. c. 9.	504
Worsley's.—17 & 18 Vict. c. 37.	507
Wyndham's.—17 & 18 Vict. c. 7.	504

Class 8.—Fisheries.

Nil.

Class 9.—Gaslight Companies.

	Page
Accrington.—17 & 18 Vict. c. lxxxvii.	489
Beccles.—17 & 18 Vict. c. xcix.	490
Birmingham.—18 & 19 Vict. c. xlviii.	969
Bolton.—17 & 18 Vict. c. xx.	458
Brighton and Hove.—17 & 18 Vict. c. xlii.	466
Cardiff.—17 & 18 Vict. c. xxxiii.	460
Chesterfield.—18 & 19 Vict. c. xxix.	967
Dukinfield.—17 & 18 Vict. c. clvii.	496
Farnworth and Kearsley.—17 & 18 Vict. c. clxvii.	497
Glossop.—18 & 19 Vict. c. xv.	966
Halifax.—18 & 19 Vict. c. cxliv.	982
Hartlepool.—18 & 19 Vict. c. xlix.	969
Hastings and St. Leonard's.—17 & 18 Vict. c. vi.	457
Hyde.—18 & 19 Vict. c. lxiv.	971
Imperial.—17 & 18 Vict. c. lv.	467
Kilmarnock.—18 & 19 Vict. c. lv.	970
Kingston-upon-Thames.—17 & 18 Vict. c. lxxviii.	474
Lancaster.—18 & 19 Vict. c. xlii.	968
Leeds.—17 & 18 Vict. c. iv.	457
Middleton.—17 & 18 Vict. c. i.	457
Newcastle-under-Lyme.—18 & 19 Vict. c. lxxvii.	973
Newport.—18 & 19 Vict. c. lxxx.	973
Oldham.—18 & 19 Vict. c. xlvii.	969
Ossett.—18 & 19 Vict. c. ix.	965
Over Darwen.—18 & 19 Vict. c. xliii.	969
Plymouth and Stonehouse.—18 & 19 Vict. c. xxxv.	968
Pudsey.—18 & 19 Vict. c. i.	965
Radcliffe and Pilkington.—17 & 18 Vict. c. iii.	457
Ramsbottom.—17 & 18 Vict. c. xvii.	458
Ratcliff Gas Company Relief.—17 & 18 Vict. c. ccxiii.	502
Ratcliffe.—18 & 19 Vict. c. xii.	966
Rossendale Union.—17 & 18 Vict. c. xxvi.	459
Rotherham.—18 & 19 Vict. c. xxxii.	967
Sheffield.—18 & 19 Vict. c. xiv.	966
Sligo.—18 & 19 Vict. c. cxxxvii.	981
Stafford.—17 & 18 Vict. c. xxii.	459
Stalybridge.—18 & 19 Vict. c. viii.	965
Stourbridge.—18 & 19 Vict. c. xxxvii.	968
Surrey.—17 & 18 Vict. c. xciv. and 18 & 19 Vict. c. clxxxvi.	490, 1009
Taunton.—18 & 19 Vict. c. iv.	965

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Tormoham and Saint Mary Church.—17 & 18 Vict. c. cxcvii. - 500
Torquay, Tor, and Saint Mary Church.—18 & 19 Vict. c. cxxxv. - 981
Weston-super-Mare.—18 & 19 Vict. c. lxxxi. - 973
Woolwich Consumers Protective.—18 & 19 Vict. c. ii. 965
Woolwich Equitable.—18 & 19 Vict. c. xxvi. - 967

CLASS 10.—HARBOURS, DOCKS, PORTS, PIERS, QUAYS, &c.

Ayr Harbour.—18 & 19 Vict. c. cxix. - 979
Barrow Harbour.—18 & 19 Vict. c. clxx. - 1005
Belfast Harbour.—17 & 18 Vict. c. xlv. - 466
Birkenhead Docks.—17 & 18 Vict. c. cxcii. - 500
Birkenhead and Liverpool Docks (Trust Property of Birkenhead Dock Trustees, &c.)—18 & 19 Vict. c. clxxi. - 1005
Blyth Harbour and Docks.—17 & 18 Vict. c. xcii. - 490
Burry Port.—17 & 18 Vict. c. xxiii. - 459
Cape Town Railway and Dock.—18 & 19 Vict. c. cxl. 982
Carlisle and Silloth Bay Railway and Dock.—18 & 19 Vict. c. cliii. - 1003
Carmarthen and Cardigan Railway and Cardigan Harbour.—17 & 18 Vict. c. ccxviii. - 502
Dagenham Docks.—18 & 19 Vict. c. clxii. - 1004
Dundalk Harbour and Port.—18 & 19 Vict. c. clxxxix. 1010
Gateshead Quay.—18 & 19 Vict. c. cxliii. - 982
Hartlepool Pier and Port.—18 & 19 Vict. c. cxxvi. - 980
Kingston-upon-Hull Docks.—17 & 18 Vict. c. xiii. - 458
Liverpool Docks.—18 & 19 Vict. c. clxxiv. - 1008
Londonderry Port.—17 & 18 Vict. c. clxxvii. - 498
Newcastle-upon-Tyne Docks.—17 & 18 Vict. c. xxxiv. 460
Newport Dock.—17 & 18 Vict. c. clxxxv. - 499
North Shields Quays and Improvements.—17 & 18 Vict. c. cxcviii. - 500
Plymouth Great Western Docks.—18 & 19 Vict. c. xlvi. 969
Port Gordon Harbour.—17 & 18 Vict. c. xxv. - 459
Saint George's Harbour.—18 & 19 Vict. c. lii. - 970
Saint Mawes Port, Harbour, and Pier.—17 & 18 Vict. c. lvi. - 467
Stokes Bay Railway and Pier.—18 & 19 Vict. c. cxcii. 1010
Sunderland Dock.—18 & 19 Vict. c. cxxviii. - 980
Swansea Docks.—18 & 19 Vict. c. lviii. - 970
Swansea Harbour.—17 & 18 Vict. c. cxxvi. - 493
Weymouth and Melcombe Regis Market and Pier.—17 & 18 Vict. c. xxxv. - 460
Wisbech Port.—18 & 19 Vict. c. clx. - 1004

CLASS 11.—IMPROVEMENTS IN TOWNS.

Abergavenny Improvement.—17 & 18 Vict. c. xlix. 466
Airdrie Rural District Police.—18 & 19 Vict. c. clxxxv. - 1009
Bangor Markets and Public Institutions.—18 & 19 Vict. c. xxxi. - 967
Bethesda and Llanllechid Improvement.—17 & 18 Vict. c. cxi. - 492
Birmingham Improvement.—17 & 18 Vict. c. cxiii. - 492
Birmingham and Midland Institute.—17 & 18 Vict. c. xci. - 490
Blackburn Improvement.—17 & 18 Vict. c. clxxxiii. 499
Bolton Improvement.—17 & 18 Vict. c. clix. - 496
Brighton Improvement Commissioners and Municipal Corporation.—18 & 19 Vict. c. vi. - 965
Burnley Improvement.—17 & 18 Vict. c. lxvii. - 469
Darlington Local Board of Health.—17 & 18 Vict. c. clxxxi. - 499

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Edinburgh Police and Improvement.—17 & 18 Vict. c. cxviii. - 492
Folkestone Improvements.—18 & 19 Vict. c. cxlvii. - 985
Glasgow New Street.—17 & 18 Vict. c. lii. - 467
Gloucester Water and Local Board of Health.—18 & 19 Vict. c. lxxxix. - 974
Hereford Improvement.—17 & 18 Vict. c. xxxi. - 459
" " 18 & 19 Vict. c. clxxix. - 1008
Kingston-upon-Hull Improvement.—17 & 18 Vict. c. ci. - 491
Kingston-upon-Thames Improvement.—18 & 19 Vict. c. xlv. - 969
Lanark Police and Improvement.—17 & 18 Vict. c. civ. - 491
Leek Improvement.—18 & 19 Vict. c. cxxxii. - 981
Liverpool Improvement.—18 & 19 Vict. c. clv. - 1003
Liverpool Police Superannuation Fund.—17 & 18 Vict. c. xiv. - 458
Liverpool Sanitary and other Local Acts.—17 & 18 Vict. c. xv. - 458
Llandudno Improvement.—17 & 18 Vict. c. cii. - 491
Londonderry Improvement.—18 & 19 Vict. c. liv. - 970
Lowestoft Improvement.—17 & 18 Vict. c. clx. - 496
Manchester Court of Record.—17 & 18 Vict. c. lxxxiv. 475
Manchester Improvement.—17 & 18 Vict. c. xxviii. - 459
" " 18 & 19 Vict. c. xliv. - 969
Newcastle-upon-Tyne Improvement.—18 & 19 Vict. c. xcix. - 976
Newport Corporation.—18 & 19 Vict. c. xli. - 968
Newport Improvement.—17 & 18 Vict. c. lxxxi. - 475
Newton in Mackerfield Improvement.—18 & 19 Vict. c. c. - 976
North Shields Quays and Improvements.—17 & 18 Vict. c. cxcviii. - 500
Renfrew Police and Improvement.—18 & 19 Vict. c. lxxii. - 972
Ryde Improvement.—17 & 18 Vict. c. lxxxiii. - 475
Saint Helen's Improvement.—18 & 19 Vict. c. lxxiv. 972
Shrewsbury Improvement.—18 & 19 Vict. c. clxxviii. 1008
Surbiton Improvement.—18 & 19 Vict. c. xxxvi. - 968
Uxbridge Burgage Lands.—18 & 19 Vict. c. xxxix. - 968
Warrington Improvement and Market.—17 & 18 Vict. c. viii. - 457
Wellington (Salop) Improvement.—17 & 18 Vict. c. xl. 466
West Bromwich Improvement.—17 & 18 Vict. c. clxiii. 497
" " 18 & 19 Vict. c. cxxxviii. 981
West Hartlepool Improvement.—17 & 18 Vict. c. xli. 466
Westminster Improvements.—18 & 19 Vict. c. cxciii. 1010
Yeovil Improvement.—17 & 18 Vict. c. cxxv. - 493

CLASS 12.—INCLOSURES AND ALLOTMENTS.

Nil.

CLASS 13.—MARKETS AND FAIRS.

Bangor Markets and Public Institutions.—18 & 19 Vict. c. xxxi. - 967
Chesterfield Markets.—17 & 18 Vict. c. cxiv. - 492
Islington Cattle Market.—17 & 18 Vict. c. lxiii. - 468
Scarborough Market.—17 & 18 Vict. c. xix. - 458
Torquay Market and Slaughter-houses.—18 & 19 Vict. c. xxvii. - 967
Warrington Improvement and Market.—17 & 18 Vict. c. viii. - 457
Weymouth and Melcombe Regis Market and Pier.—17 & 18 Vict. c. xxxv. - 460

Class 14.—Parish Affairs.

	Page
Camden Town Cemetery.—17 & 18 Vict. c. cliv.	496
Oxford Poor Rate.—17 & 18 Vict. c. ccxix.	503
Saint Catherine's Parish (Dublin) School and Charity Estate.—17 & 18 Vict. c. 23.	506

Class 15.—Personal Affairs.

1. *Marriages, Dissolutions of.*

Caton's	17 & 18 Vict. c. 40.	Not printed.
Ewing's	18 & 19 Vict. c. 19.	
Hadow's	18 & 19 Vict. c. 21.	
Jones's	18 & 19 Vict. c. 22.	
Pedder's	18 & 19 Vict. c. 18.	
Stocker's	17 & 18 Vict. c. 41.	
Sumner's	18 & 19 Vict. c. 23.	
Wyndham's	18 & 19 Vict. c. 20.	

2. *Name, taking and using.*

Swinnerton's Name.—17 & 18 Vict. c. 1.		504

3. *Restorations of Dignities.*

Carnegie's	18 & 19 Vict. c. 17.	Not printed.
Lord Lovat's	17 & 18 Vict. c. 39.	

Class 16.—Railways.

	Page
Aberdare Valley.—18 & 19 Vict. c. cxx.	979
Abingdon.—18 & 19 Vict. c. lxix.	972
Ambergate, Nottingham, and Boston, and Eastern Junction.—17 & 18 Vict. c. cxxxviii.	494
Ambergate, Nottingham, and Boston, and Eastern Junction (Amendment of Acts).—17 & 18 Vict. c. clxxi.	498
Ambergate, Nottingham, and Boston, and Eastern Junction (Working Arrangements, &c.)—17 & 18 Vict. c. ccxiv.	502
Ardrossan and Glasgow and South-western.—17 & 18 Vict. c. clxxxii.	499
Ayr and Maybole Junction.—17 & 18 Vict. c. cxlvi.	495
Bagenalstown and Wexford.—17 & 18 Vict. c. cxxxvi.	494
Banff, Macduff, and Turriff.—18 & 19 Vict. c. lvii.	970
Bangor and Caernarvon.—17 & 18 Vict. c. clxviii.	497
Belfast and County Down.—18 & 19 Vict. c. xviii.	966
Blyth and Tyne.—17 & 18 Vict. c. lxxix.	474
Bognor.—18 & 19 Vict. c. cxiv.	978
Bombay, Baroda, and Central India.—18 & 19 Vict. c. cxiii.	978
Border Counties.—17 & 18 Vict. c. ccxii.	502
Bradford, Wakefield, and Leeds.—17 & 18 Vict. c. clx.	496
Bridport.—18 & 19 Vict. c. xi.	966
Bristol and Exeter.—18 & 19 Vict. c. lxiii.	971
Caledonian.—17 & 18 Vict. c. clxxxiv.	499
Caledonian (Lesmahagow Branches, &c.)—17 & 18 Vict. c. clvi.	496
Caledonian (Wishaw and Coltness).—17 & 18 Vict. c. clv.	496
Caledonian.—18 & 19 Vict. c. xcvi.	975
Cape Town Railway and Dock.—18 & 19 Vict. c. cxl.	982
Carlisle and Silloth Bay Railway and Dock.—18 & 19 Vict. c. cliii.	1003
Carmarthen and Cardigan Railway and Cardigan Harbour.—17 & 18 Vict. c. ccxviii.	502
Carmarthen and Cardigan.—18 & 19 Vict. c. cxxxi.	980
Caterham.—17 & 18 Vict. c. lxviii.	469
Colchester, Stour Valley, Sudbury, and Halstead.—18 & 19 Vict. c. xix.	966
Cork and Bandon.—17 & 18 Vict. c. xcvi.	490
Cork and Waterford.—17 & 18 Vict. c. ccvi.	501
Cork and Youghal.—18 & 19 Vict. c. ci.	976
Cornwall.—17 & 18 Vict. c. lxxxv.	489
„ 18 & 19 Vict. c. lix.	971
Cromford and High Peak.—18 & 19 Vict. c. lxxv.	972
Darlington and Barnard Castle.—17 & 18 Vict. c. cxv.	492
Dearness Valley.—18 & 19 Vict. c. clxxx.	1008
Derbyshire, Staffordshire, and Worcester Junction.—18 & 19 Vict. c. cxciv.	1014
Dowlais.—17 & 18 Vict. c. cxvi.	492
Dublin and Wicklow and Dublin and Kingstown Railways.—17 & 18 Vict. c. clxxv.	498
Dundalk and Blackrock.—18 & 19 Vict. c. lxxxviii.	974
Dundalk and Enniskillen.—18 & 19 Vict. c. cv.	977
Dundee and Perth and Aberdeen.—18 & 19 Vict. c. lvi.	970
Dursley and Midland.—18 & 19 Vict. c. xvii.	966
Eastern Counties (Purchase of Railways).—17 & 18 Vict. c. ccxx.	503
Eastern Counties (Station Enlargement).—17 & 18 Vict. c. cliii.	496
Eastern Union.—17 & 18 Vict. c. lxix.	469
East Indian.—18 & 19 Vict. c. xxxviii.	968
East Kent.—18 & 19 Vict. c. xciv.	975
„ (Extension to Dover).—18 & 19 Vict. c. clxxxvii.	1009
East Lancashire, Lancashire and Yorkshire, and Manchester and Southport Railways.—17 & 18 Vict. c. cxvii.	492
East of Fife.—18 & 19 Vict. c. clxv.	1004
East Suffolk.—17 & 18 Vict. c. cxix.	492
Edinburgh and Glasgow.—18 & 19 Vict. c. clviii.	1003
Exeter and Exmouth.—18 & 19 Vict. c. cxxii.	979
Fife and Kinross.—18 & 19 Vict. c. cxxvii.	980
Furness.—17 & 18 Vict. c. lxxvi.	474
„ 18 & 19 Vict. c. clxxiii.	1007
Glasgow and South-western.—18 & 19 Vict. c. xcvii.	975
Glasgow, Dumbarton, and Helensburgh.—18&19Vict. c. cxc.	1010
Great Indian Peninsular.—17 & 18 Vict. c. xliv.	466
Great Northern (Increase of Capital).—18 & 19 Vict. c. cxxiv.	979
Great North of Scotland.—17 & 18 Vict. c. clxxxvii.	499
„ „ 18 & 19 Vict. c. xxviii.	967
Great Western and Brentford.—18 & 19 Vict. c. cxci.	1010
Great Western (Berks and Hants).—17 & 18 Vict. c. ccii.	501
Great Western, Shrewsbury and Birmingham, and Shrewsbury and Chester Railways Companies Consolidation.—17 & 18 Vict. c. ccxxii.	503
Great Western (Station Accommodation).—17 & 18 Vict. c. cviii.	491
Hertford and Welwyn Junction.—17 & 18 Vict. c. cxxvii.	493
Horncastle and Kirkstead Junction.—17 & 18 Vict. c. cxliii.	495
Inverness and Nairn.—17 & 18 Vict. c. clxxvi.	498
Inverury and Old Meldrum.—18 & 19 Vict. c. lxv.	971
Jedburgh.—18 & 19 Vict. c. xxx.	967
Lancashire and Yorkshire (Liverpool Dock Branches).—17 & 18 Vict. c. lviii.	467
Lancashire and Yorkshire (Middleton Branch).—17 & 18 Vict. c. lix.	467
Leeds, Bradford, and Halifax Junction.—17 & 18 Vict. c. clxii.	496
Leeds, Bradford, and Halifax Junction.—18 & 19 Vict. c. xiii.	966
Leominster and Kington.—17 & 18 Vict. c. cxliv.	495

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Limerick and Castleconnell.—18 & 19 Vict. c. lxxvi. - 973
Limerick and Foynes.—18 & 19 Vict. c. lxxviii. - 973
Llynvi Valley and Bridgend.—18 & 19 Vict. c. i. - 965
London and Blackwall.—18 & 19 Vict. c. xc. - 974
London and Enniskillen.—17 & 18 Vict. c. cxxxv. - 494
London and North-western.—17 & 18 Vict. c. cci. - 501
London and South-western.—18 & 19 Vict. c. clxxxviii. - - - - - - 1009
London, Brighton, and South Coast.—17 & 18 Vict. c. lxi. - - - - - - 468
Londonderry and Coleraine.—18 & 19 Vict. c. clxvii. 1004
London, Tilbury, and Southend.—17 & 18 Vict. c. cxxxiii. - - - - - - 494
Luton, Dunstable, and Welwyn.—18 & 19 Vict. c. cxlvi. 985
Madras.—17 & 18 Vict. c. xxix. - - - 459
„ 18 & 19 Vict. c. xl. - - - 968
Mallow and Fermoy.—17 & 18 Vict. c. cxxii. - 493
Manchester, Sheffield, and Lincolnshire (Capital).—18 & 19 Vict. c. cxxix. - - - - - 980
Manchester, Sheffield, and Lincolnshire (Lincoln Branch, &c.)—18 & 19 Vict. c. xci. - - 974
Maryport and Carlisle.—18 & 19 Vict. c. lxxix. - 973
Metropolitan.—18 & 19 Vict. c. cii. - - - 976
Mid Kent and North Kent.—18 & 19 Vict. c. clxix. - 1004
Monmouthshire Railway and Canal.—18 & 19 Vict. c. x. 965
Newcastle-upon-Tyne and Carlisle.—17 & 18 Vict. c. lvii. - - - - - - 467
Newtown and Oswestry.—18 & 19 Vict. c. lxxxvi. - 974
Norfolk.—17 & 18 Vict. c. cxxx. - - - 493
North and South Western Junction.—17 & 18 Vict. c. cxli. - - - - - - - 494
North London.—17 & 18 Vict. c. lxxx. - - 474
North Metropolitan.—17 & 18 Vict. c. ccxxi. - 503
North Yorkshire and Cleveland.—17 & 18 Vict. c. cli. 495
„ „ 18 & 19 Vict. c. cxvi. 978
Oxford, Worcester, and Wolverhampton (Chipping Norton Branch).—17 & 18 Vict. c. ccix. - - 502
Oxford, Worcester, and Wolverhampton (Improvements and Branches).—18 & 19 Vict. c. clxxxi. - 1008
Oxford, Worcester, and Wolverhampton (Stratford-upon-Avon and Stourbridge Branches).—17 & 18 Vict. c. ccvii. - - - - 501
Perth and Dunkeld.—17 & 18 Vict. c. cxlviii. - 495
Portsmouth.—17 & 18 Vict. c. clxxxvi. - - 499
„ 18 & 19 Vict. c. clxxvii. - - 1008
Portsmouth and Direct London and Portsmouth.—17 & 18 Vict. c. ccviii. - - - - 501
Potteries, Biddulph, and Congleton.—17 & 18 Vict. c. cxciv. - - - - - - - 500
Rhymney.—17 & 18 Vict. c. cxciii. - - - 500
„ 18 & 19 Vict. c. cx. - - - 977
Salisbury and Yeovil.—17 & 18 Vict. c. ccxv. - 502
„ „ 18 & 19 Vict. c. lxii. - 971
Scinde.—18 & 19 Vict. c. cxv. - - - 978
Selkirk and Galashiels.—17 & 18 Vict. c. cxcix. - 500
Severn Valley.—18 & 19 Vict. c. clxxxiii. - - 1009
Shrewsbury and Chester.—17 & 18 Vict. c. cxx. - 492
Shrewsbury and Hereford.—17 & 18 Vict. c. clxxiv. 498
Shrewsbury and Hereford (Stations).—17 & 18 Vict. c. cxlix. - - - - - - - 495
Shropshire Union Railways and Canal.—17 & 18 Vict. c. clxxix. - - - - - - - 499
Somerset Central.—18 & 19 Vict. c. clxxxii. - 1009
South Devon.—17 & 18 Vict. c. cxxii. - - 493
South Devon and Tavistock.—17 & 18 Vict. c. clxxxix. 500
South-eastern (Capital).—18 & 19 Vict. c. xvi. - 966

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South Staffordshire.—18 & 19 Vict. c. clxxv. - 1008
„ „ 17 & 18 Vict. c. liii. - - 467
South Wales.—17 & 18 Vict. c. clviii. - - 496
South Wales Mineral.—18 & 19 Vict. c. xxiii. - 967
South Wales Railway Consolidation.—18 & 19 Vict. c. xcviii. - - - - - - - 976
Staines, Wokingham, and Woking (Alterations, &c.).—18 & 19 Vict. c. cxxxix. - - - 981
Stockport, Disley, and Whaley Bridge.—18 & 19 Vict. c. cxxx. - - - - - - - 980
Stockport, Disley, and Whaley Bridge.—17 & 18 Vict. c. cc. - - - - - - - 501
Stockton and Darlington.—17 & 18 Vict. c. cxxviii. - 493
„ „ 18 & 19 Vict. c. cxlix. - 1002
Stokes Bay Railway and Pier.—18 & 19 Vict. c. cxcii. 1010
Swansea Vale.—18 & 19 Vict. c. lx. - - - 971
Towy Vale.—17 & 18 Vict. c. cl. - - - 495
Tralee and Killarney.—17 & 18 Vict. c. cxlii. - 494
Ulster.—18 & 19 Vict. c. liii. - - - - 970
Vale of Neath.—18 & 19 Vict. c. xxv. - - 967
Waterford and Limerick.—18 & 19 Vict. c. lxxiii. - 972
Waveney Valley.—18 & 19 Vict. c. clvii. - - 1003
Wells and Fakenham.—17 & Vict. c. clxxx. - - 499
West London.—17 & 18 Vict. c. cciv. - - 501
West London and Crystal Palace (Bromley and Farnborough).—17 & 18 Vict. c. ccx. - - - 502
Westminster Terminus.—18 & 19 Vict. c. cxcviii. - 1025
„ „ 17 & 18 Vict. c. ccv. - 501
West Somerset Mineral.—18 & 19 Vict. c. cl. - 1003
Whitehaven, Cleaton, and Egremont.—17 & 18 Vict. c. lxiv. - - - - - - - 468
Whitehaven Junction.—17 & 18 Vict. c. xxiv. - 459
York, Newcastle, and Berwick (Construction of Docks, &c.)—17 & 18 Vict. c. clxiv. - - 497
York, Newcastle, and Berwick (Pontop and South Shields).—17 & 18 Vict. c. lxxiii. - - 474
York, Newcastle, and Berwick; York and North Midland; and Leeds Northern, Railways Companies Consolidation.—17 & 18 Vict. c. ccxi. - 502

Class 17.—Small Debts Courts and Courts of Conscience.

Nil.

Class 18.—Tithes.

Nil.

Class 19.—Trading and other Companies.

[*The Acts relating to Canals, Harbours, Docks, Piers, &c., Gasworks, Railways, and Waterworks, will be found under their respective Classes.*]

Amicable Society Assurance.—17 & 18 Vict. c. xii. - 458
British Guarantee Association.—17 & 18 Vict. c. ccxvi. 502
Colonial Life Assurance Company.—18 & 19 Vict. c. cxxv. - - - - - - - 979
Crystal Palace Company.—17 & 18 Vict. c. xciii. - 490
Doncaster Cemetery.—17 & 18 Vict. c. lxxxviii. - 489
Electric Telegraph Company.—18 & 19 Vict. c. cxxiii. 979
„ „ 17 & 18 Vict. c. cciii. - 501
England and Ireland, Improved Communication.—18 & 19 Vict. c. clxxii. - - - 1005
Great Northern London Cemetery.—18 & 19 Vict. c. clix. - - - - - - - 1003
Guild of Literature and Art.—17 & 18 Vict. c. liv. - 467

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Gun Barrel Proof Houses, Birmingham and London.—18 & 19 Vict. c. cxlviii.	985
Hull Cemetery.—17 & 18 Vict. c. c.	490
International Life Assurance Society.—18 & 19 Vict. c. cxvii.	978
Lands Improvement Company.—18 & 19 Vict. c. lxxxiv.	973
Law Life Assurance.—17 & 18 Vict. c. cxxxix.	494
London Life Association.—17 & 18 Vict. c. ii.	457
London Necropolis and National Mausoleum.—18 & 19 Vict. c. clxiii.	1004
Medical, Invalid, and General Life Assurance Society.—18 & 19 Vict. c. xxxiii.	968
National Insurance, &c. Investment Association.—17 & 18 Vict. c. xliii.	466
Norwich Equitable Fire Assurance Company.—17 & 18 Vict. c. vii.	457
Patent Solid Sewage Manure Company.—17 & 18 Vict. c. clxvi.	497
Price's Patent Candle Company.—18 & 19 Vict. c. xxii.	967
Royal Conical Flour Mill Company.—17 & 18 Vict. c. cxc.	500
Royal Conical Flour Mill Company.—18 & 19 Vict. c. cxcvii.	1025
Royal Exchange Assurance Consolidation.—17 & 18 Vict. c. xi.	458
South Sea Company.—17 & 18 Vict. c. cxxi.	492
Westminster Land Company.—18 & 19 Vict. c. cxcv.	1014

Class 20.—Turnpike and other Roads.

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Aboyne, Ballater, Braemar, and Cairnwell.—18 & 19 Vict. c. cxlii.	982
Alford and Boston.—18 & 19 Vict. c. lxxxii.	973
Ashton-under-Lyne and Dukinfield Bridge.—17 & 18 Vict. c. xxxii.	460
Basingstoke, Stockbridge, and Lobcombe Corner.—18 & 19 Vict. c. civ.	977
Bideford.—17 & 18 Vict. c. ciii.	491
Bolton and Nightingale's.—18 & 19 Vict. c. clxi.	1004
Bridport.—18 & 19 Vict. c. cxi.	977
Bridport and Broadwinsor.—18 & 19 Vict. c. cxii.	978
Brighton, Cuckfield, &c.—17 & 18 Vict. c. cxxxvii.	494
Buckingham and Towcester.—17 & 18 Vict. c. l.	467
Cavendish Bridge and Hulland Ward.—18 & 19 Vict. c. clxviii.	1004
Chapel-en-le-Frith.—17 & 18 Vict. c. clxv.	497
Charlbury, Witney, &c.—18 & 19 Vict. c. lxxxv.	974
Chester, Farndon, and Worthenbury.—17 & 18 Vict. c. lxxxvi.	489
Commercial.—18 & 19 Vict. c. lxvii.	971
Dudley, Halesowen, and Bromsgrove.—17 & 18 Vict. c. cv.	491
Edinburgh.—17 & 18 Vict. c. cxxxiv.	494
Gateshead and Hexham.—18 & 19 Vict. c. clxxvi.	1008
Glasgow, Kirkintilloch, and Baldernach.—18 & 19 Vict. c. cxli.	982
Gomersal and Dewsbury.—18 & 19 Vict. c. ciii.	977
Hedon and Hull, &c.—18 & 19 Vict. c. cxxxvi.	981
Hexham.—17 & 18 Vict. c. lxxiv.	474
Honiton.—18 & 19 Vict. c. clxiv.	1004
Horsmonden and Marden.—17 & 18 Vict. c. xlviii.	466
Keighley and Kendal.—18 & 19 Vict. c. cliv.	1003
Kingston upon Hull, Hessle, and Ferriby.—18 & 19 Vict. c. lxviii.	972
Kingswood.—17 & 18 Vict. c. xxi.	458
Kirkby Lonsdale, Kendal, and Milnthorpe.—17 & 18 Vict. c. cxlv.	495
Leominster and Ledbury.—18 & 19 Vict. c. lxi.	971
Lightpill and Birdlip.—18 & 19 Vict. c. cvi.	977
Lyme Regis.—18 & 19 Vict. c. lxxxvii.	974
Nottingham and Loughborough.—18 & 19 Vict. c. lxxi.	972
Nottingham and Newhaven.—18 & 19 Vict. c. xcii.	975
Peterborough and Wellingborough.—18 & 19 Vict. c. cvii.	977
Petworth.—17 & 18 Vict. c. lxxi.	469
Ridghill, Lanes, and Holehouse.—17 & 18 Vict. c. xxxvi.	460
Rochdale and Burnley.—17 & 18 Vict. c. cxl.	494
South Shields.—17 & 18 Vict. c. xlvii.	466
Stamford and Kettering.—17 & 18 Vict. c. cix.	491
Stourbridge and Bridgnorth.—17 & 18 Vict. c. clxxiii.	498
Stroud and Chalford.—18 & 19 Vict. c. cix.	977
Stroud, Cainscross, and Minchinhampton.—18 & 19 Vict. c. cviii.	977
Stroud, Painswick, and Gloucester.—17 & 18 Vict. c. xcv.	490
Thirsk and Yarm.—17 & 18 Vict. c. clii.	495
Traethbach Bridge.—17 & 18 Vict. c. cxcvi.	500
Trowbridge.—17 & 18 Vict. c. lxxv.	474
Wadhurst and West Farleigh.—18 & 19 Vict. c. clvi.	1003
Wadsley and Langset.—17 & 18 Vict. c. xcvii.	490
Weymouth and Melcombe Regis Market and Pier.—17 & 18 Vict. c. xxxv.	460
Wigan and Preston, North of Yarrow.—18 & 19 Vict. c. lxxxiii.	973
Winchester and Petersfield.—17 & 18 Vict. c. cxxiii.	493

Class 21.—Waterworks.

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Accrington.—17 & 18 Vict. c. lxxxvii.	489
Ashton-under-Lyne.—18 & 19 Vict. c. lxx.	972
Bangor.—17 & 18 Vict. c. cx.	492
Beccles.—17 & 18 Vict. c. xcix.	490
Birmingham.—18 & 19 Vict. c. xxxiv.	968
„ 17 & 18 Vict. c. xxxvii.	460
Bradford.—17 & 18 Vict. c. cxxiv.	493
Bradford Corporation.—17 & 18 Vict. c. cxxix.	493
„ „ 18 & 19 Vict. c. clii.	1003
Brighton, Hove, and Preston.—17 & 18 Vict. c. v.	457
Cambridge University and Town.—18 & 19 Vict. c. iii.	966
Chesterfield.—18 & 19 Vict. c. xxix.	967
Clitheroe.—17 & 18 Vict. c. xxvii.	459
East London.—17 & 18 Vict. c. lxv.	468
Folkestone.—18 & 19 Vict. c. vii.	965
Glasgow.—18 & 19 Vict. c. cxviii.	978
Gloucester.—18 & 19 Vict. c. lxxxix.	974
Grand Junction.—18 & 19 Vict. c. xxi.	966
Hamilton.—17 & 18 Vict. c. xc.	489
Harrow.—17 & 18 Vict. c. xxx.	459
Hartlepool.—18 & 19 Vict. c. xlix.	969
Heywood.—18 & 19 Vict. c. xx.	966
Lancaster.—18 & 19 Vict. c. xlii.	968
Liverpool Corporation.—18 & 19 Vict. c. lxvi.	971
Louth.—17 & 18 Vict. c. li.	467
Manchester Corporation.—17 & 18 Vict. c. xxxviii.	460
Newport and Pilgwenlly.—17 & 18 Vict. c. cxci.	500
New River Company and Trustees of the River Lee.—18 & 19 Vict. c. cxcvi.	1015
New River (Hertford Sewerage Diversion, &c.)—17 & 18 Vict. c. xxxix.	460
New River (New Reservoirs).—17 & 18 Vict. c. lxxii.	469
Nottingham.—17 & 18 Vict. c. x.	458

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Oldham.—18 & 19 Vict. c. xlvii. - - - 969
Padiham.—17 & 18 Vict. c. lxvi. - - - 469
Paisley.—17 & 18 Vict. c. ccxvii. - - - 502
Rossendale.—17 & 18 Vict. c. xviii. - - - 458
Shipley.—17 & 18 Vict. c. lxxvii. - - - 474
Southport.—17 & 18 Vict. c. xvi. - - - 458
Southwark and Vauxhall.—18 & 19 Vict. c. xxiv. - 967
Stockton, Middlesbrough, and Yarm.—17 & 18 Vict. c. lxx. - - - - - 469
Stourbridge.—17 & 18 Vict. c. cxlvii. - - 495
Warrington.—18 & 19 Vict. c. xciii. - - 975
Weymouth.—18 & 19 Vict. c. cxxxiii. - - 981
Whittle Dean.—17 & 18 Vict. c. lx. - - - 467
Wolverhampton New Water.—18 & 19 Vict. c. cli. - 1003

Local Boards of Health. See *Public Health.*

Local Management of the Metropolis. See *Metropolis Local Management.*

London and the Metropolis. See *Metropolis Local Management. Metropolitan Buildings. Metropolitan Sewers. Portland, &c. Chapels. Public Statues. Works and Public Buildings.*

London University.

17 & 18 Vict. c. 114.—An Act to extend the Rights enjoyed by the Graduates of the University of Oxford and Cambridge in respect to the Practice of Physic to Graduates of the University of London. Page 411

§ 1. Graduates of the University of London may practise in same Manner as in Universities of Oxford and Cambridge.
2. Graduates in Medicine of the University of London indemnified for having acted without having obtained Authority from Universities of Oxford or Cambridge.
3. Short Title.

Lunatics—Lunacy—Lunatic Asylums.

18 & 19 Vict. c. 13.—An Act to explain and amend the Lunacy Regulation Act, 1853. [16 & 17 Vict. c. 70.] Page 537

§ 1. Lord Chancellor, in Matters of Lunacy, enabled to empower Committees of Estates to grant Leases binding on Issue or Remainder-men.
2. Interpretation of Act.

18 & 19 Vict. c. 105.—An Act to amend the Lunatic Asylums Act, 1853 [16 & 17 Vict. c. 97.], and 8 & 9 Vict. c. 100. and 16 & 17 Vict. c. 96. for the Regulation of the Care and Treatment of Lunatics. Page 776

§ 1. Any single County or Borough may unite with the Subscribers to a Hospital, and any Committee of Visitors of an existing Asylum may so unite.
§ 2. The Proportion of Expenses between any County and Borough may be fixed with reference to Accommodation likely to be required.
3. Agreements for uniting to be hereafter entered into to stipulate for Contribution by Counties and Boroughs according to their relative Populations for the Time being, where not fixed according to foregoing Provision.
4. Where Expenses are to be contributed in proportion to Population, the same to be ascertained by last Census for the Time being.
5. Where there is a Dissolution of a Union a new Asylum to be provided.
6. Provisions to apply to Councils of Boroughs where they have taken upon themselves the Execution of the Lunatic Asylums Act, 1853.
7. Places becoming Boroughs after the Commencement of the Lunatic Asylums Act, 1853 [16 & 17 Vict. c. 97.], to be deemed Boroughs annexed to the Counties in which they are situate.
8. Powers given by Sect. 77. of Lunatic Asylums Act, 1853 [16 & 17 Vict. c. 97.], to Visitors to order Removal of Pauper Lunatics extended.
9. Powers of Commissioners and Visitors to continue applicable to a House which has been licensed after Expiration of Licence, while any Patients are therein.
10. Contracts under Sect. 42. of Lunatic Asylums Act, 1853 [16 & 17 Vict. c. 97.], may be renewed.
11. Provision for Burial of Pauper Lunatics.
12. Power to enter into Agreements with Cemetery Company or Burial Board.
13. Committee of Visitors may convey Land for Burial Ground for Lunatics, &c. dying in the Asylum.
14. Pauper Lunatics, whose Settlements cannot be ascertained, where found in a Borough which does not contribute to the County Expenditure, to be chargeable to such Borough.
15. Seals of Commissioners, Visitors, and Justices to Orders, &c. dispensed with.
16. So much of Sect. 6. of 16 & 17 Vict. c. 96. as requires personal Examination of Patients repealed.
17. Consent of Committee of Management of any Hospital sufficient to authorize a Patient being sent to any Place for Health.
18. Detention of Lunatics after Expiration of or Revocation of Licence a Misdemeanor.
19. Act to be read with the Acts amended as One Act.

18 & 19 Vict. c. 76.—An Act to continue an Act [15 & 16 Vict. c. 123.] for amending the Law relative to Private Lunatic Asylums in Ireland. Page 669

§ 1. Recited Act continued till 1st August 1860.

18 & 19 Vict. c. 109.—An Act to make further Provisions for the Repayment of Advances out of the Consolidated Fund for the Erection and Enlargement of Asylums for the Lunatic Poor in Ireland, and to amend the Laws with reference to the Repayments in case of Change of Districts, and the Appointment of Commissioners of General Control and Correspondence. Page 784

§ 1. On Completion of Asylum, Commissioners for General Control and Correspondence, &c. of Asylums to certify to the Lord Lieutenant in Council the whole of the Sums expended.

§ 2. Lord Lieutenant in Council to make Order for the Repayment of all the Sums certified to have been expended.
3. Grand Jury of the County to make Presentment for the Repayment of the Money so ordered to be repaid.
4. Manner of proceeding in case of Change of District. [*Amending* 9 & 10 Vict. c. 115.]
5. Appointment of Commissioners. 1 & 2 Geo. 4. c. 33.
6. Treasury to have Power to relieve Counties of a Portion of the Expenses if it should appear just.
7. Interpretation of Terms.
8. Short Title of Act.

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Maintenance of Poor Persons. See *Poor.*

Malacca.

18 & 19 Vict. c. 93.—An Act to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca, and to the Supreme Court of Judicature in India. Page 705

§ 1. Sections 5, 7, 13, 14, and 16 of Geo. 4. c. 85. to apply to Recorders of Singapore and Prince of Wales Island.
2. Sum to be paid to Recorders for Equipment and Voyage.
3. Court for Relief of Insolvent Debtors may be held by either of the Recorders.
4. Act 6 & 7 Will. 4. c. 53. to apply to the present Charter, which is confirmed.
5. As to Allowances to Judges of the Supreme Courts in India on Retirement.

Malt Duties. See *Excise.*

Manchester.

17 & 18 Vict. c. 20.—An Act to repeal the Act 53 Geo. 3. c. 72. and 8 & 9 Vict. c. 21., and for making Provision for the Appointment and for Remuneration of a Stipendiary Justice for the Division of Manchester, in the County of Lancaster, and of Clerks to such Justice and the Justices for the Borough of Salford; and for other Purposes. Page 45

17 & 18 Vict. c. lxxxiv.—An Act to repeal the Act 8 & 9 Vict. c. cxlv., intituled "An Act for more effectually constituting and regulating the Court of Record within the Borough of Manchester, and for extending the Jurisdiction of the said Court;" and to extend the Powers and Jurisdiction of the said Court, and to simplify and otherwise improve its Practice and Proceedings; and for other Purposes. Page 475

See further, *Salford Borough and Manchester Division.*

Manning the Navy. See *Royal Navy.*

Marines. See *Royal Marines.*

Marriages.

18 & 19 Vict. c. 66.—An Act to render valid certain Marriages in Christ Church in the Chapelry of Todmorden and Parish of Rochdale, in the Counties of Lancaster and York. Page 646

§ 1. Marriages solemnized in Christ Church, Todmorden, declared valid.
2. Ministers having solemnized Marriages indemnified.
3. Registers to be Evidence.

17 & 18 Vict. c. 88.—An Act to render valid certain Marriages of British Subjects in Mexico. Page 183

§ 1. Certain Marriages of British Subjects which have been solemnized in Mexico to be valid.
2. Certificates received by the Secretary of State to be sent to Registrar General, and certified Copies to be Evidence, as under 6 & 7 Will. 4. c. 86.
3. Right to search and have Copies.

18 & 19 Vict. c. 43.—An Act to enable Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. Page 583

§ 1. Infants may, with the Approbation of the Court of Chancery, make valid Settlements of their Real and Personal Estate upon Marriage.
2. In case Infants die under Age, Appointment, &c. to be void.
3. The Sanction of the Court of Chancery to be given upon Petition.
4. Not to apply to Males under 20 or Females under 17 Years of Age.

See also *Registration of Births, &c. (Scotland).*

Married Women.

17 & 18 Vict. c. 75.—An Act to remove Doubts concerning the due Acknowledgment of Deeds by Married Women in certain Cases. Page 135

§ 1. Acknowledgment of Deed by a Married Woman not impeachable by reason only that Party before whom same was taken was interested.
2. Staying Proceedings instituted before 13th July 1854 for quashing Certificate of Acknowledgment.
3. Court of Common Pleas may make Rules, &c.

Marsh's Library. See *Dublin.*

Matriculation and Degrees, Stamp Duties on. See *Stamps.*

Mauritius.

17 & 18 Vict. c. 37.—An Act for establishing the Validity of certain Proceedings in Her Majesty's Court of Vice Admiralty in Mauritius. Page 79

§§ 1, 2. Certain Acts done by James Wilson, as Judge of Vice Admiralty Court, deemed valid, and Indemnification to him for such Acts.

Mayo County Advances.

17 & 18 Vict. c. 110.—An Act to provide for the Repayment of Monies advanced from the Exchequer to the County of Mayo for public Purposes. Page 402

§ 1. Grand Jury of Mayo may present Sum to be levied by Instalments in Discharge of Debt and Interest.
2. Directing when and how Instalments are to be levied.
3. If Grand Jury neglect or refuse, the Court to have Power to order the Sum to be raised.
4. Instalments and Interest as aforesaid to be a Charge on the Rates, &c.

Measures. See *Weights and Measures.*

Medical Graduates (University of London).

17 & 18 Vict. c. 114.—An Act to extend the Rights enjoyed by the Graduates of the Universities of Oxford and Cambridge in respect to the Practice of Physic to the Graduates of the University of London. Page 411

§ 1. Graduates in Medicine of the University of London to be entitled to practise Physic in the same manner as Graduates of the Universities of Oxford and Cambridge.
2. Graduates in University of London indemnified for having acted without having obtained Authority from Universities of Oxford or Cambridge.

Members of Parliament. See *Bribery. Parliamentary Representation (Scotland). Returning Officers.*

Mercantile Marine Fund. See *Merchant Shipping.*

Merchant Shipping.

17 & 18 Vict. c. 104.—An Act to amend and consolidate the Acts relating to Merchant Shipping. Page 248

[*Amended by* 18 & 19 *Vict. c.* 91.]

§ 1. *Preliminary.*—Short Title.
2. Interpretation of certain Terms in this Act.
3. Commencement of Act.
4. Exemption of Her Majesty's Ships.
5. Division of Act into Eleven Parts.
6. Part I. The Board of Trade.—*Functions of Board of Trade.*—Board of Trade to be Department to superintend Merchant Shipping.
7. Certificates, &c. purporting to be sealed or signed in a given Manner to be received in Evidence.
8. Board of Trade to issue Forms of Instruments.
9. Certain Forms and Instruments to be exempt from Stamp Duty.
10. Penalties for Forgery of Seal and fraudulent Alteration of Forms, and for not using Forms issued by Board of Trade.
11. Application of Monies paid to Board of Trade.
12. Returns to Board of Trade.
13. Officers of Board of Trade, Naval Officers, Consuls, the Registrar General of Seamen, Officers of Customs, and Shipping Masters, may inspect Documents and muster Crews.
§ 14. Board of Trade may appoint Inspectors.
15. Powers of Inspectors. Witnesses to be allowed their Expenses. Penalty for refusing to give Evidence.
16. Penalty for obstructing Inspectors in the Execution of their Duty.
17. Part II. British Ships.—*Description and Ownership.*—Application of this Part of Act.
18. Description and Ownership of British Ships.
19. British Ships, with certain Exceptions, must be registered.
20. *Measurement of Tonnage.*—Tonnage; Deck; Feet; Decimals.
21. For Ships to be registered and other Ships of which the Hold is clear.
22. For Ships not requiring Registry with Cargo on board.
23. Allowance for Engine Room in Steamers. To be rateable in ordinary Steamers. May be measured where the Space is unusually large or small. Mode of Measurement. In case of separate Compartments. Shaft Trunk of Screw Steamer. Alteration of Engine Room. Penalty for carrying Goods in such Space.
24. Open Ships, how measured.
25. Tonnage and Number of Certificate to be carved on Main Beam.
26. Tonnage when once ascertained to be ever after deemed the Tonnage.
27. Remeasurement of Ships already registered may be made, but not to be compulsory.
28. Power to remeasure Engine Rooms improperly extended.
29. Officers may be appointed and Regulations made for Measurement of Ships.
30. *Registry of British Ships.*—Registrars of British Ships.
31. Substitution of Governor abroad for Commissioners of Customs, and of Consul for Justice.
32. Registrar to keep Register Books.
33. Port of Registry of British Ship.
34. Name of Ship.
35. Application for Registry, by whom to be made.
36. Survey of Ship.
37. Rules as to Entries in Register Book.
38. Declaration of Ownership by individual Owner.
39. Declaration of Ownership by Body Corporate.
40. Evidence to be produced on Registry.
41. Penalty on Builder for false Certificate.
42. Particulars of Entry in Register Book.
43. No Notice taken of Trusts.
44. *Certificate of Registry.*—Certificate of Registry to be granted.
45. Change of Owners to be endorsed on Certificate of Registry.
46. Change of Master to be endorsed on Certificate of Registry.
47. Power to grant new Certificate.
48. Provision in case of Loss of Certificate.
49. Provisional Certificate to be delivered up.
50. Custody of Certificate. Delivery of Certificate may be required. Penalty for Detention.
51. Mode of proceeding, if detaining Party abscond.
52. Penalty for using improper Certificate.
53. Certificate of Ship lost or ceasing to be British to be delivered up.

§ 54. Provisional Certificate for Ship becoming vested in British Owners at Foreign Port.
55. *Transfers and Transmissions.*—Transfer of Ships or Shares therein.
56. Declaration to be made by Transferree.
57. Registration of Transfer.
58. Transmission of Shares by Death, Bankruptcy, or Marriage.
59. Proof of Transmission by Bankruptcy, Marriage, Will, or on Intestacy.
60. Registration of transmitted Share.
61. Registrar to retain certain Evidence.
62. Unqualified Owner entitled by Transmission may apply to Court for Sale of Ship.
63. Order to be made by Court.
64. Limit of Time for Application.
65. Power of Courts to prohibit Transfers.
66. *Mortgages.*—Mortgage of Ships and Shares therein.
67. Mortgages to be registered in order of Time of Production.
68. Entry of Discharge of Mortgage.
69. Priority of Mortgages.
70. Mortgagee not to be deemed Owner.
71. Mortgagee to have Power of Sale.
72. Rights of Mortgagee not affected by any Act of Bankruptcy of Mortgagor.
73. Transfer of Mortgages.
74. Transmission of Interest of Mortgagee by Death, Bankruptcy, or Marriage.
75. Entry of transmitted Mortgage.
76. *Certificates of Mortgage and Sale.*—Powers of Mortgage and Sale may be conferred by Certificate.
77. Requisites for Certificates of Mortgage and Sale.
78. Restrictions on Certificates of Mortgage and Sale.
79. Forms of Certificates of Mortgage and Sale.
80. Rules as to Certificates of Mortgage.
81. Rules as to Certificates of Sale.
82. Power of Commissioners of Customs in case of Loss of Certificate of Mortgage or Sale.
83. Revocation of Certificates of Mortgage and Sale.
84. *Registry anew and Transfer of Registry.*—Alteration in Ship to be registered.
85. On Alteration Registry anew may be required.
86. Grant of Provisional Certificate in respect of Alteration.
87. Consequence of Omission to register anew.
88. On Change of Owners, Registry anew may be granted, if required.
89. Registry may be transferred from Port to Port.
90. Manner of Transfer of Registry.
91. Transfer of Registry not to affect Rights of Owners.
92. *Registry, Miscellaneous.*—Inspection of Register Books.
93. Indemnity to Registrar.
94. Return to be made by Registrars to Commissioners of Customs.
95. Application of Fees.
96. Commissioners of Customs to provide, and with Consent of Board of Trade may alter Forms and issue Instructions.
97. Power to Registrar to dispense with Declarations and other Evidence.
98. Power for Commissioners or Governor in special Cases to grant a Pass to a Ship not registered.
99. Provision for Cases of Infancy or other Incapacity.
100. Liabilities of Owners.
101. *Forgery.*—Punishment for Forgery.
§ 102. *National Character.*—National Character of Ship to be declared before Clearance.
103. Penalties: For unduly assuming a British Character. For Concealment of British or Assumption of Foreign Character. For acquiring Ownership if unqualified. For false Declaration of Ownership.
104. Officer not liable for any Seizure made on reasonable Grounds.
105. Penalty for carrying improper Colours.
106. Effect of Declaration in the Act that a Ship shall not be recognized as a British Ship.
107. *Evidence.*—Copies of Registers and Declarations to be admissible in Evidence, and to be primâ facie Proof of certain Things.
108. *Saving Clause.*—Saving of 3 & 4 Vict. c. 56. relating to East Indian Ships.
109. PART III. *Masters and Seamen.*—Application of this Part of Act. Returns for certain Ships belonging to the United Kingdom. Returns and Wages of deceased Seamen in certain Colonial Ships. Shipping and discharging Men in the United Kingdom. Volunteering into the Navy. Provisions applicable to Colonial Ships.
110. *Local Marine Boards.*—Constitution of Local Marine Boards.
111. Qualification of Voters for Members of Local Marine Boards.
112. Lists of such Voters to be made.
113. Revision of List of Voters.
114. Registers to be produced.
115. Expenses to be paid by Board of Trade.
116. Persons on revised List qualified to vote.
117. Qualification of Members of Local Marine Boards.
118. Error in Elections not to vitiate Acts done.
119. Minutes and Business of Local Marine Boards.
120. If any Local Marine Board fails to discharge its Duties, Board of Trade may assume its Duties, or direct a new Election.
121. Board of Trade, on Complaint, may alter Arrangements made by Local Marine Boards.
122. *Shipping Offices.*—Local Marine Boards to establish Shipping Offices.
123. Board of Trade to have partial Control over Shipping Offices.
124. Business of such Offices generally.
125. Fees to be paid upon Engagements and Discharges.
126. Masters to pay Fees, and to deduct Part from Wages. Proviso as to Excess.
127. Penalty on Shipping Masters taking other Remuneration.
128. Business of Shipping Offices may be transacted at Custom Houses.
129. In London Sailors Homes may be Shipping Offices.
130. Dispensation with Shipping Master's Superintendence.
131. *Certificates of Masters and Mates.*—Examinations to be instituted for Masters and Mates.
132. Powers of Board of Trade over Examinations.
133. Fees to be paid by Applicants for Examination.
134. Certificates of Competency to be granted to those who pass.
135. Certificates of Service to be delivered to Persons who served as Masters or Mates before 1851, and to certain Naval Officers; and Certificates of Service for Home Trade Passenger Ships to be delivered to Persons who have served as Masters or Mates in such Ships before 1st January 1854.

§ 136. No Foreign-going Ship or Home Trade Passenger Ship to proceed to Sea without Certificates of the Master and Mates.
137. Certificates for Foreign-going Ships available for Home Trade Passenger Ships.
138. The Registrar to record Grants, Cancellations, &c. of Certificates. Duplicates and Entries to be Evidence.
139. In case of Loss a Copy to be granted.
140. Penalties for false Representations; for forging or altering or fraudulently using or lending any Certificate.
141. *Apprenticeships to Sea Service*—Shipping Masters to assist in binding Apprentices, and may receive Fees.
142. Indentures of Boys bound Apprentices to Sea Service by Guardians or Overseers to be witnessed by Two Justices.
143. Indentures of Apprenticeship to be exempt from Stamp Duty, and to be recorded.
144. Rules to govern Apprenticeship of Paupers in Great Britain and Ireland respectively.
145. Apprentices and their Indentures to be brought before Shipping Master before each Voyage in a Foreign-going Ship.
146. *Engagement of Seamen.*—Board of Trade may license Persons to procure Seamen.
147. Penalties: for supplying Seamen without Licence; for employing unlicensed Persons; for receiving Seamen illegally supplied.
148. Penalty for receiving Remuneration from Seamen for shipping them.
149. Agreements to be made with Seamen, containing certain Particulars. Proviso as to Forms for Colonial Ships.
150. For Foreign-going Ships such Agreements, when made in the United Kingdom, except in special Cases, to be made before and attested by a Shipping Master; to be in Duplicate; Provision for Substitutes.
151. Foreign-going Ships making short Voyages may have running Agreements.
152. Engagement and Discharge of Seamen in the meantime.
153. Duplicates of running Agreements, how to be dealt with.
154. Fees to be paid on such running Agreements.
155. In Home Trade Ships Agreement to be entered into before a Shipping Master or other Witness.
156. Special Agreements for Home Trade Ships belonging to same Owners.
157. Penalty for shipping Seamen without Agreement duly executed.
158. Changes in Crew to be reported.
159. Seamen engaged in the Colonies to be shipped before some Shipping Master or Officer of Customs.
160. Seamen engaged in Foreign Ports to be shipped with the Sanction and in the Presence of the Consul.
161. Rules as to Production of Agreements and Certificates of Masters and Mates of Foreign-going Ships.
162. Rules as to Production of Agreements and Certificates for Home Trade Ships.
163. Alterations to be void unless attested to have been made with the Consent of all Parties.
164. Penalty for falsifying Agreement.
165. Seamen not to be bound to produce Agreement.
§ 166. Copy of Agreement to be made accessible to Crew.
167. Seamen discharged before Voyage to have Compensation.
168. *Allotment of Wages.*—Regulations as to Allotment Notes.
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174. Master and others to produce Ship's Papers to Shipping Masters, and give Evidence.
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180. Savings Banks for Seamen may be established.
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183. Wages not to be dependent on the earning of Freight.
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185. Rights to Wages in case of Termination of Service by Wreck or Illness.
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191. Master to have same Remedies for Wages as Seamen.
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194. *Wages and Effects of deceased Seamen.*—Masters to take charge of or sell Effects of deceased Seamen which are on board, and enter the same and Wages due in the official Log.
195. Such Effects and Wages to be paid either to Consul or to Shipping Master, with full Accounts.
196. Penalties for not taking charge of, remitting, or accounting for such Monies and Effects.
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204. Effects of Seamen discharged from Navy to be disposed of by Accountant General of Navy.
205. *Leaving Seamen abroad.*—On discharge of Seamen abroad, by Sale of Ship or otherwise, Certificates of Discharge to be given, and Seamen to be sent home at Expense of Owner.
206. Forcing Seamen on shore a Misdemeanor.
207. No Seaman to be discharged or left abroad without Certificate of some Functionary.
208. Proof of such Certificate to be upon the Master.
209. Wages to be paid when Seamen are left behind on Ground of Inability.
210. Such Wages to be treated as Money due to the Seamen, subject to Payment of Expense of their Subsistence and Passage home.
211. Distressed Seamen found abroad may be relieved and sent home at the public Expense.
212. Masters of British Ships compelled to take them.
213. Power to sue for the Amount advanced for the Relief of Seamen left abroad.
214. *Volunteering into the Navy.*—Seamen allowed to leave their Ships in order to enter the Navy.
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217. If new Seamen are engaged instead of the original Seamen, the Owner may apply for Repayment of any extra Expense he has been put to.
218. Application how to be decided on, and Amount of Repayment how to be ascertained.
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224. Medicines, Lime or Lemon Juice, Sugar, and Vinegar, to be provided and kept on board certain Ships.
225. Masters to keep Weights and Measures on board.
226. Board of Trade and Local Boards may appoint Inspectors of Medicines, who are to see that Ships are properly provided.
227. Penalty for selling bad Drugs for Ships.
228. Expense of Medical Attendance and Subsistence in case of Illness, and of Burial in case of Death, how to be defrayed.
229. Expenses, if paid by Consul, to be recoverable from Owner.
230. Certain Ships to carry Medical Practitioners.
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232. *Power of making Complaint.*—Seamen to be allowed to go ashore to make Complaint to a Justice.
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234. No Debt exceeding 5*s.* recoverable till End of Voyage.
235. Penalty for Overcharges by Lodging-house Keepers.
236. Penalty for detaining Seamen's Effects.
237. Persons not to go on board before the final Arrival of Ship without Permission.
238. Penalty for Solicitations by Lodging-house Keepers.
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240. Power of Admiralty Courts to remove Master.
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242. Board of Trade may cancel or suspend Certificates.
243. Offences of Seamen and Apprentices and their Punishments. Desertion: Neglecting or refusing to join, or to proceed to Sea, Absence within Twenty-four Hours before sailing, and Absence without Leave: Quitting without Leave before Ship is secured: Act of Disobedience: Continued Disobedience: Assault on Officers: Combining to disobey: Wilful Damage and Embezzlement: Act of Smuggling causing Loss to Owner.
244. Entry of Offences to be made in Official Log, and to be read over or a Copy given to the Offender, and his Reply, if any, to be also entered.
245. Seamen whom Masters of Ships are compelled to convey, and Persons going in Ships without Leave, to be subject to Penalties for Breach of Discipline.
246. Master or Owner may apprehend Deserters without Warrant.
247. Deserters may be sent on board in lieu of being imprisoned.
248. Seamen imprisoned for Desertion or Breach of Discipline may be sent on board before Termination of Sentence.
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262. Functions and Mode of Action of such Courts.
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275. Lists to be delivered by Home Trade Ships half-yearly.
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280. *Official Logs.*—Official Logs to be kept in Forms sanctioned by Board of Trade.
281. Entries to be made in due Time.
282. Entries required in Official Log. Convictions. Offences. Punishments. Conduct, &c., of Crew. Illnesses and Injuries. Deaths. Births. Marriages. Quitting Ship. Wages of Men entering Navy. Wages of deceased Seamen. Sale of deceased Men's Effects. Collisions.
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548. Expenses incurred by Commissioners of Customs to be paid out of the Consolidated Customs.

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[*Repealed by* 17 & 18 Vict. c. 120.]

17 & 18 Vict. c. 120.—An Act to repeal certain Acts and Parts of Acts relating to Merchant Shipping, and to continue certain Provisions in the said Acts. Page 429

§ 1. *Preliminary.*—Short Title of Act.
2. Interpretation of Terms in this Act.
3. Commencement of Act.
4. Repeal of Acts mentioned in Schedule.
5. Continuation of Local Marine Boards.
6. Construction of Sections 4 and 9 of the Pilotage Law Amendment Act, 1853.
7. Expenses of Life Boats, &c. may be charged on Mercantile Marine Fund.
8. Existing Liabilities on Mercantile Marine Fund continued.
9. Provision as to Wages, &c. received before 1852. 13 & 14 Vict. c. 102. s. 31.
10. Receiver General to conform to Directions of Board of Trade.
11. Powers of Board of Trade as to Appointment of Receivers.
12. Payment of Receivers.
13. Application of Fees.
14. Ninth Part of Merchant Shipping Act, 1854, to come into operation immediately.
15. Mode of Procedure in Criminal Cases.
16. Penalty on Masters of Ships leaving certain Seamen in Distress in this Country.

18 & 19 Vict. c. 91.—An Act to facilitate the Erection and Maintenance of Colonial Lighthouses, and otherwise to amend the Merchant Shipping Act, 1854. [17 & 18 Vict. c. 104.] Page 699

§ 1. Short Title of Act.
2. *Colonial Lighthouses.*—Her Majesty may by Order in Council fix Dues for Colonial Lighthouses.
3. No such Dues to be levied in any Colony without the Consent of the Colonial Legislature.
4. Mode of collecting the said Dues. 17 & 18 Vict. c. 104. ss. 399, 400, 401.
5. Dues to be paid over to Her Majesty's Paymaster General.
6. Dues to be applied to Expenses of Lighthouse, &c. for which they are levied.
7. Power to borrow Money on Security of Dues. 17 & 18 Vict. c. 104. ss. 424, 425, 426.
8. Accounts for each Lighthouse, &c. to be kept, and laid before Parliament, and to be audited. 17 & 18 Vict. c. 104. s. 428.
9. *Registry of Ships.*—Penalty on false Declarations under Part II. of Merchant Shipping Act. 17 & 18 Vict. c. 104. s. 103.
10. Shares in Shipping within the Trustee Act, 1850. 13 & 14 Vict. c. 60.
11. Forms of Instruments. 17 & 18 Vict. c. 104. s. 96.
12. Delivery of Certificate upon Transfer of Registry. 17 & 18 Vict. c. 104. s. 90.
13. Exemption of certain Ships from having Name painted on Stern. 17 & 18 Vict. c. 104. s. 34.
§ 14. Ships measured under Rule II. may be measured under Rule I. 17 & 18 Vict. c. 104. ss. 21 and 22.
15. General Register Books in London. 17 & 18 Vict. c. 104. s. 107.
16. *Masters and Seamen.*—Extension of Provisions concerning the Relief of destitute Seamen. 17 & 18 Vict. c. 104. ss. 211, 212, and 213.
17. Enactment concerning Savings Banks extended to Seamen in the Navy. 17 & 18 Vict. c. 104. s. 180.
18. Additional Powers of Naval Courts. 17 & 18 Vict. c. 104. ss. 260 to 266.
19. *Wrecks, Casualties, and Salvage.*—In case of Wreck of Foreign Ships, Consul General to be deemed Agent of Owner.
20. Remuneration for Services by Coast Guard.
21. *Legal Procedure.*—Jurisdiction in case of Offences on board Ship. 12 & 13 Vict. c. 96.
22. *Miscellaneous.*—Relief of destitute Lascars.
23. Contracts may be made with Natives in India, under certain Conditions, binding them to go to the United Kingdom, and then to serve in other Ships back to India or elsewhere.
24. Saving of former Enactments. 4 Geo. 4. c. 80. ss. 25 to 34. 17 & 18 Vict. c. 120. s. 16.

See also *Bills of Lading. Passengers by Sea.*

Methylated Spirit. See *Spirit of Wine.*

Metropolis Local Management.

18 & 19 Vict. c. 120.—An Act for the better Local Management of the Metropolis. Page 824

§ 1. 1 & 2 Will. 4. c. 60., for the better Regulation of Vestries, &c., repealed so far as regards Parishes in Schedules (A.) and (B.)
2. Vestries in Parishes named in either of the Schedules (A.) and (B.) to consist of not less than 18 or more than 120 Persons qualified and elected as after provided.
3. Such Parishes with more than 2,000 rated Householders to be divided into Wards.
4. Power to Secretary of State to appoint Persons to set out the Wards, and apportion Number of Vestrymen to be elected.
5. If relative Amounts of Population of Wards vary in any future Census, the Numbers of Vestrymen may be altered.
6. Qualification of Vestrymen.
7. As to the First Election of Vestrymen under this Act.
8. The full Number of Vestrymen to be chosen at First Election, and existing Vestries superseded.
9. As to the Term of Office of Vestrymen elected at First Election, and as to future Elections.
10. Vacancies to be filled up at annual Elections.
11. Appointment of Auditors of Accounts for Parishes in Schedules (A.) and (B.)
12. As to the Term of Office of Auditors.
13. Notice of Elections.
14. Churchwardens to appoint Persons to preside at Ward Elections.
15. Rate Collectors to assist at the Elections.
16. Form of Proceeding at Elections.

§ 17. Power to demand a Poll, which shall be taken by Ballot.
18. Duty of Inspectors of Votes.
19. Provision for Case of Equality of Votes.
20. If in the Interval between Elections the Vestry of any Parish be reduced below Two Thirds, the Vacancies to be filled up as herein named.
21. Penalty for forging or falsifying any Voting Paper or obstructing the Election.
22. A List of Persons elected Vestrymen and Auditors by Parishioners to be published.
23. Penalty on Inspector for making incorrect Return.
24. Vestries to provide Places for holding Elections, and pay Expenses of taking Poll, &c.
25. Provisions of Act to apply to Overseers of Parishes having no Churchwardens.
26. How Notices and Lists are to be published.
27. Churchwardens, &c. not complying with Act guilty of Misdemeanor.
28. Quorum of Vestries.
29. Meetings not to be holden in the Church.
30. Meeting to elect a Chairman.
31. Parishes in Schedule (B.) to be united, and form Districts, and District Boards constituted.
32. Vestries to elect Members of District Boards.
33. If relative Numbers of inhabited Houses in Parishes in any District vary on any future Census, the Numbers of Members may be altered.
34. As to the Term of Office of Members of District Boards elected at First Election, and as to future Elections.
35. Elections to be held annually for supplying Vacancies occasioned by Expiration of Term of Office.
36. Provision as to Parishes not electing as many as Three Members of a District Board.
37. Provision as to casual Vacancies.
38. Powers of District Boards to be exercised at Meetings, not less than Seven Members being present.
39. Ordinary Meetings of District Boards.
40. Special Meetings of District Boards.
41. Chairman to be elected at Meeting of Board.
42. District Boards and Vestries of Parishes in Schedule (A.) incorporated.
43. Metropolitan Board of Works constituted and incorporated.
44. Three Members of Metropolitan Board to be elected for the City.
45. Vestries of single Parishes and District Boards to elect Members of the Metropolitan Board.
46. Boards for Districts of Plumstead and Lewisham united for electing a Member of Metropolitan Board.
47. The Parish of Rotherhithe and District of St. Olave united for electing a Member of the Metropolitan Board of Works.
48. As to the Term of Office of Members of Metropolitan Board elected at First Election, and as to future Elections.
49. Elected Members of Metropolitan Board to elect a Chairman.
50. As to Appointment of Chairman on any Vacancy.
51. Powers of Metropolitan Board to be exercised at Meetings, not less than Nine Members being present.
52. Meetings of the Metropolitan Board.
53. Chairman to preside at Meetings. In case of Vacancy, &c. a temporary Chairman to be chosen.
§ 54. Disqualifications of Members of Metropolitan Board, of District Boards, of Vestries of Parishes in Schedule (A.) and (B.), and of Auditors.
55. Members of Metropolitan and District Boards, and of Vestries of Parishes in Schedule (A.) or (B.) may resign.
56. Retiring Members of Boards and Vestries may be re-elected.
57. No Resolution of Metropolitan or any District Board, or of any Vestry, to be revoked at a subsequent Meeting, unless under certain Circumstances.
58. Committees may be appointed.
59. Powers of Committees.
60. Minutes of Proceedings of Metropolitan and District Boards and of Vestries to be entered.
61. All Books to be open to Inspection.
62. Power to Metropolitan Board, District Boards, and Vestries to appoint Officers.
63. Clerk and Treasurer not to be the same Person.
64. Penalty on Officers, &c. being interested in Contracts, or exacting Fees.
65. Officers, &c. intrusted with Money to give Security for duly accounting for the same. If Officer fail to render Account, &c. Justices may commit Offender to Prison. Power to levy by Distress.
66. Metropolitan and District Boards and Vestries to provide proper Offices, and to cause daily Attendance to be given.
67. "Vestry" in following Provisions to mean Vestry of a Parish in Schedule (A.)
68. Sewers (except Main Sewers) vested in Vestries and District Boards.
69. Vestries and District Boards to repair, &c. all Sewers vested in them, and from Time to Time to construct new ones, &c.
70. Power to Vestries and District Boards to do Works of Improvement in Sewers, &c., the Expense of which to be divided between the Party liable and the Parish or District.
71. Gullyholes, &c. to be trapped.
72. Vestries and District Boards to cause Sewers to be cleansed, &c.
73. Vestry or District Board in certain Cases may compel Owners, &c. of Houses to construct Drains into the Common Sewer. Penalty on Owner, &c. for Neglect.
74. Provision for combined Drainage of Blocks of Houses.
75. No House to be built without Drains constructed to the Satisfaction of the Vestry or District Board.
76. Notice of Buildings to be given to the Vestry or District Board before commencing the same.
77. Power to branch Drains into Sewers constructed by Metropolitan Board, or any Vestry or District Board under certain Regulations.
78. Power to Metropolitan Board or Vestry or District Board to branch private Drains into Sewers, at the Expense of the Party to whom they belong.
79. Vestry or District Board may agree to make House Drains at the Expense of Owners or Occupiers.
80. Vestry or District Board may order a Contribution towards Construction of Sewers in certain Cases.
81. Penalty on erecting or rebuilding Houses without proper Water Closets, &c. Power to Vestry, &c. to require Owners, &c. to provide sufficient Water-closets, &c. If Owners fail, Vestry, &c. to cause the Work to be done at their Expense.

§ 82. Power for Vestries and District Boards to authorize Inspection of Drains, Privies, and Cesspools.
83. Penalty on Persons improperly making or altering Drains.
84. Where no Default found, Expenses to be paid by Vestry or Board.
85. Vestry or District Board to cause Drains, &c. to be put into proper Condition, &c. where necessary.
86. Vestry and District Board to cause offensive Ditches, Drains, &c. to be cleansed or covered. Where Works interfere with any ancient Mill, &c. Compensation to be made, or Rights therein purchased.
87. Power to Vestries and District Boards to fill up Ditches by the Side of Roads, and substitute Pipes.
88. Power to Vestries and District Boards to provide public Conveniences.
89. Vestries and District Boards may transfer their Powers as to Sewerage to the Metropolitan Board of Works.
90. All Powers relating to paving, &c. to be vested in Vestries and in District Boards.
91. Saving as to Baths and Wash-houses, Metropolitan Burials, Markets, and Charitable Trusts Acts.
92. Expenses incurred under existing Powers relating to paving, &c. to be deemed Expenses incurred in execution of this Act.
93. As to the Transfer of Property.
94. Existing Contracts, &c. to remain valid.
95. Existing Commissioners, &c. under Local Acts continued in Office until Commencement of this Act.
96. Powers and Duties of Surveyors of Highways, and Property vested in them, transferred to Vestries and District Boards.
97. Provision as to Rates already made in Parishes mentioned in Schedule (A.)
98. Vestry or District Board to cause Streets to be paved.
99. Owners possessing Freehold of Courts, &c. to pave the same.
100. Owner of Courts to drain them, and keep the Pavement, &c. in repair. Penalty on Owners for Neglect.
101. Vaults and Cellars under Streets not to be made without the Consent of the Vestry or Board.
102. Vaults, &c. under Streets to be repaired by Owners or Occupiers.
103. Provisions as to the Occupation of underground Rooms as Dwellings.
104. Power to District Surveyors to enter underground Rooms and Cellars. If Admission refused, Justice may issue an Order.
105. Provisions for paving new Streets.
106. Vestry or Board may declare their Intention of repairing any Street, not being a Highway. Proviso.
107. Act not to authorize the making any Thoroughfare without the Consent of the Proprietor of the Estate.
108. Vestries and District Boards may place Fences, &c. to Footways.
109. Notice to be given by Companies to Vestries and District Boards when Pavement, &c. is required to be taken up.
110. Streets not to be broken up, except under the Superintendence of Vestry or Board. Streets broken up to be reinstated without Delay.
§ 111. Penalty on Persons taking up Pavements neglecting to reinstate them, and to place Lights during the Night-time to prevent Accidents.
112. Vestry or District Board to direct Pavements injured by Water or Gas Pipes to be repaired by Company. Penalty for Neglect.
113. Company opening the Ground to repair a Pipe discovered to belong to another Company to give Notice to such Company, and to be reimbursed Expenses.
114. Power to Vestry or District Board to reinstate Pavement, and charge the Expenses to the Parties.
115. Power for Vestry or District Board to contract with Company for restoring Pavements.
116. As to the watering of Streets.
117. Vestry or District Board to cause Footways to be cleansed.
118. Vestries and District Boards may appoint and pay Crossing Sweepers.
119. Owners, &c. to remove future Projections, on Notice from Vestry or District Board. Penalty for Neglect.
120. Vestry or District Board may remove existing Projections, and make Compensation for the same.
121. Hoards to be erected during Repairs. Penalty on not erecting Hoards.
122. No Hoard to be erected without Licence from Vestry or District Board.
123. If Hoard be erected or Materials be deposited in any Manner otherwise than to the Satisfaction of the Vestry or District Board, the same may be removed.
124. Providing against Accidents in laying out new Streets, &c.
125. Vestries and District Boards to appoint Scavengers.
126. Penalty for obstructing Scavengers in Performance of their Duty.
127. Refuse collected to be vested in Vestry or District Board, who may dispose of the same towards defraying their Expenses.
128. Owners or Occupiers to pay Scavengers for Removal of Refuse of Trades.
129. Dispute as to what is Refuse of Trade, &c. to be determined by Justices.
130. Vestries and District Boards to cause Streets to be lighted.
131. No Slaughter-house to be licensed under the 14th & 15th Vict. c. 61. (Smithfield Market Removal Act) without Notice to Vestry or District Board.
132. Vestries and District Boards to appoint Medical Officers of Health.
133. Appointment of Inspectors of Nuisances.
134. Vestries and District Boards to be the Local Authorities to execute the Nuisances Removal Acts.
135. Main Sewers vested in the Metropolitan Board of Works, and Power to such Board to make Sewers.
136. Before Works for intercepting the Sewage are commenced, Plans, &c. to be submitted to Commissioners of Works.
137. Metropolitan Board may declare Sewers to be Main Sewers, and take under their Jurisdiction Sewerage Matters under Jurisdiction of Vestries and District Boards.
138. Metropolitan Board to make Orders for controlling Vestries and District Boards in Construction of Sewers, &c.

§ 139. Metropolitan Board may direct Appointments to be made for Two Parishes or Districts jointly.
140. Or may place a Street in different Parishes under the Management of One Vestry, or Part of a Parish under the Management of Vestry of adjoining Parish.
141. Metropolitan Board to regulate naming of Streets and numbering of Houses.
142. Register to be kept of Alterations in Names of Street.
143. Buildings not to be brought beyond Line of Street.
144. Power to Metropolitan Board to make Improvements.
145. Powers of Metropolitan Commissioners of Sewers to cease.
146. Actions, &c. not to abate, but to continue for or against Metropolitan Board of Works.
147. Rates made by Metropolitan Commissioners of Sewers to be recoverable under this Act.
148. Property vested in Metropolitan Commissioners of Sewers (except Sewers transferred to Vestries and District Boards) transferred to the Metropolitan Board of Works.
149. Power to Boards and Vestries to enter into Contracts for carrying Act into execution. Power to compound for Penalties in respect of Breach of Contracts.
150. Power to Boards and Vestries to purchase Lands, &c. for the Purposes of this Act.
151. Certain Provisions of 8 & 9 Vict. c. 18. (Lands Clauses Consolidated Act) incorporated with this Act.
152. Lands not to be taken compulsorily, except by Metropolitan Board with Consent of Secretary of State.
153. Previous Notice to be given.
154. Power to dispose of Lands or Property not wanted.
155. Owners of Land may on Sale reserve a Right of Pre-emption.
156. Penalty for withholding Property transferred to Metropolitan Board or any Vestry or District Board.
157. Regulations as to breaking up Turnpike Roads.
158. How Sums are to be raised by Vestries and District Boards for defraying their Expenses.
159. Vestries and Boards may exempt Parts not benefited by Expenditure from Payment.
160. Provisions for Cases where a Part of a Parish is placed under the Management of the Vestry or Board of adjoining Parish or District.
161. Overseers to collect the Rate in the same Manner as the Poor Rate.
162. Public Buildings and void Spaces now rateable (except Churches and Burial Grounds) to continue rateable.
163. Land to be rated to the Sewers Rate at One Fourth Part of its annual Value.
164. Existing Exemptions in respect of Sewers Rate to be allowed.
165. Existing Exemptions of Land from Lighting Rates to be allowed.
166. Overseers, on Nonpayment of the Rate, shall be distrained upon; and in default of sufficient Distress, the Arrears may be levied on the Parish.
167. Provision for Cases where the Vestry of any Parish in Schedule (A.) make the Poor Rate.
168. Special Persons may be appointed to levy Rates in certain Cases.
§ 169. Provision for Deduction by Tenants of Sewers Rate.
170. Sums to be assessed upon the City and other Parts of the Metropolis by Metropolitan Board for defraying Expenses.
171. Power to Metropolitan Board, or any One authorized by them, to inspect Rates made for County or Part of County within the Metropolis.
172. Payment to be obtained from the City and from Parishes by Precepts to the Chamberlain of the City, and to Vestries and District Boards.
173. Payment of Sums assessed upon the City.
174. Payment by Vestries and District Boards of Sums assessed by Metropolitan Board.
175. Provision for assessing and levying Rates in Places where there is no Poor Rate. Mode of making the Assessment. Allowance to Assessors.
176. Places in Schedule (C.) not now under rating for Sewers not to be rated except for intercepting Sewers.
177. When Assessment is made, Notice thereof to be given, and all Persons included in the Assessment to have Liberty to inspect it, &c. Penalty for refusing Inspection.
178. As to the Collection of the Rate charged in such Assessment.
179. Appeal against Assessment. The Assessment may be altered to relieve the Appellant, without altering any other Part of it.
180. Provision for discharging existing Liabilities under Local Acts relating to paving, &c.
181. Provision for Payment of Liabilities of Metropolitan Commissioners of Sewers.
182. Where Metropolitan Commissioners of Sewers have incurred Expenses to be paid by Improvement Rates, &c. the Metropolitan Board may levy such Rates as remain due.
183. Power to Boards and Vestries to borrow Money on Mortgage. No Priority amongst Mortgagees.
184. Power to Commissioners acting under 14 & 15 Vict. c. 23. to make Advances.
185. Form of Mortgage. Register of Mortgages.
186. Repayment of Money borrowed at a Time agreed upon. Interest on Mortgages to be paid half-yearly. As to Repayment of Money borrowed when no Time has been agreed upon. Interest to cease on Expiration of Notice to pay off a Mortgage Debt.
187. Power to borrow to pay off existing Securities.
188. Payment of Principal and Interest may be enforced by the Appointment of a Receiver.
189. Transfer of Mortgages. Register of Transfers.
190. Sinking Fund to be formed for paying off Mortgages.
191. Mode of paying off Mortgages.
192. Accounts of Metropolitan Board, District Boards, and Vestries to be balanced up to the End of each Year.
193. Auditor of Accounts of Metropolitan Board to be appointed by Secretary of State, and remunerated by the Board.
194. Auditors to be elected annually by the District Boards.
195. As to the Audit of Accounts.
196. Abstract of Accounts to be made.
197. Accounts of other Parochial Boards to be audited by the Auditors elected under this Act.
198. Annual Reports by Vestries and District Boards.
199. Vestry to make out and publish yearly a List of Estates, Charities, and Bequests, &c. with the Application thereof.
200. Annual Report of Metropolitan Board of Works.

§ 201. Reports, &c. of Metropolitan Board to be laid before Parliament.
202. Power to Metropolitan Board of Works to make Byelaws. Penalty for Breach of Byelaws. Power to Justices to remit Penalties.
203. Publication of Byelaws. Evidence of Byelaws.
204. Buildings not to be made over Sewers without Consent.
205. Penalty on Persons sweeping Dirt into Sewers.
206. Penalty for wilfully damaging, &c. Lamps or other Property of Vestries or District Boards, or of the Metropolitan Board.
207. Persons carelessly or accidentally damaging Lamps, &c. to make Satisfaction.
208. Penalty on interrupting Workmen, &c. in Execution of Duties.
209. Penalty upon Occupiers obstructing Execution of Works, or not disclosing Owner's Name.
210. Savings and Provisions in Local Acts applicable to Commissioners of Sewers to apply to Metropolitan and District Boards and Vestries.
211. Power to appeal against Orders and Acts of Vestries and District Boards in relation to Construction of Works.
212. Metropolitan Board to appoint a Committee for hearing Appeals.
213. Power to grant Retiring Allowances to Persons employed under Metropolitan Commissioners of Sewers.
214. Compensation to Officers of Paving Boards.
215. Where Two or more Persons are to do any Act or pay any Sum of Money, Vestry or District Board may apportion the same.
216. Power to Vestries and District Boards to spread Repayment of Expenses over a Period not exceeding Twenty Years.
217. Occupiers to pay Expenses for which Owners are liable, and to be reimbursed out of the Rent.
218. Occupier not to be required to pay more than the Amount of Rent owing by him.
219. Agreements between Landlord and Tenant not to be affected.
220. As to Service of Notices, &c. on Metropolitan and District Boards and Vestries.
221. As to Service of Notices on Owners and Occupiers and other Persons.
222. Authentication of Documents.
223. Proof of Debts in Bankruptcy.
224. Tender of Amends.
225. Compensation, Damage, and Expenses how to be ascertained and recovered.
226. Method of proceeding before Justices in Questions of Damages, &c.
227. Penalties, &c. to be recovered as provided by 11 & 12 Vict. c. 43.
228. Damage to be made good in addition to Penalty.
229. Transient Offenders.
230. Proceedings not to be quashed for Want of Form.
231. Parties allowed to appeal to Quarter Sessions, on giving Security.
232. Court to make such Order as they think reasonable.
233. Penalties to be sued for within Six Months.
234. Application of Penalties.
235. Provision for joint Action of Vestries, and Elections out of Vestries under Local Acts.
236. Agreement between the London and North-western Railway Company and certain Paving Commissioners confirmed.
§ 237. Special Provision as to Powers of Commissioners acting under 5 & 6 Vict. c. xlviii. as to paving Ely Place, &c.
238. Special Provision as to Parish of Woolwich.
239. Special Provisions as to inclosed Gardens in Squares, &c.
240. Saving of Powers and Property of Commissioners under 14 & 15 Vict. c. 95.
241. Saving Rights of Commissioners of Works.
242. Saving of Powers of City Commissioners of Sewers over certain Parts of Parishes in Schedule (B.)
243. Saving Rights of Metropolitan Sewage Manure Company, acting under 9 & 10 Vict. c. cccxcviii. and 10 & 11 Vict. c. cxxxviii.
244. Saving Rights of Commissioners or Trustees of Turnpike Roads.
245. Saving for Metropolitan Police Commissioners.
246. Not to prejudice Dispute between Battersea and Penge.
247. Repeal of Acts inconsistent with this Act.
248. In case of Conflict with the Provisions of this Act, Provisions of Local Acts may be varied by Order in Council, on Petition of Boards or Vestries.
249. Act may be extended by Order in Council to Parishes adjoining the Metropolis not having less than 750 Ratepayers.
250. Interpretation of Terms: "the Metropolis:" "Ashpit."
251. Commencement of Act.

Metropolitan Buildings.

18 & 19 Vict. c. 122.—An Act to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood. Page 888

§ 1. Short Title.
2. Commencement of Act.
3. Interpretation of certain Terms in this Act.
4. Act to extend to all Places within Limits defined by 18 & 19 Vict. c. 120.
5. Division of Act.
6. *Regulation and Supervision of Buildings.*—Buildings, &c. herein named exempt from Operation of Part I. of this Act.
7. Application of Act, except Exemptions before mentioned.
8. Building, when deemed to be new.
9. Alterations of and Additions to old Buildings.
10. Rebuilding old Buildings.
11. Division of old Buildings separated by irregular Partitions.
12. Structure and Thickness of Walls.
13. Rules as to Recesses and Openings.
14. As to Timber in External Walls.
15. Rules as to Bressummers.
16. Height and Thickness of Parapets to External Walls.
17. Height of Party Walls above Roof.
18. As to Chases in Party Walls.
19. As to Construction of Roofs.
20. Rules as to Chimnies and Flues.
21. Rules as to close Fires and Pipes for conveying Vapour, &c.
22. Rules as to Accesses and Stairs in certain Buildings.
23. Rules as to habitable Rooms.
24. As to Party Arches over public Ways.
25. As to Arches under public Ways.

§ 26. Rules as to Projections.
27. Rules as to the Separation of Buildings, and Limitation of their Areas.
28. Rules as to uniting Buildings.
29. As to open Spaces near Dwelling Houses.
30. Construction of Public Buildings.
31. Buildings to be supervised by District Surveyors.
32. Power to Metropolitan Board of Works established under 18 & 19 Vict. c. 120.
33. Examination by Institute of British Architects.
34. District Surveyor to have and maintain an Office.
35. District Surveyor may appoint Deputy, with Consent.
36. Assistant Surveyor may be appointed on Emergency.
37. District Surveyor not to act in case of Works under his professional Superintendence.
38. Notices to be given to District Surveyor by Builder.
39. District Surveyor to cause Rules of this Act to be observed.
40. Notice to be Evidence of intended Works.
41. Penalty on Builders neglecting to give Notice.
42. District Surveyor may enter and inspect Buildings affected by this Act. Penalty for Refusal.
43. District Surveyor may enter Buildings to ascertain as to exempted Buildings.
44. In case of Emergency, Works may be commenced without Notice.
45. Notice by District Surveyor in case of Irregularity.
46. On Noncompliance with Notice, Justice to summon Builder, and make Order to comply with Requisition.
47. Penalty on Noncompliance with Order of Justice.
48. Penalty on Workmen, &c. doing anything contrary to Rules of Act.
49. Payments to District Surveyors in respect of Matters in First Part of Second Schedule.
50. Metropolitan Board may appoint special Fees for Services not provided for.
51. Periods when Surveyors entitled to Fees.
52. District Surveyor to make monthly Returns to Metropolitan Board of Works.
53. Return duly signed to be a Certificate that Works are agreeable to Act.
54. Superintending Architect to audit Accounts of Fees charged by District Surveyors, and to report in case of Excess.
55. Metropolitan Board of Works may modify Rules.
56. Buildings to which Rules of this Act are inapplicable.
57. Power of Metropolitan Board to make General Rules.
58. Approval of Board how signified.
59. Board to issue Forms of Notices.
60. Expenses of Orders to be borne by Builders.
61. District Surveyor to see Plans carried into execution.
62. Power to Metropolitan Board to appoint Superintending Architect and Clerks.
63. Superintending Architect may appoint Deputy, with Consent.
64. Salaries to Architect and Clerks.
65. Power of Metropolitan Board to pay Salaries.
66. Monies received by Superintending Architect to be paid to the Metropolitan Board.
67. Metropolitan Board may pay Salaries out of Rates.
68. Expenses how borne.
69. *Dangerous Structures.*—Survey to be made of dangerous Structures. 8 Vict. c. 84. s. 40.
70. Definition of "Commissioners."
71. Surveyor on Completion of Survey to give Certificate.
72. Proceedings to be taken in respect of Certificate.
§ 73. On Noncompliance with Notice, Justice to summon Owner, &c. and make Order to comply with Requisition.
74. If Owner cannot be found, or neglects to pay, Commissioners may sell Structure, giving the Surplus to Owner, &c. when found.
75. Payments by or to the Commissioners, how made.
76. Surplus how to be applied, if no Demand made for it.
77. Fees to District Surveyor.
78. Metropolitan Board may appoint special Fees for Services not provided for.
79. Fees to be deemed Part of Expenses.
80. Justice of Peace may cause Inmates to be removed from dangerous Structures.
81. Powers of Commissioners to appoint Officers.
82. *Party Structures.*—Definition of Building Owner and Adjoining Owner.
83. Rights of Building Owner.
84. Rights of Adjoining Owner.
85. Rules as to Exercise of Rights by Building and Adjoining Owners.
86. Power for Building Owner to make Entry on Premises to effect Works. Penalty on Persons obstructing.
87. Security to be given by Building Owner, if required by Adjoining Owner.
88. Rules as to Expenses in respect of Party Structure.
89. Account of Expenses of Works to be delivered to Adjoining Owner within One Month.
90. Adjoining Owner may appeal against Account.
91. Building Owner may recover, if no Appeal made.
92. Penalty on Delay of Payment by Adjoining Owner.
93. As to Expenses incurred on Requisition of Adjoining Owner.
94. Penalty on Building Owner failing to execute required Works.
95. Consent how given on behalf of Persons under Disability.
96. Consent how given on behalf of Persons not to be found.
97. *Miscellaneous Provisions.*—Payment of Expenses by Owners.
98. Rules as to Service of Notices, Summonses, and Orders.
99. As to Things authorized to be done by a County Court. 11 & 12 Vict. c. lxxi.
100. Manner of determining Differences.
101. Form of Proceedings in County Court.
102. Appeal from Decision of County Court.
103. Recovery of Penalties.
104. Application of Penalties.
105. Provisions as to Limitation of Time when due Notice has not been given.
106. Power to appeal to Superior Courts.
107. Form of Appeal.
108. Notice of Action.
109. *Repeal of former Acts, and temporary Provisions.*—Repeal of 8 & 9 Vict. c. 84., except ss. 54 to 63, and 9 & 10 Vict. c. 5.
110. As to Contracts made previously to passing of Act.
111. Liabilities under Contract between Landlord and Tenant not to be affected.
112. As to Iron Buildings constructed before this Act comes into operation.
113. Compensation to Official Referees and Registrar.
114. Compensation to Clerks in Office of Metropolitan Buildings.

Metropolitan Sewers.

17 & 18 Vict. c. 111.—An Act to continue and amend the Metropolitan Sewers Acts. Page 403

§ 1. Metropolitan Sewers Acts, 11 & 12 Vict. c. 112., 12 & 13 Vict. c. 93., 14 & 15 Vict. c. 75., 15 & 16 Vict. c. 64., 16 & 17 Vict. c. 125., continued till 31st August 1855.

[*By the Metropolis Local Management Act* (18 & 19 Vict. c. 120.) *the Metropolis Commission of Sewers is to determine, and Powers to become vested in Parishes.*]

2. Pending Vacancy in Office, or during Absence of Chairman or Deputy Chairman, Commissioners present to appoint a Person to preside at Court.
3. Limit of Amount to be borrowed on Security of Rates, 600,000*l.*
4. No Priority amongst Mortgagees or Annuitants, except with respect to existing Charges.
5. Securities to continue valid notwithstanding the Expiration of the Act or the Discontinuance of the Commission.
6. Quarter Sessions of the Metropolitan Counties to levy Rates required for such Securities.
7. Separate Districts may be formed for Sewerage Purposes of Places where no Sewers Rate at present raised.
8. Inhabitants to elect Sewerage Board of such Districts.
9. Mode of Elections.
10. Qualification of Members.
11. Members of Sewerage Board to continue in Office till 31st August 1855.
12. Surveyor to be appointed.
13. Power of Sewerage Board to make Rates, &c.
14. This Act incorporated with 11 & 12 Vict. c. 112.
15. Saving as to certain Provisions of 12 & 13 Vict. c. 93. and 16 & 17 Vict. c. 125.

18 & 19 Vict. c. 30.—An Act to empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose. Page 563

§ 1. Power to Metropolitan Commissioners of Sewers to carry on certain Works, at Expense of Owners, &c.
2. Commissioners may simultaneously execute Works of Improvement common to several Messuages, and divide the Expense among the Owners or Occupiers.
3. This Act and 11 & 12 Vict. c. 112. to be construed as One.

For Provisions relating to the Sewers of the Metropolis, see Metropolis Local Management, *suprà.*

Mexico.

17 & 18 Vict. c. 88.—An Act to render valid certain Marriages of British Subjects in Mexico. Page 183

§ 1. Certain Marriages of British Subjects which have been solemnized in Mexico to be valid.
2. Certificates received by the Secretary of State to be sent to Registrar General, and certified Copies to be Evidence, as under 6 & 7 Will. 4. c. 86.
3. Right to search and have Copies.

Middlesbrough. See *Public Health.*

Middlesex Reformatory Schools. See *Youthful Offenders.*

Midland Great Western Railway of Ireland.

17 & 18 Vict. c. 124.—An Act to settle the Contribution to be made by certain Baronies in Roscommon and Galway and the County of the Town of Galway to the Midland Great Western Railway of Ireland Company. Page 444

§ 1. The Sum of 470,000*l.* to be considered and taken as that in respect of which the said Baronies, &c. are to contribute. Nothing to alter Liability of Company to pay the Money advanced by Commissioners.

Military Asylum. See *Royal Military Asylum.*

Militia.

17 & 18 Vict. c. 13.—An Act to amend the Acts relating to the Militia of the United Kingdom. Page 25

Recital of 42 Geo. 3. c. 90. s. 111., 42 Geo. 3. c. 91. s. 197., 42 Geo. 3. c. 120. s. 55.

§ 1. Militia may be embodied whenever a State of War exists.
2. The Time of Training may be extended after a Corps is called out.
3. Time of Drill not to be reckoned.
4. Notice of the Time and Place of Meeting to be sent by the Commanding Officer by Post to the Residences of the Men, as stated in their Attestations, and to be deemed sufficient.

18 & 19 Vict. c. 1.—An Act to enable Her Majesty to accept the Services of the Militia out of the United Kingdom, for the vigorous Prosecution of the War. Page 515

§ 1. Power to Her Majesty to accept voluntary Offers of the Militia to serve out of the United Kingdom.
2. Power to allow Bounties to Persons making voluntary Offers.
3. Commanding Officers shall explain that the Offer is to be voluntary.
4. The Services of Three Field Officers may be accepted with 900 Men, Two Field Officers with 600 Men, and One with 300, &c., and Proportion of other Officers according to Establishment.
5. Power to Her Majesty to form the Militia for extended Service into Provisional Regiments or Battalions, and to appoint Field Officers to such Provisional Regiments.
6. Provisions for Cases where Field Officers volunteer, and Militia Officers are appointed to higher Ranks.
7. No Militia Officer to rank higher than Lieutenant Colonel.
8. In case sufficient Officers do not volunteer, Her Majesty may appoint Officers.
9. Her Majesty may supply Vacancies.

§ 10. Militia on extended Service subject to Mutiny Act as Regulars, and Militia Officers and Officers of Regular Forces to sit indiscriminately on Courts-martial.
11. The Militia embodied under this Act to continue Militia, and remain subject to Militia Regulations, except as particularly provided.
12. Regulations may be made for retaining Officers on the Establishment of the Militia after Expiration of extended Service.
13. Her Majesty may make Regulations for retaining Officers, Non-commissioned Officers, and Drummers as Supernumeraries.
14. Subalterns after Five Years may be Captains without Qualifications.
15. Notices sent by Post to be good.
16. Act to extend to the Miners of Cornwall and Devon.

18 & 19 Vict. c. 57.—An Act further to amend the Laws relating to the Militia in England. Page 627

§ 1. Secretary of State may enlarge Time for Appointment of Persons to apportion Contributions between County and Borough, and for making Award.
2. Where the Poor Rate in the County and Borough is not assessed upon a uniform Principle, the Proportions of Contribution may be adjusted without regard to the Poor Rate Valuation.
3. Boroughs situate in more than One County to contribute to each in proportion to the rateable Value of the Part within the same.
4. Foregoing Provisions to extend to Franchises.
5. In the County of Lincoln Storehouses to be provided by the Gaol Sessions.
6. As to Expenses of Militia Acts in the County of Sussex.
7. The Word "Borough" to include any City or Town named in Schedules (A.) and (B.) of 5 & 6 Will. 4. c. 76. although such should be a County of itself.

17 & 18 Vict. c. 105.—An Act to amend the Laws relating to the Militia in England and Wales. Page 360

§ 1. Parts of 16 & 17 Vict. c. 116. repealed.
2. Place for Militia Storehouse to be provided. Storehouse to be exempt from local Rates.
3. Sale of Place which is not required.
4. Expense of Storehouse, how to be provided for.
5. Power to borrow on Mortgage of the County Rates.
6. Justices to provide for Interest on Mortgages and Repayment of Principal.
7. Power to reborrow.
8. Mortgages under former Acts saved.
9. Acts done and Contracts made by Deputy Lieutenants shall be valid.
10. Powers given by this Act to extend to Militia of the City of London.
11. Municipal Boroughs exempt from County Rate to contribute in due Proportion.
12. Mode of assessing the Proportions payable by the Boroughs.
13. Manner in which the Award is to be made.
14. Arbitrator to be appointed in default of Agreement.
15. Vacancies in Arbitrators to be supplied.
16. Power to inspect Rates. Penalty.
17. The Borough Treasurer to pay the Sums awarded to the County Treasurer.
18. Borough may borrow Money on Mortgage.
§ 19. How Mortgages are to be made.
20. Conveyances and other Instruments exempted from Stamp Duty.
21. Stannaries charged to be apportioned.
22. Award may be revoked in certain Events.
23. Three Parts of the County of Lincoln, how to be dealt with under this Act.
24. How the several Quotas shall be paid.
25. Parts of Lincolnshire to be separate Counties, with reference to Contributions from Boroughs and Franchises.
26. Isle of Ely to contribute in certain Proportion to County of Cambridge.
27. Quotas of the County and Isle to be raised separately.
28. In settling Proportion contributable by Boroughs, &c. the Isle to be included in the County.
29. Proportions contributable by Franchises and Places exempt from County Rates.
30. Berwick-upon-Tweed to be deemed Part of Northumberland.
31. Landed Estate to qualify Officers of Militia may be in any Part of the United Kingdom.
32. Section 65. of 42 Geo. 3. c. 90. repealed.
33. Drummers offending in certain Cases, how to be dealt with.
34. Permanent Staff to be billeted.
35. Repeal of 16 & 17 Vict. c. 133., except ss. 1, 2.
36. Deputy Lieutenants to aid in raising Volunteers for the Militia.
37. Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post.
38. Times and Places of Exercise to be appointed without General Meetings of Lieutenancy.
39. How Notices of Times and Places to be given.
40. Penalties for fraudulent Re-enlistment.
41. The Justice before whom a Militiaman is convicted of Re-enlistment in the Militia to send Report of Conviction to Secretary-at-War.
42. Power to discharge Men from the Militia who have enlisted in the regular Forces.
43. Provision for withholding Payment of Bounty from Men wrongfully absent from Training.
44. Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.
45. Punishment of Men not attending, or absenting themselves during Training, and not taken till after.
46. Provision for Apprehension of Militiamen not attending or absenting themselves during Training.
47. Penalty for inducing Militiamen to absent themselves, or harbouring or employing Militiamen absenting themselves.
48. Penalty for buying Arms or Militia Stores.
49. Recovery of Penalties. 11 & 12 Vict. c. 43.
50. Application of certain Penalties.
51. Application of Penalties on Militiamen.
52. Section 98. of 42 Geo. 3. c. 90. suspended.
53. Volunteers under Instruction in the Army to be under Mutiny Act.
54. Act to extend to Stannaries of Cornwall and Devon.
55. Secretary of State to have Power to move Regiments not embodied into any Quarters in the United Kingdom during their Training.
56. Persons qualified to act as Surgeons in the Army to be held to be qualified for the Militia.
57. Short Title.
58. Interpretation.

17 & 18 Vict. c. 106.—An Act for amending the Laws relating to the Militia, and raising a Volunteer Militia Force, in Scotland. Page 370

§ 1. Short Title.
2. Her Majesty to appoint Lieutenants of Counties, who shall appoint Deputies and Officers of Militia, whose Names and Ranks shall be certified to Her Majesty.
3. Vice-Lieutenant, authorized by the Lieutenant, may, in his Illness, &c., grant Commissions, and act as Lieutenant.
4. Three Deputy Lieutenants may be authorized to act when the Lieutenant shall be out of the Kingdom, or where there shall be none.
5. Commissions not to be vacated by the Revocation of the Power of the Grantor.
6. Qualifications of Vice-Lieutenants, Deputy Lieutenants, and Officers, except within the City of Edinburgh.
7. Qualifications within the City and County of the City of Edinburgh.
8. The Lieutenant, with the Approbation of Her Majesty, may appoint the Provost of any Royal Burgh, or Three resident Persons, to be Deputies of the Subdivision.
9. Qualification of Deputy Lieutenant or Officer may arise from Personal Estate.
10. Persons holding certain Military Ranks may be appointed Field Officers, though not possessed of Property Qualifications.
11. No Property or other Qualification required under Rank of Captain.
12. General Meetings of Lieutenancy to be held only in certain Cases.
13. Secretary of State may make Regulations as to Appointment of Officers.
14. Existing Officers who are qualified for Service may continue. Officers not so continued shall retain their Ranks.
15. Rank of Officers accepting Commissions in other Regiments.
16. How the Field Officers shall be appointed. As to a County not furnishing sufficient Men for a Company.
17. Where the Colonel or other Commandant shall be absent from Great Britain, Her Majesty may direct the Officer next in command residing in Great Britain to act for him, who shall be vested with the same Powers till the Commandant shall return, and notify his Arrival. Orders given by the Commandant, &c. for Clothing or Accoutrements shall be completed, and the Money paid to his Order, though he may leave Great Britain.
18. How the Captains and Subalterns of Companies shall be appointed.
19. Her Majesty may direct Supernumerary Officers to be appointed to Men trained for the Service of Artillery.
20. The Lieutenant of the County authorized to name the Colonel may, with the Approbation of Her Majesty, appoint a Surgeon.
21. Her Majesty to appoint Adjutants from the Army or Militia, who shall preserve their Rank in the Army, and may be appointed to the Rank of Captain.
§ 22. Her Majesty to appoint Quartermasters, &c., and Colonels to appoint Corporals and Drummers. Colonel may appoint Drum Major. While Militia is embodied, Colonels to appoint Sergeants; but no Publican shall be a Sergeant, Corporal, or Drummer.
23. No Adjutant, &c. to be appointed Captain of a Company.
24. Extra Drummers may be kept as Fifers or Musicians, at the Expense of the Regiment.
25. Oath to be taken by Persons entering Militia.
26. Number of Militia to be raised.
27. Quotas of Counties to be fixed by Order in Council.
28. Her Majesty may direct into what Regiments, &c. Militia shall be formed, and with what Officers and Staff.
29. Militiamen to be raised by voluntary Enlistment.
30. The Number not raised by Enlistment in any County may be authorized to be raised by Enlistment as a supplemental Corps in another County.
31. Volunteers to be raised for supplying the Places of Men whose Time is about to expire, and for supplying Vacancies by Death, &c.
32. Volunteers to be sworn and enrolled.
33. Secretary-at-War may make Regulations for Bounties, and Age, Height, &c. of Men.
34. Regulations to be laid before Parliament.
35. Arms, &c. to be kept in a Place appointed by the Commandant, with the Approbation of the County Lieutenant, to be under the Care of the Quartermaster.
36. Place for Militia Storehouse to be provided.
37. Expense of Storehouse, how to be provided for.
38. Commissioners may raise Sums required by Assessment or by borrowing.
39. Apportionment of Assessment on Burghs.
40. Power to Queen's Advocate to raise and apply Assessments.
41. Conveyances, &c. exempt from Stamp Duty.
42. Penalty for Neglect of Duty in Clerks of Supply.
43. Lieutenants, with Approbation of a Secretary of State, to provide Places for Exercise.
44. Regulations for sending Notice of the Times and Places of Exercise.
45. Her Majesty may cause Militia to be called out for Training more than once in a Year.
46. Secretary of State may cause Militia to be exercised out of their own Counties, and Her Majesty may extend or reduce the Period of Exercise.
47. In Cases of actual Invasion, Rebellion, and Foreign War, &c., Her Majesty may order the Militia to be embodied, and put under the Command of General Officers, &c., and led by their respective Officers into any Part of Great Britain.
48. When the Militia is ordered out, the County Lieutenants shall issue Orders to the Schoolmasters, &c.
49. While any Part of the Militia shall continue embodied, Her Majesty may order any not embodied to be drawn out, to be mustered, trained, and exercised.
50. Justices, &c., may billet the Militia when called out to annual Exercise, and, when not called out, may order Quarters for the Non-commissioned Officers and Drummers.
51. Directing how Militiamen falling sick on the March are to be relieved.

§ 52. Officers, &c. may be tried by a Court-martial for Offences committed;
53. But Charges to be made out and delivered within Six Months after training or being disembodied.
54. Volunteers under Instruction in the Army to be under Mutiny Act.
55. General Courts-martial may be appointed. Pay and Allowance to Officers.
56. Regimental Courts-martial may be appointed.
57. Non-commissioned Officers may be reduced to Privates for a certain Period, and if not then restored they shall be discharged.
58. Men not appearing at the Time and Place of Exercise, or absenting themselves during that Time, if not taken till afterwards, shall forfeit 10*l.* or be committed for Three Months.
59. Penalties for fraudulent Re-enlistment.
60. The Justice before whom a Militiaman is convicted of Enlistment in the Regular Forces or Re-enlistment in the Militia to send Report of Conviction to Secretary-at-War.
61. Power to discharge Men from the Militia who have enlisted in the Regular Forces.
62. Provision for withholding Payment of Bounty from Men wrongfully absent from training.
63. Drummers or Buglers offending in certain Cases, how to be dealt with.
64. In case of Discharge for Misconduct, the Cause of Discharge to be certified on Certificate of Discharge.
65. Provision for Apprehension of Militiamen not attending or absenting themselves during Training.
66. Penalty for inducing Militiamen to absent themselves, or harbouring or employing Militiamen absenting themselves.
67. Muskets to be marked, and if Men sell or lose their Arms, &c., or neglect to return them in good Order, they shall forfeit not exceeding 3*l.* or be committed for not exceeding Three Months.
68. Penalty for buying Militia Arms, &c.
69. Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.
70. Enrolment of Servants shall not vacate their Contracts with their Masters, unless the Militia shall be embodied, &c. Sheriff or Two Justices may settle Disputes touching Wages under 20*l.* under Small Debt Acts.
71. How Penalties shall be recovered, and how applied, where not otherwise directed by this Act.
72. No Order of Conviction shall be removed out of the County.
73. Application of certain Penalties.
74. Application of Penalties on Militiamen.
75. Justices may grant Warrants for the Citation of Witnesses.
76. Provisions of Twopenny Acts to extend to County Lieutenants and Deputies.
77. Limitation of Actions. Treble Expenses.

17 & 18 Vict. c. 107.—An Act to amend the Laws relating to the Militia, and for raising a Volunteer Militia Force, in Ireland. Page 383

§ 1. Number of Militia to be raised.
2. Quotas of Counties to be fixed by Order in Council.
3. Lord Lieutenant may direct into what Regiments, &c. Militia shall be formed, and with what Officers and Staff.
4. Lord Lieutenant may make Regulations as to Qualification for Service of Officers.
5. Provisions as to certain Property Qualifications repealed.
6. Qualification of Deputy Lieutenant, Captain, or Officer of higher Rank.
7. Persons holding certain Military Ranks may be appointed Officers without Property Qualification.
8. Power to Lord Lieutenant to appoint Adjutants, &c. Corporals and Drummers to be appointed by the Colonel.
9. Qualification of Surgeons in Militia same as in the Army.
10. Existing Officers who are qualified for Service may continue. Officers not so continued shall retain their Ranks.
11. Militiamen to be raised by voluntary Enlistment. Deputy Lieutenants to aid in raising Volunteers for the Militia.
12. The Number not raised by Enlistment in any County may be authorized to be raised by Enlistment as a Supplemental Corps in another County.
13. Secretary-at-War may make Regulations.
14. Regulations to be laid before Parliament.
15. Volunteers to be raised for supplying the Places of Men whose Time is about to expire, and for supplying Vacancies by Death, &c.
16. Volunteers to be sworn and enrolled.
17. Period of Training and Exercise.
18. Lord Lieutenant may, by Order in Council, cause Militia to be exercised out of their own Counties, or extend or reduce the Period of Exercise.
19. Time of Drill not to be reckoned.
20. Lieutenant, with Approbation of Lord Lieutenant, to provide Places for Exercise.
21. Notices of Times and Places of Exercise and in case of embodying Militia, how to be given.
22. Lord Lieutenant may order increased Pay to Militiamen attached to the Artillery.
23. Penalties for fraudulent Re-enlistment.
24. The Justice before whom a Militiaman is convicted of Re-enlistment in the Militia to send Report of Conviction to Secretary-at-War.
25. Power to discharge Men from the Militia who have enlisted in the Regular Forces.
26. Provision for withholding Payment of Bounty from Men wrongfully absent from Training.
27. Enrolment in Militia not to cause Forfeiture of any Interest in any Benefit Society.
28. Punishment of Men not attending, or absenting themselves during Training, and not taken till after.
29. Provision for Apprehension of Militiamen not attending or absenting themselves during Training.
30. Penalty for inducing Militiamen to absent themselves, or harbouring or employing Militiamen absenting themselves.
31. Penalty for buying Arms or Militia Stores.
32. Recovery of Penalties. [*Repealed by* 18 & 19 *Vict. c.* 19. *s.* 7.]
33. Application of certain Penalties.
34. Application of Penalties on Militiamen.
35. Volunteers under Instruction in the Army to be under Mutiny Act.
36. The Provisions of 49 Geo. 3. c. 120. as amended to extend to this Act.
37. Notices of General and Subdivision Meetings to be sent to Deputy Lieutenants by Post.

§ 38. Expenses of House for depositing Arms and Stores of the Militia in Ireland to be defrayed by the County or County of a City.
39. Power to borrow on Mortgage of the County Rates.
40. To provide for Interest on Mortgages and Repayment of Principal.
41. Power to reborrow.
42. Interpretation Clause.
43. Short Title.

18 & 19 Vict. c. 19.—An Act to remove Doubts as to the Commissions of Officers of Militia in Ireland who have omitted to deliver unto the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in Ireland. Page 548

§ 1. Officers of Militia acting under certain Commissions indemnified, on depositing their Qualifications within Three Months.
2. Proviso for Officers below the Rank of Captain whose Commissions may have been granted when the Law required from them Property Qualification.
3. Not to indemnify Persons against whom final Judgment has been obtained before passing of this Act, &c.
4. Lieutenants of Counties and Colonels to send with the Certificates of Appointments of Officers the Description of their Qualifications.
5. In Actions for Penalties under 49 Geo. 3. c. 120. s. 19. Security for Costs to be given.
6. Her Majesty or Lord Lieutenant of Ireland may direct Lieutenants of Counties to displace Officers of Militia.
7. Recovery of Penalties. 17 & 18 Vict. c. 107. s. 32. repealed.
8. Adjutants of Militia Regiments who have served as Non-commissioned Officers to be eligible to Brevet Rank of Captain.

18 & 19 Vict. c. 100.—An Act to amend the Law concerning the Qualification of Officers of the Militia. Page 765

§ 1. Property Qualifications for Officers of certain Ranks in the Militia.
2. The Income of Personal Estate in possession of the Officer to be deemed equivalent to the yearly Value of Land.
3. Persons holding certain Military Ranks may be appointed to certain Ranks in the Militia without Property Qualifications.
4. Existing Enactments to extend to Qualifications under this Act.
5. Exceptions for the Militia of London and Edinburgh.
6. Extent of the Act.

17 & 18 Vict c. 109. and 18 & 19 Vict. c. 123.—An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Sergeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers. Pages 390. 910

17 & 18 Vict. c. 108. and 18 & 19 Vict. c. 106.—An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. Pages 390. 779

18 & 19 Vict. c. cxlv.—An Act to amend 1 Geo. 4. c. 100., to enable Her Majesty's Commissioners of Lieutenancy for the City of London to purchase certain Lands and Houses for building more convenient and requisite Head Quarters, Storehouses, and other proper Accommodation for the Royal London Militia, and to confer certain other Powers. Page 982

Recital of 17 & 18 Vict. c. 105. and 1 Geo. 4. c. 100.

Ministers Money (Ireland).

17 & 18 Vict. c. 11.—An Act to amend the Laws relating to Ministers Money and the Church Temporalities (Ireland) Act. Page 23

Recital of 17 & 18 Car. 2. c. 7. (I.) and 7 & 8 Geo. 4. c. 34.

§ 1. Existing Charges of Ministers Money to cease, and 17 & 18 Car. 2. c. 7. (I.) repealed.
2. The Charge of Ministers Money for the Year ending 31st December 1853 to be ascertained, all Houses rated to the Poor at or under 10*l.* being deducted, and Amounts to be certified to Collector General of Rates, Town Clerks, and Clerks to Boards of Guardians.
3. The Sums so certified to be raised in each Parish by means of a Rate upon all Houses now chargeable except those rated at or under 10*l.*
4. Sums raised to be paid over to the Paymaster of Civil Services, and be by him transferred to the Ecclesiastical Commissioners.
5. How Monies are to be recovered in case of Default to raise the same by Rates under this Act.
6. Owners or Occupiers may redeem Rates.
7. Redemption Monies to be paid to Ecclesiastical Commissioners.
8. Ecclesiastical Commissioners to pay to Incumbents 75*l.* per Cent. on the Sum payable for Ministers Money during the Year 1853.
9. Ecclesiastical Commissioners to invest Monies in Government Securities, &c.
10. Funds in Hands of Ecclesiastical Commissioners may be applied to the Augmentation of Benefices or increasing the Number of Clergymen in the said Cities and Towns.
11. Nonpayment of Rate not to prevent Persons being admitted Burgesses, &c.

Molasses. See *Customs. Excise.*

Montserrat Loan.

18 & 19 Vict. c. 71.—An Act to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat. Page 666

§ 1. Treasury authorized to extend the Time of Repayment of Loans to Antigua, Nevis, and Montserrat, and to reduce Interest to 3*l.* 5*s.* per Cent.; corresponding Advantages being secured to the private Borrowers.

§ 2. In case of Default of Payment at the Times fixed under this Act, the Rate of Interest and Instalments originally agreed upon may be required.

Museums, Public. See *Dublin. Public Libraries and Museums.*

Mutiny. See *Army. Royal Marines.*

N.

National Gallery, Dublin. See *Dublin.*

Navigation Works (Ireland).

18 & 19 Vict. c. 110.—An Act to authorize the Application of certain Sums granted by Parliament for Drainage and other Works of public Utility in Ireland, towards the Completion of certain Navigations undertaken in connexion with Drainages, and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in Ireland. Page 786

§ 1. The Treasury may issue Money for the Purposes of Completion.
2. Power to the Treasury to authorize Completion of the Works.
3. Power to the Treasury to reduce the Portion of Expenses chargeable on Counties, &c.
4. Advances which are not to be chargeable on Counties, &c. to be free Grants.
5. The Commissioners of Public Works to make an Award on Completion of the Works.
6. The Commissioners to certify Amount to the Grand Jury of the County, who are to make Presentment accordingly.
7. Awards in respect of Drainage not to be affected, and to be made as if no Work of Navigation had been connected therewith.
8. Navigations may be transferred to Counties.
9. Power to Commissioners of Public Works to charge Amounts which may be found due for Compensation, &c.
10. Limit of Time within which Claims to be made.
11. Act not to abridge Powers of 16 & 17 Vict. c. 130.
12. Power to set off Benefit resulting during Execution of the Works.
13. Power to the Commissioners to release a Portion of the Lands.
14. As to the Appointment of Trustees for Drainage Districts connected with Navigation.
15. Providing for Trustees in case of only One Proprietor in a District, or any Number not exceeding Six.
16. Power to further deepen the River Lung.
17. Acts to be construed as One Act.

Navy, Mercantile. See *Merchant Shipping.*

Navy, Royal. See *Royal Navy.*

Ness River. See *Inverness Bridge.*

Netherhall Ledbury. See *Ledbury Prebend.*

Nevis Loan.

18 & 19 Vict. c. 71.—An Act to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of Antigua, Nevis, Montserrat. Page 666

Recital of 6 & 7 Vict. c. 63.
§ 1. Treasury authorized to extend the Time of Repayment of Loans to Antigua, Nevis, Montserrat, and to reduce Interest to 3*l.* 5*s.* per Cent.; corresponding Advantages being secured to private Borrowers.
2. In case of default of Payment at the Times fixed under this Act the Rate of Interest and Instalments originally agreed upon may be required.

New Churches. See *Churches Building Commission. Union of contiguous Benefices.*

New Forest.

17 & 18 Vict. c. 49.—An Act for the Settlement of Claims upon and over the New Forest. Page 97

Recital of 14 & 15 Vict. c. 76.
§ 1. Appointment of Commissioners.
2. Power to fill up Vacancies in case of Death, &c. of Commissioners.
3. Commissioners to make Declaration before acting.
4. Payment of Commissioners.
5. Commissioners to hear and determine Claims.
6. Decisions of any Two of the Commissioners to be final; but if they differ a Case may be submitted to Court of Common Pleas, for their Judgment.
7. Power to allow, disallow, or amend Claims.
8. Commissioners may make Rules as to their Proceedings.
9. Commissioners may award Costs.
10. Costs may be recovered in County Court.
11. All Rights to go, &c. with Lands in respect of which they are claimed.
12. Commissioners to hold Meetings for the Purposes of this Act.
13. Commissioners to publish List of Claims and Objections to be heard.
14. Commissioners to decide on Questions arising on Claims.
15. Appointment of Clerk, with such Remuneration as Treasury may direct.
16. Claims, &c. already made to be delivered to the Commissioners.
17. As to future Claims and Objections.
18. Register of Claims and Objections to be kept, and open to Inspection, &c.
19. Claims may be withdrawn, and new Claims substituted.
20. Time for Allowance of new Claims.
21. Time for making Objections to Claims extended.
22. Claims or Objections authorized by the recited Acts may be made under this Act, and in case of Death may be proceeded with by any Party interested.

§ 23. Decision of Commissioners to be entered on Register of Claims.
24. Register of Claims, as amended, to be signed and sealed by the Commissioners in duplicate, and to be deposited.
25. Deposit of Book of Claims dispensed with.
26. Copies or Extracts from the Register to be furnished when required.
27. Certified Copies to be Evidence, and Parties forging same guilty of a Misdemeanor.
28. Claims enjoyed since the Year 1800 to be allowed under certain Circumstances.
29. Waste Lands of the Forest to be sold to defray the Expenses incidental to the Act.
30. Produce of Sales to be paid to the Commissioners of Woods, and applied by them in Payment of Expenses.
31. Power to send for Persons and Papers.
32. Commissioners to examine on Oath, &c.
33. Penalty for Non-attendance or refusing to give Evidence.
34. Penalty for false swearing.
35. Protection of Commissioners.
36. Limitation of Actions.
37. Limitation of Proceedings on Claims, &c.
38. Woodmen's Cottages may remain after the Inclosures have been thrown out, but the total Quantity of inclosed Land not to be thereby increased.
39. Acts to be done by Commissioners of Woods may be done by Commissioner in charge of the Forest.

New South Wales.

18 & 19 Vict. c. 54.—An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of New South Wales, "to confer a Constitution on New "South Wales, and to grant a Civil List to Her "Majesty." Page 593
§ 1. Power to Her Majesty to assent to the Bill in Schedule (1.) to this Act.
2. So much of the Acts in Schedule (2.) to this Act as relates to the Colony of New South Wales repealed.
3. Provisions of former Acts respecting the Allowance and Disallowance of Bills preserved.
4. Power to repeal and alter the Provisions of the reserved Bill.
5. Boundaries of the Colonies of New South Wales and Victoria along the River Murray defined.
6. Provision for the Separation of Portions of the Territory of New South Wales.
7. Portions so separated may be erected into separate Colonies.
8. Commencement of the Act.
9. Interpretation of Terms.

Newfoundland. See *Fisheries.*

Newspaper Stamp Duties.

18 & 19 Vict. c. 27.—An Act to amend the Laws relating to the Stamp Duties on Newspapers, and to provide for the Transmission by Post of printed periodical Publications. Page 559
§ 1. Not to be compulsory to print Newspapers on Stamps.
§ 2. Periodical Publications printed on Stamps to be transmitted by Post free of Postage.
3. Periodical Publications entitled to free Transmission by Post to be printed under certain Limitations and Conditions specified.
4. Paper to be stamped for such periodical Publications at the Request of the Proprietor or Printer. Discount to be allowed on Stamps in Ireland.
5. Periodical Publications to be posted within Fifteen Days after being published.
6. Questions as to periodical Publications, how determined.
7. Newspapers may be registered at the General Post Office to entitle the same to the Privilege of Transmission abroad under Treaties with Foreign Powers.
8. Transmission by Post of printed Papers to Foreign Countries.
9. Power to the Postmaster General, with Consent of Treasury, to make Regulations for carrying the Act into effect.
10. Periodical Publications sent by Post not in conformity with this Act to be charged Letter Rates of Postage.
11. London Gazette to be Evidence of the issuing of Warrants or Orders.
12. Interpretation of Terms.

North American Fisheries.

18 & 19 Vict. c. 3.—An Act to carry into effect a Treaty between Her Majesty and the United States of America. Page 518
§ 1. Recital of Treaty of 5th June 1854. Acts of Parliament, &c. at variance with Provisions of the said Treaty suspended.
2. Act to come into operation as soon as proclaimed in the Colonies of Canada, New Brunswick, Nova Scotia, and Prince Edward Island.
3. Extension of the Treaty to Newfoundland.

Notarial Acts Abroad. See *Oaths.*

Nuisances Removal and Diseases Prevention.

18 & 19 Vict. c. 121.—An Act to consolidate and amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849. Page 876
§ 1. 11 & 12 Vict. c. 123. and 12 & 13 Vict. c. 111. repealed as far as relates to England, except as to Proceedings commenced.
2. Interpretation of certain Terms used in this Act.
3. The Local Authority to execute this Act in Places as herein stated.
4. As to filling up Vacancies.
5. Power to Local Authority to appoint Committees.
6. As to the Execution of this Act in Extra-parochial Places.
7. As to defraying Expenses of executing this Act.
8. What are deemed Nuisances under this Act.
9. Power to Local Authority to appoint a Sanitary Inspector, and allow him a proper Salary.
10. Notice of Nuisances to be given to Local Authority, &c. to ground Proceedings.
11. Power of Entry to Local Authority or their Officer.

§ 12. Proceedings by Local Authority before Justices in the Case of Nuisances likely to recur, &c. If proved to Justices that Nuisances exist, &c., they shall issue Order for Abatement, &c.
13. Justices Order for Abatement. Prohibitive Order against future Nuisance.
14. Penalty for Contravention of Order of Abatement; and of Prohibition. Local Authority may enter and remove or abate Nuisance.
15. Appeal against Order of Prohibition.
16. Appeal against Order of Abatement when structural Works are required.
17. If Person causing Nuisance cannot be found, Local Authority to execute Order at once.
18. Manure, &c. to be sold.
19. Costs and Expenses of Works to be paid by Person on whom Order is made, or Owner or Occupier.
20. Proceedings before Justices to recover Expenses.
21. Surveyors of Highways to cleanse Ditches, &c. paying Owners, &c. for Damages.
22. Power to Local Authority to cover and improve open Ditches, &c.
23. Penalty for causing Water to be corrupted by Gas Washings.
24. Penalty to be sued for in Superior Courts within Six Months.
25. Daily Penalty during the Continuance of the Offence.
26. Penalty on Sale of unwholesome Meat, &c.
27. As to Nuisances arising in Cases of noxious Trades, Businesses, Processes, or Manufactures.
28. Reference to Superior Court at the Option of the Party complained against.
29. On Certificate of Medical Officer to Local Authority that House is overcrowded, Proceedings may be taken to abate the same.
30. Local Authority may order Costs of Prosecutions to be paid out of the Rates.
31. Service of Notices, Summonses, and Orders.
32. Proof of Resolutions of Local Authority.
33. As to Proceedings taken against several Persons for the same Offence.
34. One or more joint Owners or Occupiers may be proceeded against alone.
35. Designation of "Owner" or "Occupier."
36. Penalty for obstructing Execution of this Act.
37. Penalty on Occupier obstructing Owner.
38. Penalties and Expenses recoverable under 11 & 12 Vict. c. 43.
39. Proceedings not to be quashed for Want of Form.
40. Appeals under this Act to be to Quarter Sessions.
41. Forms to be used as in Schedule.
42. As to Protection of Local Authority and its Officers.
43. Act not to impair Jurisdiction of Sewers Commissioners, or Common Law Remedies for Nuisance, nor Jurisdiction of Local Authority as to the Nuisances referred to in this Act.
44. Act not to affect Navigation of Rivers or Canals.
45. Saving as to Rights of Millowners, &c.
46. Short Title.

18 & 19 Vict. c. 116.—An Act for the better Prevention of Diseases. Page 792

§ 1. Short Title.
2. Local Authority for Execution of Act.
3. Expenses of Act.
4. Power of Entry.
5. Power to Privy Council to issue Orders that Provisions herein contained for Prevention of Diseases may be put in force.
6. Power to General Board of Health to issue Regulations to carry out such Provisions. Local Extent and Duration of Regulations of General Board.
7. Publication of such Regulations.
8. The Local Authority to see to the Execution of such Regulations, &c.
9. And may direct Prosecutions for violating the same.
10. Orders of Council, Directions, and Regulations to be laid before Parliament.
11. Order in Council may extend to Parts and Arms of the Sea.
12. Medical Officer of Unions and others entitled to Costs of attending Sick on board Vessels, when required by Orders of General Board of Health.
13. Authentication of Directions and Regulations of General Board of Health.
14. Penalty for obstructing Execution of Act.
15. Certain Provisions of Nuisances Removal Act to apply to this Act.

O.

Oaths.

17 & 18 Vict. c. 1.—An Act to explain and amend an Act [16 & 17 Vict. c. 90.] relating to the Duties of Assessed Taxes; and to authorize Justices of the Peace in Ireland to administer Oaths required in Matters relating to Income Tax. Page 1

§ 5. Justices of the Peace in Ireland may administer Oaths required by the Acts relating to the Income Tax.

18 & 19 Vict c. 42.—An Act to enable British Diplomatic and Consular Agents abroad to administer Oaths and do Notarial Acts. Page 582

§ 1. Oaths may be administered by Ambassadors and other British Ministers abroad.
2. Affidavits taken before Ambassadors, &c. abroad may be used in Courts in the United Kingdom.
3. Documents to be admitted in Evidence without Proof of the Seal or Signature of the Ambassador or other official Person.
4. Persons swearing or affirming falsely guilty of Perjury.
5. Persons forging Seal or Signature guilty of Felony.

17 & 18 Vict. c. 78.—An Act to appoint Persons to administer Oaths, and to substitute Stamps in lieu of Fees, and for other Purposes, in the High Court of Admiralty of England. Page 141

§ 1. Short Title.
2. Commencement of Act.
3. Judge of Admiralty may appoint Solicitors and Notaries to administer Oaths, &c.
4. Commissioner's Appointment to bear a Stamp of One Pound.

§ 5. Personal Answers may be taken without a Commission.
6. Commission for Examination of Witnesses dispensed with, and Examiners empowered to administer Oaths.
7. Answers, Affidavits, &c., how to be sworn and taken in England and Wales.
8. Answers, Affidavits, &c., how to be sworn and taken out of England and Wales.
9. Penalty for false swearing, &c.
10. Penalty for forging Signature or Seal of Judge, &c. empowered to administer Oaths under this Act.
11. Power to appoint Persons under special Circumstances to administer Oaths, &c.
12. Power of Judge to issue Commissions as heretofore, to administer Oaths, &c.
13. Power to Court to proceed by way of Monition.

18 & 19 Vict. c. 25.—An Act to allow Affirmations or Declarations to be made instead of Oaths in certain cases in Scotland. Page 558

§ 1. Affirmation instead of Oath to be allowed in certain Cases.
2. Her Majesty may by Order in Council direct Provisions of this Act to be applied to all Courts in Scotland.

Offenders. See *Youthful Offenders.*

Office of Receipt of the Exchequer. See *Exchequer.*

Office of Speaker. See *House of Commons.*

Officers in the Militia. See *Militia.*

Offices, Duties on Profits from. See *Income Tax.*

Ordnance.

18 & 19 Vict. c. 117.—An Act for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance. Page 794

§ 1. Powers, Authorities, &c. vested in the Principal Officers of the Ordnance to be transferred to Her Majesty's Secretary of State for the War Department.
2. All Lands, &c. vested in such Officers vested in the said Secretary of State.
3. Contracts, &c. made by the Principal Officers relating to the Public Service to be enforced by such Secretary of State.
4. Powers given by the tenth and eighteenth Sections of 5 & 6 Vict. c. 94. to Bodies Corporate, &c. to sell, to be exercised by such Secretary of State.
5. Such Secretary of State to be described in Conveyances, &c. as "Her Majesty's Principal Secretary of State for the War Department."

17 & 18 Vict. c. 67.—An Act to facilitate the Purchase of Common, Commonable, and other Rights by the Principal Officers of Her Majesty's Ordnance. Page 128

§ 1. Principal Officers of Board of Ordnance may avail themselves of certain Powers contained in Lands Clauses Consolidation Act (8 & 9 Vict. c. 18.) as to extinguishing Rights of Common, &c.
2. Power of Valuer appointed under Inclosure Act to cease on Purchase of Common Rights by Board of Ordnance.
3. Purchase may be made although Inclosure Proceeding pending.

Outrage. See *Crime and Outrage.*

Over Darwen. See *Public Health.*

Oxford University.

17 & 18 Vict. c. 81.—An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary Winchester. Page 161

§ 1. Appointment of Commissioners.
2. Duration of Powers of Commissioners.
3. Queen may fill up Vacancy in Number of Commissioners.
4. Commissioners empowered to require Production of Documents, &c.
5. Establishment of Hebdomadal Council.
6. Composition of Hebdomadal Council. Heads of Colleges and Professors being returned or sitting as Professors, or Members of Convocation. Persons elected in Two or more Classes to declare under which Class they will sit.
7. Date of Meeting.
8. Periodical vacating of Seats.
9. Members may be re-elected.
10. Filling up of casual Vacancies.
11. Vice Chancellor to continue a Member.
12. Professors eligible.
13. Non-residence to create a Vacancy.
14. Vice Chancellor to make Register of Congregation; also Regulations respecting Hebdomadal Council.
15. Power to Hebdomadal Council to make Rules for Regulation of its own Proceedings.
16. Composition of Congregation. Power of Congregation to frame Regulations for its own Proceedings.
17. Promulgation of Statutes.
18. Proposal of Amendments.
19. If Change made, Statute to be re-promulgated.
20. Congregation may speak in English.
21. Election of Hebdomadal Council.
22. Powers of Convocation retained.
23. University may provide that Votes may be given by Proxy at Election of Chancellor.
24. Certain Oaths illegal.
25. Power to Vice-Chancellor to license Members of Convocation to open their Residences for Reception of Students.
26. Who shall be called Licensed Masters.
27. Power of University to make Statutes.

§ 28. Colleges may amend Statutes with respect to Eligibility to Headships, &c.
29. When Colleges omit to make Statute, Commissioners may frame Ordinances.
30. Power of University to alter Trusts.
31. Right of Preference belonging to Schools not to be abolished, if Governors of Schools or Charity Commissioners dissent therefrom.
32. Notice served on the Principal of any School to be sufficient Notice to the Governing Body.
33. Ordinances and Regulations objected to by Governing Body of College, &c. to be laid before Parliament.
34. College of St. Mary of Winchester to be subject to this Act.
35. Ordinances, Regulations, and Statutes to be laid before the Queen in Council. Power to Colleges, &c. to petition Her Majesty against Approbation thereof, &c.
36. Regulations, Ordinances, and Statutes to be laid before Parliament.
37. Powers granted to Colleges granted to University as to Halls and Private Halls. If University omit to frame Statutes, &c., it shall be incumbent on Commissioners to do so.
38. Commissioners to have regard to reasonable Designs of College, &c.
39. Power to repeal Statutes.
40. Statutes by Commissioners subject to repeal, &c.
41. Christ Church deemed a College.
42. Persons becoming Members not to possess vested Interests.
43. Not necessary to make Declaration or take an Oath on matriculating;
44. Nor on taking a Degree.
45. University Court to be subject to the Rules of the Common Law.
46. Stamp Duties abolished.
47. Powers of University to continue in force, except as altered by this Act.
48. Interpretation of Terms.

18 & 19 Vict. c. 36.—An Act to repeal the Stamp Duties payable on Matriculation and Degrees in the University of Oxford. Page 575

§ 1. Stamp Duties on Matriculation and Degrees in Oxford repealed.
2. Salaries payable under University Statute not to be discontinued without Consent of the Treasury.

Oxford Chapel (St. Marylebone).

17 & 18 Vict. c. 70.—An Act to enable the Trustees of Portland Chapel, Oxford Chapel, and Welbeck Chapel, in the Parish of Saint Marylebone, to augment the Salaries of the Ministers of the said Chapels. Page 130

§ 1. Power to Trustees to augment Salaries of Incumbents.
2. Meeting of Trustees.
3. The First Commissioner of Works to be a Trustee in the Place of the First Commissioner of Woods.

P.

Palatine Courts. See *Durham. Lancaster.*

Parliament, Members of. See *Bribery. Parliamentary Representation (Scotland). Returning Officers.*

Parliamentary Representation (Scotland).

18 & 19 Vict. c. 24.—An Act to amend an Act [2 & 3 Will. 4. c. 65.] for amending the Representation of the People in Scotland, in so far as relates to the Procedure in County Elections in that Country. Page 558

§ 1. Sheriff to endorse on the Writ the Day on which he received it, and announce the Time for the Election.
2. Proviso as to Orkney and Shetland.
3. Provisions of 2 & 3 Will. 4. c. 65., so far as inconsistent with this Act, repealed.

Parochial Schoolmasters (Scotland).

17 & 18 Vict. c. 98.—An Act to regulate the Salaries of the Parochial Schoolmasters of Scotland. Page 211

§ 1. Average struck in 1828 to endure till Martinmas 1855.
2. Continuing 43 Geo. 3. c. 54.

Passengers by Sea.

18 & 19 Vict. c. 119.—An Act to amend the Law relating to the Carriage of Passengers by Sea. Page 796

§ 1. *Preliminary.*—Commencement of this Act, and Repeal of Passengers Act, 1852 [15 & 16 Vict. c. 44.], except as to existing Liabilities, and except as to an Order in Council dated 16th October 1852.
2. Short Title of this Act; and in legal Proceedings Reference to Sections of this Act by Number to be sufficient.
3. Definition of Terms used in this Act.
4. To what Vessels and Voyages this Act extends.
5. Penalty on fraudulently using Certificates or using fraudulent Certificates.
6. Commissioners of Emigration to carry this Act into execution.
7. Emigration Commissioners may sue and be sued in the Name of their Secretary, &c. Commissioners, &c. exempt from Liability.
8. Emigration Officers and Assistants to act under the Commissioners, &c., but existing Appointments to continue until revoked.
9. Duties of Emigration Officer may be performed by his Assistant or by Officer of Customs.
10. Facilities to be given to the proper Officers for the Inspection of all Ships fitting for Passengers. Penalty on Master failing to comply, &c.
11. *Arrangements for the Ship.*—No Passenger Ship to clear without Certificate from Emigration Officer, nor until Bond be given to the Crown.

§ 12. Forfeiture of Ship if Master proceeds to Sea without Certificate of Clearance, &c. Such Ship to be dealt with as if seized under Laws relating to Customs.
13. Where Passengers may be carried.
14. Rule for determining the Number of Passengers to be carried. Tonnage Check. Space Check. Penalty.
15. Nothing to extend to repeal 16 & 17 Vict. c. 84.
16. Passengers Lists to be delivered in Duplicate by the Master before Clearance.
17. Lists of Passengers embarked after Clearance to be delivered by Master. Penalty on Noncompliance.
18. Penalty on Persons found on board Ships without Consent of Owners, &c.
19. All Passenger Ships to be surveyed before clearing out. Penalty on Noncompliance. Power to Owners to appeal against Surveyor's Report of Ships not being seaworthy.
20. As to the Construction of Beams and Decks.
21. Arrangement and Size of Berths.
22. Single Men to be berthed in a separate Compartment. As to Numbers and Sexes in One Berth. Penalty on Noncompliance.
23. Berths not to be removed till Passengers landed.
24. Space to be allotted as an Hospital. Penalty.
25. Regulation as to Construction of Privies.
26. As to Light and Ventilation. Penalty on Noncompliance.
27. Regulations as to the carrying of Boats; of Life Boats; and of Life Buoys, Anchors, and Fire Engines, &c.
28. Regulations as to carrying an efficient Crew.
29. Certain Articles prohibited as Cargo and Ballast. Stowage of Cargo, Stores, and Luggage to be approved by Emigration Officer.
30. Computation of Voyages.
31. Before Clearance, Provisions and Water to be surveyed. Provisions for the Crew not to be inferior to those for the Passengers. Penalty for Noncompliance.
32. Power to Emigration Officer to reject and mark bad Provisions, and direct the same to be landed, and if re-shipped, Parties liable to a Penalty.
33. Water Tanks or Casks to be approved by Emigration Officer.
34. Provision for touching at intermediate Ports to fill up Water.
35. Dietary Scales of Provisions. Penalty on Noncompliance.
36. Size of Messes. Provisions to be issued daily, and Articles which require cooking to be cooked.
37. Power to Emigration Commissioners to authorize an alternative Dietary Scale. Power to Commissioners to alter Dietary Scale.
38. Rules as to Passengers Stewards. Penalty on Noncompliance.
39. Rules as to Passenger Cooks and cooking Apparatus. Penalty on Noncompliance.
40. In what Cases Interpreters to be carried. Penalty for Neglect.
41. In what Cases a Medical Man must be carried. Penalty for Neglect.
42. Qualification of Medical Man. Penalty for Noncompliance.
43. Medicines and Medical Comforts. Penalty for Noncompliance with Order.
§ 44. Medical Inspection of Passengers and Medicines, &c. Penalty for Noncompliance.
45. Relanding of Passengers on account of Sickness or for purifying Ships. Penalty for Neglect.
46. *Passengers Rights.*—As to Return of Passage Money to Passengers relanded on account of Sickness, &c.
47. Subsistence Money to be paid to Passengers relanded.
48. Return of Passage Money and Compensation to Passengers where Passages are not provided for them according to Contract.
49. Subsistence in case of Detention.
50. Ships putting back to replenish Provisions, &c. Penalty on Master for Default. Ships putting back to be reported to Emigration Officer. Penalty on Master for Neglect.
51. In case of Wreck or Damage Passengers to be provided with a Passage by some other Vessel, and maintained in the meantime. In default, Passage Money to be returned. Power to remove Passengers from Ship. Penalty on Passengers refusing.
52. Secretary of State, &c., may pay Expenses of taking off Passengers at Sea.
53. Governors or Consuls may send on Passengers if the Master of the Ship fail to do so.
54. Expenses incurred under the Two preceding Sections to be a Crown Debt. Passengers forwarded by Governor, &c. not entitled to Return of Passage Money.
55. Insurance of Passage Money not to be void on account of the Nature of the Risk.
56. Penalty on wrongfully landing Passengers.
57. Passengers to be maintained for Forty-eight Hours after Arrival. Penalty for Noncompliance.
58. Passengers Right of Action preserved.
59. *Miscellaneous.*—Her Majesty may, by Orders in Council, prescribe Rules for Purposes herein described. Gazette and Copies printed by Queen's Printer to be Evidence of Orders, &c.
60. Surgeon or Master to exact Obedience to Rules and Regulations. Penalty on Refusal.
61. Emigration Commissioners to prepare an Abstract of Act and Orders in Council. Such Abstract to be posted up in each Ship. Penalty on Master for Neglect; and on Person defacing Abstract.
62. Sale of Spirits prohibited on board Passenger Ships. Penalty for Disregard of Prohibition.
63. Bond to be given by Masters of British and Foreign Passenger Ships.
64. Counterpart of Bond to be certified, and sent to the Colony to which Ship is bound, and to be received in Evidence without further Proof of Execution.
65. In the Absence of Agreement to the contrary, the Owner to be responsible in respect of Default.
66. *Passage Brokers.*—No Person to act as a Passage Broker without a Licence. Emigration Commissioners and Agents of Passage Brokers exempted from this Section. Passage Brokers to be responsible for their Agents.
67. How Passage Brokers' Licences may be obtained. Justices to give Notice to Emigration Commissioners of Licence granted. Notice to be given to Emigration Commissioners of intended Application for Licences. Power to Justices to order Licences to be forfeited, who shall give Notice of the same to Emigration Commissioners. Application for Licences in Scotland to be made to Sheriff or Substitute, or Steward or Substitute.

§ 68. Existing Licences to continue in force until 1st Feb. 1856.
69. Passage Brokers to employ no Agents except those expressly appointed by them. Agents to produce their Appointments on Demand.
70. Penalty on Persons fraudulently inducing others to engage Passages.
71. Contract Tickets for Cabin and other Passengers.
72. Penalty for inducing any one to part with Contract Ticket.
73. Summary Remedy for Breach of Contract.
74. Penalty on Cabin Passengers and on Masters, &c. omitting to produce Contract Tickets.
75. Penalty on Persons acting as Runners without Licence and Badge, and on Passage Brokers employing them.
76. Mode of licensing and registering Runners.
77. Emigrant Runner's Licence to be renewed annually.
78. Penalty on Runner for certain Acts of Misconduct. Penalty on Persons using Badges not lawfully issued to them.
79. How fresh Badges may be obtained in case the old ones are lost or mutilated.
80. Runners not entitled to Commission from any Passage Broker unless acting with his Authority, nor from Emigrants for procuring their Passage.
81. List of Runners to be exhibited by Brokers and sent to Emigration Officers.
82. Trustees of Docks may pass Byelaws for regulating the Landing and Embarkation of intending Emigrants, and for licensing Emigrant Porters. Byelaws to be approved by Secretary of State, and published in the London Gazette.
83. Penalty for falsifying Documents to obtain Passages from Emigration Commissioners, and for Personation.
84. *Procedure for Penalties, &c.*—By whom Penalties are to be recovered. By whom Passage, Subsistence, and Compensation Monies may be recovered.
85. Tribunal for adjudicating on Offences and Complaints under this Act. Proviso where no Forms of Proceeding are prescribed by this Act.
86. Police and Stipendiary Magistrate, and in Scotland Sheriff, &c., to have the same Powers as Justices of the Peace.
87. No Objection to be allowed nor Convictions to be quashed for Want of Form.
88. Application of Penalties. Justices may award Compensation out of Penalties to Party aggrieved.
89. Burden of Proof to be on Persons claiming Exemption from Act. Proof of Negatives not necessary.
90. Proof of a Party being an Emigration Officer.
91. Passengers suing not incompetent Witnesses.
92. Tender of Amends.
93. Limitation of Actions against Officers executing the Act. Defendant may plead the General Issue, &c. Costs.
94. Limitation of legal Proceedings generally.
95. *Colonial Voyages.*—Colonial Voyages defined.
96. This Act to apply to all Colonial Voyages, except as relates to Matters herein named. If any Colonial Voyage be less than Three Weeks, this Act not to apply to Subjects herein named.
97. Governor of Colonies may, by Proclamation, declare Length of Voyage, and prescribe Scale of Diet, Medicines, and Medical Comforts. Copies of Proclamations to be received as Evidence.
§ 98. Provision for Survey of Ships in the Colonies, and for appointing Surgeons thereto.
99. Power to the Governor General of India in Council, by any Act to be passed for that Purpose, to adopt this Act for India, and to make Rules respecting Food, Passengers, Surgeons, &c., and to declare in what Manner Penalties, &c. may be sued for and recovered. Indian Act may be enforced in the Colonies in like Manner as this Act.
100. *Voyages to the United Kingdom.*—List of Passengers brought into the United Kingdom to be delivered by the Master of the Ship to the Emigration Officer. Penalty for Neglect. Returns of Births and Deaths at Sea to be made to the Registrar General. 6 & 7 Will. 4. c. 86.
101. Penalty on Masters for having on board a greater Number of Persons than prescribed by Section 14. of this Act.
102. Provisions and Water to be issued to Passengers brought into the United Kingdom the same as in Ships carrying Passengers from the United Kingdom. Penalty for Default.
103. Schedules to be Part of the Act.

18 & 19 Vict. c. 104.—An Act for the Regulation of Chinese Passenger Ships. Page 772

§ 1. Definition of certain Terms.
2. Legislature of Hong Kong to make Regulations respecting Passenger Ships, &c.
3. Governor of Hong Kong to declare Length of Voyages.
4. No Chinese Passenger Ship to clear out on Voyage of more than Seven Days without Emigration Officer's Certificate and Copy of Regulations, nor until Bond be given to Crown.
5. Penalty of Bond, when recoverable.
6. Commander of Ships of War, &c. may search Ships, or require Production of Papers.
7. Penalty for Neglect to comply with Regulations, &c.
8. Ship to be forfeited for clearing without Emigration Papers, or for Forgery of such Papers.
9. Penalties in addition to Forfeiture.
10. Mode of enforcing Forfeiture.
11. Officer not liable for any Seizure made on reasonable Grounds.
12. Fine may be substituted for Forfeiture.
13. Mode of Procedure in Criminal Cases.
14. Application of Penalties.
15. Written Declarations of Commanders, &c. primâ facie Evidence.
16. Short Title.
17. Commencement of Act.

Pay. See *Army. Militia. Navy.*

Physic, Practice of. See *Medical Graduates.*

Pilotage. See *Merchant Shipping.*

Pimlico. See *Cornwall, Office of Duchy of.*

Places of Religious Worship Registration. See *Religious Worship.*

Pleading. See *Common Law Procedure.*

Plymouth. See *Public Health.*

Poor.

17 & 18 Vict. c. 41.—An Act to continue the Poor Law Board. Page 85

§ 1. The Poor Law Board continued until 23d July 1859.

17 & 18 Vict. c. 63.—An Act to continue the Poor Law Commission for Ireland. Page 125

§ 1. Commission continued until 23d July 1859.

18 & 19 Vict. c. 79.—An Act to amend the Law regarding the Burial of poor Persons by Guardians and Overseers of the Poor. Page 671

§ 1. Where Burial Ground of Parish is closed or overcrowded, Guardians or Overseers may bury in neighbouring Parish.
2. Power to enter into Agreements with Cemetery Companies or Burial Boards.
3. Construction of Words to be as in 4 & 5 Will. 4. c. 76., &c.

18 & 19 Vict. c. 34.—An Act to provide for the Education of Children in the Receipt of Out-door Relief. Page 574

§ 1. Guardians may grant Relief to enable certain poor Persons to provide Education for their Children.
2. Poor Law Board may issue Orders to regulate Proceedings of Guardians.
3. Such Education not to be a Condition of Relief.
4. Cost of Relief to be charged to the same Account as the other Relief.
5. Orphans and deserted Children may be relieved.
6. Act to be construed with 4 & 5 Will. 4. c. 76.

17 & 18 Vict. c. 43.—An Act to continue an Act [16 & 17 Vict. c. 77.] for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund. Page 85

[*See next Act.*]

18 & 19 Vict. c. 47.—An Act to continue an Act [17 & 18 Vict. c. 43.] for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund. Page 588

§ 1. Provisions in recited Act further continued until 30th September 1856.

17 & 18 Vict. c. 66. and 18 & 19 Vict. c. 51.—An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. Pages 128. 592

§ 1. Continuing 3 & 4 Vict. c. 89. until 1st October 1856.

See also *Lunatics, &c.*

Portland, &c. Chapels.

17 & 18 Vict. c. 70.—An Act to enable the Trustees of Portland Chapel, Oxford Chapel, and Welbeck Chapel, in the Parish of Saint Marylebone, to augment the Salaries of the Ministers of the said Chapels. Page 130

Preamble recites 1 Will. 4. c. 59.

§ 1. Power to Trustees to augment Salaries of Incumbents.
2. Meetings of the Trustees.
3. The First Commissioner of Works to be a Trustee in the Place of the First Commissioner of Woods.

Post, Transmission of Newspapers by. See *Newspaper Stamp Duties.*

Postage Stamps. See *Stamps.*

Practice of Physic. See *Medical Graduates.*

Prevention of Disease. See *Public Health.*

Prince of Wales Island.

18 & 19 Vict. c. 93.—An Act to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca, and to the Supreme Courts of Judicature in India. Page 705

§ 1. Sections 5. 7. 13. 14. and 16. of 6 Geo. 4. c. 85. to apply to Recorders of Singapore and Prince of Wales Island.
2. Sum to be paid to Recorders for Equipment and Voyage.
3. Court for Relief of Insolvent Debtors may be held by either of the Recorders.
4. Act 6 & 7 Will. 4. c. 53. to apply to the present Charter, which is confirmed.
5. As to Allowances to Judges of the Supreme Courts in India on Retirement.

Principal Officers of the Ordnance. See *Ordnance.*

Principal Secretary of State. See *House of Commons.*

Prisons and Prisoners.

17 & 18 Vict. c. 115.—An Act to amend the Law relative to Removal of Prisoners in Custody. Page 412

§ 1. If Common Gaol be adapted for Reception of Debtors as a Class, they may be removed thereto.
2. No such Removal to take place till after Certificate by Inspector of Prisons.
3. After such Removal Debtors may be sent to such Gaol.
4. Where Governor of Common Gaol appointed by other Authority than Sheriff it shall be lawful for him to give Security.
5. Sheriff not relieved from present Obligations.
6. Present Powers for disposing of unnecessary Prisons not disturbed.
7. Allowances to Keepers of Gaols to be continued where superseded by this Act.

See also *Convict Prisons.*

Private Acts. See *Local and Private Acts.*

Private Lunatic Asylums. See *Lunatics, &c.*

Prize Money. See *Royal Navy. Stamps.*

Promissory Notes. See Bills of Exchange. Stamps.

Property, Valuation of, (Ireland).

17 & 18 Vict. c. 8.—An Act further to amend an Act relating to the Valuation of Rateable Property in Ireland. Page 20

§ 1. 16 & 17 Vict. c. 7., and Sections 15. 29. and 30. and Part of Section 25. of 15 & 16 Vict. c. 63., repealed.
2. Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for Charitable Purposes, which shall be exempted from Assessment. Half of the Rent derived by Owner, &c. to be entered in Valuation Lists.
3. Grand Jury may direct Lists to be acted upon at the First Assizes after their Receipt, although the Spring Assizes.
4. Revision of the Valuation of Tenements liable to frequent Alteration. Penalty on Collector for not returning Lists for Revision.
5. Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit a List to the Guardians of the Union, and to the Treasurer of the County, &c.
6. 15 & 16 Vict. c. 63. and this Act to be as One Act.

Property Tax. See *Income Tax.*

Protection of Purchasers. See *Purchasers Protection against Judgments.*

Provisional Orders. See *Public Health. Turnpike Roads and Trusts.*

Public Health.

17 & 18 Vict. c. 95.—An Act to make better Provision for the Administration of the Laws relating to the Public Health. Page 206

Recital of 11 & 12 Vict. c. 63., 13 & 14 Vict. c. 52., 15 & 16 Vict. c. 85.
§ 1. General Board of Health and Appointment of Officers determined.
2. Constitution of General Board of Health.
3. Salary of President. President to be capable of sitting in the House of Commons.
4. Board to appoint Officers.
5. Treasury to fix Salaries of Officers and Allowances to Superintending Inspectors.
6. All Powers, &c., vested in Board may be exercised by the President or any Two Members.
7. Transfer of Powers and Duties of Board of Health to such Board as constituted by this Act.
8. All pending Inquiries and Proceedings may be completed under this Act.
§ 9. Treasury may grant a Retiring Allowance to One of the Members of the Board determined by this Act.
10. Salaries, &c., to be paid out of Monies to be provided by Parliament.

18 & 19 Vict. c. 115.—An Act to continue and amend the Public Health Act (1854) [17 & 18 Vict. c. 95.] Page 792

§ 1. General Board to be continued for One Year, &c.
2. Power to General Board to appoint, with Consent of Treasury, Medical Council and Medical Officer.
3. Treasury to fix Salaries.
4. Salaries, &c., how to be paid.
5. Short Title.

17 & 18 Vict. c. 53.—An Act to confirm Provisional Orders of the General Board of Health for the Districts of Plymouth, Haworth, Aberdare, Bishop Auckland, Willenhall, and Over Darwen. Page 103

§ 1. Provisional Orders of the General Board of Health confirmed.
2. Compensation to Officers under Local Act of Borough of Plymouth who may be removed.
3. Constitution of Local Board for Haworth.
4–8. First Elections of Local Boards for Haworth, Aberdare, Bishop Auckland, Willenhall, and Over Darwen.
9. For securing an Outfall for the Sewerage of Over Darwen.
10. Act incorporated with Public Health Act.
11. Short Title.

18 & 19 Vict. c. 125.—An Act to confirm Provisional Orders of the General Board of Health applying the Public Health Act (1848) to the Districts of Middlesbrough, Windhill, Christchurch, Keighley, Tunstall, and Toxteth Park, and for Alteration of the Boundaries of the District of Romford. Page 924

§ 1. Provisional Orders of the General Board of Health confirmed.
2. Limitation of Rates to be levied in the Borough of Middlesbrough.
3–6. First Election of Local Board of Windhill, Christchurch, Keighley, and Tunstall.
7. Act incorporated with Public Health Act.
8. Short Title.

18 & 19 Vict. c. 121.—An Act to consolidate and amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849. Page 876

§ 1. Repealing 11 & 12 Vict. c. 123. and 12 & 13 Vict. c. 111. as far as relates to England, except as to Proceedings commenced.
2. Interpretation of certain Terms used in this Act.
3. The Local Authority to execute this Act in Places as herein stated.
4. As to filling up Vacancies.
5. Power to Local Authority to appoint Committees.
6. As to the Execution of this Act in Extra-parochial Places.
7. As to defraying Expenses of executing this Act.
8. What are deemed Nuisances under this Act.
9. Power to Local Authority to appoint a Sanitary Inspector, and allow him a proper Salary.

§ 10. Notice of Nuisances to be given to Local Authority, &c. to ground Proceedings.
11. Power of Entry to Local Authority or their Officer.
12. Proceedings by Local Authority before Justices in the Case of Nuisances likely to recur, &c. If proved to Justices that Nuisance exists, &c., they shall issue Order for Abatement, &c.
13. Justices Order for Abatement. Prohibitive Order against future Nuisance.
14. Penalty for Contravention of Order of Abatement; and of Prohibition. Local Authority may enter and remove or abate Nuisance.
15. Appeal against Order of Prohibition.
16. Appeal against Order of Abatement when structural Works are required.
17. If Person causing Nuisance cannot be found, Local Authority to execute Order at once.
18. Manure, &c. to be sold.
19. Costs and Expenses of Works to be paid by Person on whom Order is made, or Owner or Occupier.
20. Proceedings before Justices to recover Expenses.
21. Surveyors of Highways to cleanse Ditches, &c. paying Owners, &c. for Damages.
22. Power to Local Authority to cover and improve open Ditches, &c.
23. Penalty for causing Water to be corrupted by Gas Washings.
24. Penalty to be sued for in Superior Courts within Six Months.
25. Daily Penalty during the Continuance of the Offence.
26. Penalty on Sale of unwholesome Meat, &c.
27. As to Nuisances arising in Cases of noxious Trades, Businesses, Processes, or Manufactures.
28. Reference to Superior Court at the Option of the Party complained against.
29. On Certificate of Medical Officer to Local Authority that House is overcrowded, Proceedings may be taken to abate the same.
30. Local Authority may order Costs of Prosecutions to be paid out of the Rates.
31. Service of Notices, Summonses, and Orders.
32. Proof of Resolutions of Local Authority.
33. As to Proceedings taken against several Persons for the same Offence.
34. One or more joint Owners or Occupiers may be proceeded against alone.
35. Designation of "Owner" or "Occupier."
36. Penalty for obstructing Execution of this Act.
37. Penalty on Occupier obstructing Owner.
38. Penalties and Expenses recoverable under 11 & 12 Vict. c. 43.
39. Proceedings not to be quashed for Want of Form.
40. Appeals under this Act to be to Quarter Sessions.
41. Forms to be used as in Schedule.
42. As to Protection of Local Authority and its Officers.
43. Act not to impair Jurisdiction of Sewers Commissioners, or Common Law Remedies for Nuisance, nor Jurisdiction of Local Authority as to the Nuisances referred to in this Act.
44. Act not to affect Navigation of Rivers or Canals.
45. Saving as to Rights of Millowners, &c.
46. Short Title.

18 & 19 Vict. c. 116.—An Act for the better Prevention of Diseases. Page 792

§ 1. Short Title.
2. Local Authority for Execution of Act.
3. Expenses of Act.
4. Power of Entry.
5. Power to Privy Council to issue Orders that Provisions herein contained for Prevention of Diseases may be put in force.
6. Power to General Board of Health to issue Regulations to carry out such Provisions. Local Extent and Duration of Regulations of General Board.
7. Publication of such Regulations.
8. The Local Authority to see to the Execution of such Regulations, &c.;
9. And may direct Prosecutions for violating the same.
10. Orders of Council, Directions, and Regulations to be laid before Parliament.
11. Order in Council may extend to Parts and Arms of the Sea.
12. Medical Officer of Unions and others entitled to Costs of attending Sick on board Vessels, when required by Orders of General Board of Health.
13. Authentication of Directions and Regulations of General Board of Health.
14. Penalty for obstructing Execution of Act.
15. Certain Provisions of Nuisances Removal Act to apply to this Act.

Public Houses.

18 & 19 Vict. c. 114.—An Act for the Transfer of Licences of Public Houses in Ireland. Page 791

§ 1. Justices at Petty Sessions empowered to transfer Licences on the Death or Removal of the Parties licensed.
2. Nothing to empower any Justice at Petty Sessions to make any Transfer within the District of the Dublin Metropolis.

See also *Sale of Beer. Sale of Spirits.*

Public Libraries and Museums.

18 & 19 Vict. c. 70.—An Act for further promoting the Establishment of Free Public Libraries and Museums in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes. Page 662

§ 1. Repealing 13 & 14 Vict. c. 65.
2. Short Title of Act.
3. Interpretation of Terms.
4. Town Councils of certain Boroughs may adopt this Act if determined by Inhabitants.
5. Expenses of carrying Act into execution in a Borough to be paid out of the Borough Fund.
6. Board of any District within Limits of any Improvement Act may adopt this Act if determined by Inhabitants.
7. Expenses of carrying Act into execution by Improvement Commissioners to be charged on Improvement Rate.
8. Certain Parishes may adopt this Act, with the Consent of Two Thirds of the Ratepayers. The Vestry to appoint Commissioners for carrying the Act into execution, who shall be a Body Corporate.
9. One Third of such Commissioners to go out of Office yearly, and others to be appointed, but those retiring may be re-appointed.
10. General and Special Meetings of Commissioners.

§ 11. Minutes of Proceedings of Commissioners to be entered in Books.
12. Distinct Accounts to be kept by Commissioners, and duly audited.
13. Expenses of executing Act in any Parish to be paid out of Poor Rate.
14. Vestries of Two or more neighbouring Parishes may adopt the Act.
15. Rates levied not to exceed One Penny in the Pound. 10 & 11 Vict. c. 34. (Towns Improvement Clauses Act) to be incorporated as far as it applies. Accounts of Board and Commissioners to be open to Inspection.
16. Power to Council, &c. to borrow on Mortgage.
17. Provisions of 8 & 9 Vict. c. 16. (Companies Clauses Act) as to borrowing, extended to this Act.
18. Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.
19. Provisions of 8 & 9 Vict. c. 18. (Lands Clauses Act) incorporated with this Act.
20. Lands, &c. may be sold or exchanged.
21. General Management to be vested in Council, Board, or Commissioners.
22. Property of Library, &c. to be vested in Council, Board, and Commissioners respectively.
23. If any Meeting determine against Adoption of Act, no other Meeting to be called for a Year.
24. Act may be adopted in the City of London if Two Thirds of Persons rated to the Consolidated Rate, assembled at a Public Meeting, assent.
25. Museums to be free.
26. Act not to extend to Ireland or Scotland.

17 & 18 Vict. c. 64.—An Act to amend an Act [16 & 17 Vict. c. 101.] for extending the Public Libraries Act, 1850, to Ireland and Scotland. Page 126

§ 1. Interpretation of Terms.
2. So much of 16 & 17 Vict. c. 101. as relates to Scotland repealed.
3. Short Title of Act. [Public Libraries (Scotland) Act.]
4. Meeting to be called for considering the Adoption of this Act in any Burgh or Town or Part thereof.
5. Qualification of Voters.
6. This Act may be adopted at the Meeting, unless Poll demanded.
7. Poll to be open for One Day, and State of Poll to be ascertained and declared.
8. Majority of Two Thirds necessary for Adoption of Act.
9. Assessments may be levied to the Extent of One Penny in the Pound for defraying Expenses.
10. Accounts of the Magistrates and Council in relation to this Act to be open to Inspection.
11. Boundaries of Burghs, &c.
12. Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.
13. Certain Clauses of Lands Clauses Consolidation (Scotland) Act incorporated with this Act.
14. Magistrates and Councils of Burghs may sell or exchange Lands.
15. General Management to be vested in Magistrates and Councils, and Property of Library, &c. to be vested in them.
16. Admissions to Libraries and Museums to be free.

18 & 19 Vict. c. 40.—An Act for further promoting the Establishment of Free Public Libraries and Museums in Ireland. Page 580

§ 1. 16 & 17 Vict. c. 101. and Sect. 99. of 17 & 18 Vict. c. 103. repealed.
2. Short Title.
3. Interpretation of Terms.
4. Act may be adopted in any incorporated Borough or any Town.
5. Expenses of carrying Act into execution in a Borough or Town to be paid out of the Borough Fund or Town Fund.
6. Accounts to be audited, and sent to Lord Lieutenant, &c.; to be deposited, and open to Inspection.
7. Commissioners of Towns adopting this Act to be incorporated for Purposes of Act.
8. Rate not to exceed One Penny in the Pound. Houses and Lands to be differently rated.
9. Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.
10. Provisions of 8 & 9 Vict. c. 18. (Lands Clauses Act) incorporated with this Act.
11. Lands, &c. may be sold or exchanged.
12. General Management to be vested in Council or Board, or Town Commissioners.
13. Property of Library, &c. to be vested in Council, Board, and Commissioners respectively.
14. If Meeting determine against Adoption of Act, no fresh Meeting to be called for One Year.
15. Museums to be free.
16. This Act to be incorporated with Local Acts in force in any Borough or Town.

See also *Dublin*.

Public Offices. See *Downing Street Public Offices Extension.*

Public Revenue. See *Revenue, &c.*

Public Statues.

17 & 18 Vict. c. 33.—An Act to place Public Statues within the Metropolitan Police District under the Control of the Commissioners of Her Majesty's Works and Public Buildings. Page 74

§ 1. Interpretation of Terms: "Metropolitan Police District;" "Public Statue;" "Public Place."
2. Commissioners of Works may erect Statues in any Public Place, and enclose, &c. the same with Fence or Railing;
3. And may also repair Public Statues, &c.
4. Commissioners of Works may do all Acts necessary for the Erection or Reparation of Public Statues.
5. No Public Statue to be erected without the Assent of the Commissioners.
6. For the Punishment of Persons damaging any Public Statue.
7. Owners of Statues not mentioned in Schedule may transfer them to Commissioners of Works with the Assent of the Treasury.

Publications. See *Newspaper Stamp Duties.*

Purchasers Protection against Judgments.

18 & 19 Vict. c. 15.—An Act for the better Protection of Purchasers against Judgments, Crown Debts, Cases of Lis pendens, and Life Annuities or Rentcharges. Page 539

Recital of 1 & 2 Vict. c. 110., 2 & 3 Vict. c. 11., 3 & 4 Vict. c. 82., and 13 & 14 Vict. c. 43. s. 24.

§ 1. Judgments of Common Law Palatinate Courts obtained before coming into operation of 1 & 2 Vict. c. 110., and not registered under the same, not to affect Lands, &c. unless registered within limited Time. Fee for Entry of Judgments.

2. Certain Provisions of 1 & 2 Vict. c. 110. extended to Common Law Palatinate Courts, and to Equity Court of Durham.

3. 2 & 3 Vict. c. 11. ss. 2. 4. 5. & 7. and 3 & 4 Vict. c. 82. s. 2. extended to Common Law and Equity Courts of Counties Palatine.

4. No Judgment, &c. registered under 3 & 4 Vict. c. 82. to affect Lands, &c. as to Purchasers, &c. until registered.

5. Purchasers protected against Judgments not re-registered.

6. Provision for Re-registration explained.

7. Judgments of Inferior Courts, when removed, shall be registered.

8. Extinguished Judgments not revived.

9. Duties of Prothonotary. Fees for Registration and Searches.

10. No Order of Court of Bankruptcy to affect Lands, &c. until registered.

11. Legal Estate vested in Purchaser or Mortgagee not to be taken in execution.

12. Life Annuities and Rentcharges not to affect Lands as to Purchasers, &c. until Memorandum left with Senior Master.

13. Searches may be made by Parties themselves.

14. Annuities, &c. excepted from Act.

Q.

Qualifications for Offices. See *Indemnity.*

Qualifications of Militia Officers. See *Militia.*

R.

Raglan (Lady) and Lord Raglan's Annuities.

18 & 19 Vict. c. 64.—An Act to settle Annuities on Emily Harriet Lady Raglan and Richard Henry Fitzroy Lord Raglan, and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord Raglan. Page 644

§ 1. An Annuity of 1,000*l.* to be paid to Lady Raglan, and an Annuity of 2,000*l.* to Lord Raglan and his next Heir Male.

2. Treasury to direct Payment of the Annuity.

3. Annuity of 2,000*l.* not to be aliened or encumbered.

Railway and Canal Traffic Regulation.

17 & 18 Vict. c. 31.—An Act for the better Regulation of the Traffic on Railways and Canals. Page 72

§ 1. Interpretation of Terms.

2. Railway Companies to make Arrangements for receiving and forwarding Traffic without unreasonable Delay, and without Partiality.

3. Parties complaining that reasonable Facilities for forwarding Traffic, &c. are withheld, may apply by Motion or Summons to the Superior Courts.

4. Judges may make such Regulations as may be necessary for Proceedings under this Act.

5. Court or Judge may order a Rehearing.

6. Mode of proceeding under this Act.

7. Company to be liable for Neglect or Default in the Carriage of Goods, notwithstanding Notice to the contrary. Company not to be liable beyond a limited Amount in certain Cases, unless the Value declared, and extra Payment made. Proof of Value to be on the Person claiming. Compensation. No special Contract to be binding unless signed.

8. Short Title.

Rateable Property. See *Valuation (Ireland).*

Rates. See *Borough Rates. Highway Rates.*

Real Estate Charges.

17 & 18 Vict. c. 113.—An Act to amend the Law relating to the Administration of the Estates of deceased Persons. Page 411

§ 1. Heir or Devisee of Real Estate not to claim Payment of Mortgage out of Personal Assets. Not to affect Rights claimed under any Will, &c. before 1st Jan. 1855.

2. Not to extend to Scotland.

Receipt Stamps. See *Stamps.*

Receipt of the Exchequer. See *Exchequer.*

Recorders. See *Prince of Wales Island.*

Reformatory Schools. See *Youthful Offenders.*

Registration of Bills of Sale.

17 & 18 Vict. c. 36.—An Act for preventing Frauds upon Creditors by secret Bills of Sale of personal Chattels. Page 77

§ 1. Bills of Sale to be void, unless the same, or a Copy thereof be filed within Twenty-one Days, in like Manner as Warrants of Attorney.

2. Defeasance or Condition of every Bill of Sale to be written on the same Paper or Parchment.

3. Officer of Court to keep a Book containing Particulars of each Bill of Sale.

4. Officer entitled to a Fee of 1*s.* for filing Bill of Sale, and to account for the same.

§ 5. Office Copies or Extracts to be given on paying as for Copies of Judgments.
6. Satisfaction may be entered.
7. Interpretation of Terms.
8. Act not to extend to Scotland or Ireland.

17 & 18 Vict. c. 55.—An Act for the Registration of Bills of Sale in Ireland. Page 116

[*Provisions similar to those of preceding Act, but this Act to extend only to Ireland.*]

Registration of Births, &c. (Scotland.)

17 & 18 Vict. c. 80.—An Act to provide for the better Registration of Births, Deaths, and Marriages in Scotland. Page 144

[*See also next Act.*]

§ 1. Present System of Registration to cease on 31st December 1854, and this Act to come into operation.
2. Her Majesty may provide an Office, and appoint a Registrar General.
3. The Registrar General may appoint a Secretary.
4. Appointment of Clerks and other Officers.
5. Expenses of Registry Office and Books, &c., how to be provided.
6. Regulations for Management of Office and Duties of Officers to be framed.
7. Abstract of Registers to be laid annually before Parliament.
8. Registrar for each Parish to be elected by the Parochial Board.
9. Meetings of Parochial Board to be called by the Inspector of the Poor.
10. Parishes may be divided or united.
11. Sheriff may annex small Portion of a Parish to the Parish adjoining.
12. Election of Registrar by Parochial Board.
13. Where there is no Parochial Board Heritors may appoint the Registrar.
14. Registrar may appoint Assistant.
15. Registrars not to acquire vested Rights in their Offices, and to be subject to Removal.
16. Appointments to be exempt from Stamp Duty.
17. Fees payable to Registrar.
18. Existing Registers, &c. previous to 1820 to be transmitted to the Registrar General, and subsequent Registers, &c. to be delivered up to the Registrars.
19. Provision as to Sessional Registers.
20. Provision as to Burial Registers.
21. The Sheriff to superintend Registrars.
22. Register Boxes to be provided.
23. Books and Forms to be provided.
24. On Removal or Death of Registrars, Register Boxes, Books, &c. to be delivered up to Successors.
25. Registrars to dwell in Parish, and put their Names on their Houses, and their Names to be affixed on Doors of Places of Public Worship.
26. Registrar to learn and register Births and Deaths.
27. Parents, &c. to give Information of Births, and to sign the Register.
28. Registrar may require any Child to be produced.
29. Intimation of finding new-born Child or dead Body of new-born Child.
30. Register of Children born at Sea.
§ 31. Registration after Three Months from the Birth of the Child.
32. Name given in Baptism after Registration may be registered within Six Months.
33. Provision for Name given without Baptism after Registration.
34. Minister, on Nonproduction of Certificate of Registration of Birth, to send Notice to Registrar.
35. Name of Father of illegitimate Child not to be entered, unless at Request of Father and Mother; but if Paternity or Legitimacy of Child fixed by Decree of Court, the Clerk to notify same to the Registrar.
36. Correction of Registration of Children legitimated per subsequens matrimonium.
37. Certificate of Entry of Birth to be given.
38. Persons present, &c. to give Information of Death, and to sign the Register.
39. In case of Persons dying not in a House.
40. Procurator Fiscal to give Result of Precognition.
41. Medical Attendant to transmit Certificate of Death to the Registrar.
42. Undertaker to transmit Certificate of Interment to the Registrar.
43. Register of Persons dying at Sea.
44. Registrar to give Certificate of Registration of Death to be delivered at Interment.
45. Registrar may require Parties to attend him to give Information.
46. Registration of regular Marriages.
47. Registrar to attend Parties when required to register Marriages.
48. Marriages of Persons fined for irregular Marriages, and Marriages established by Decree of Declarator to be registered.
49. Convictions in irregular Marriages and Decrees of Declarator of Marriages to be intimated to Registrar.
50. Registrars to make out Account of Number of Births, Deaths, and Marriages half-yearly, and Assessment to be levied and Payment made in respect thereof.
51. Registrars may be paid by Salary.
52. Forms to be supplied gratis.
53. Registers to be kept in Duplicate and annually examined by the Sheriff, and Duplicate to be transmitted to the Registrar General.
54. Additions to or Alterations of the Registers.
55. Duplicate Register to supply the Place of any Register destroyed or become illegible.
56. Indexes of Parish Registers to be made, which may be searched.
57. Indexes to be kept at General Registry Office, where they may be searched.
58. Extracts of Entries to be admissible as Evidence.
59. Money received by Registrar General to be accounted for. 4 & 5 Will. 4. c. 15.
60. Penalty on giving false Information.
61. Penalty on Registrar for omitting to register.
62. Penalty for destroying or falsifying Register, &c.
63. For correcting erroneous Entries.
64. Errors in Entry may be corrected before signing.
65. Recovery and Application of Penalties.
66. Town Councils of Burghs to have Powers of Parochial Boards.
67. Expense of Correspondence of Registrar General relating to this Act how to be defrayed.

§ 68. Proclamation of Banns and Law of Marriage not affected.
69. Registrar General to furnish Notices of Acts required to be done to Sheriffs for Publication on Doors of Places of Worship, &c.
70. Notices may be given by Post.
71. Penalties not exigible if Notice given.
72. Parties may sign by a Mark before Witnesses.
73. No Penalty where Failure not wilful.
74. Registrar General may alter Schedules.
75. Compensation where Keepers or Registers are deprived of Office by Operation of this Act.
76. Interpretation of Act.
77. Act to extend only to Scotland.

18 & 19 Vict. c. 29.—An Act to make further Provision for the Registration of Births, Deaths, and Marriages in Scotland. Page 561

Recital of 17 & 18 Vict. c. 80.
§ 1. Landward and Burghal Parts of Parishes may be united.
2. Registrar General, failing Parochial Board, may apply for Dismissal of incompetent Registrars.
3. Examination of Registers by Sheriff repealed, and Examiners appointed.
4. Where Registration District consists of Two Parishes.
5. Decrees of Court fixing Status of Parties to be noted in Register.
6. Register of corrected Entries to be kept in Duplicate.
7. Penalties recovered to be paid into Exchequer.
8. Sheriff Clerks to act in execution of Acts.
9. Appointments to be exempt from Stamp Duty.
10. This Act and recited Act to be as one.

Registration of Judgments. See *Purchasers Protection against Judgments.*

Registration of Places of Religious Worship. See *Religious Worship.*

Regulation of Towns. See *Towns Improvement (Ireland).*

Religious Worship.

18 & 19 Vict. c. 39.—An Act to facilitate Grants of Lands and Tenements for the Purpose of Religious Worship and for other Purposes connected therewith. Page 578

§ 1. Interpretation of Terms.
2. Short Title.
3. Power to make Leases of Land of not more than Five Acres for religious Purposes.
4. In Cases of Disability of Parties, Guardians, &c. may make Leases.
5. Forms of Leases under this Act.
6. Provisions as to Leases made previous to the Act.
7. Rent reserved in any Lease to be the best improved Rent.
8. Conditions, &c. of Leases to be specified.
9. Reserved Rent and Covenants of Lease to enure to proper Owner.
§ 10. Lease to be by Indenture.
11. Lease to be binding on Lessor, his Heirs and Successors in Estate.
12. Informality in Proceedings not to affect the Lease.
13. Lease, in virtue of Power, valid, though not expressed.

18 & 19 Vict. c. 81.—An Act to amend the Law concerning the certifying and registering of Places of Religious Worship in England. Page 679

Preamble recites 1 Will. & Mary, Sess. 1. c. 18.; 52 Geo. 3. c. 155.; 31 Geo. 3. c. 32.; 2 & 3 Will. 4. c. 115.; 9 & 10 Vict. c. 59.; 15 & 16 Vict. c. 36.
§ 1. Repealing 15 & 16 Vict. c. 36., but Places of Worship certified thereunder to have Force, &c.
2. Places of Worship to be certified to Registrar General.
3. Places of Meeting to be recorded.
4. Certain Places of Meeting already certified, save those certified under 15 & 16 Vict. c. 36., may be certified to Registrar General, and be recorded by him.
5. Fee of 2*s.* 6*d.* to be paid with Certificate to Superintendent Registrar.
6. Notice to be given to Registrar General of every Place of Meeting becoming disused for the Purposes for which it was certified.
7. List of certified Places to be printed.
8. Direction to the Registrar General to cancel Records of Certificates of Places of Worship ceasing to be used as such.
9. Certified Places exempted from the Operation of "The Charitable Trusts Act, 1853."
10. Nothing to affect Churches, &c. of Established Church.
11. Registrar General to give Certificate of Place having been certified.
12. Sums received by or on account of Registrar General to be accounted for, and Expenses defrayed as other Expenses of the General Registrar Office.
13. To remove Doubts as to Validity of Marriage.
14. Act not to extend to Scotland or Ireland.

18 & 19 Vict. c. 86.—An Act for securing the Liberty of Religious Worship. Page 687

Preamble recites 1 Will. & Mary, Sess. 1. c. 18., and 52 Geo. 3. c. 155.
§ 1. No Prosecution to be maintainable for assembling for Religious Worship in a Place of Meeting not certified.
2. Construction of certain Parts of 2 & 3 Will. 4. c. 115. and 9 & 10 Vict. c. 59. as to Places of Worship of Roman Catholics and Jews.

Removal of Nuisances. See *Nuisances Removal and Diseases Prevention.*

Rent. See *Apportionment of Rent.*

Rentcharges. See *Purchasers Protection against Judgments.*

Repayments of Advances. See Lunatics, &c.

Returning Officers.

17 & 18 Vict. c. 57.—An Act to amend the Law relating to the Appointment of Returning Officers in certain Cases. Page 120

§ 1. Sheriff to be Returning Officer in Boroughs where the Office of Returning Officer shall be vacant.

Revenue (Supply, Appropriation, &c.)

17 & 18 Vict. c. 2.—An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-four. Page 2

17 & 18 Vict. c. 3.—An Act for raising the Sum of One million seven hundred and fifty thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-four. Page 2

17 & 18 Vict. c. 12.—An Act for raising the Sum of Sixteen millions twenty-four thousand one hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-four. Page 25

17 & 18 Vict. c. 21.—An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-four. Page 53

17 & 18 Vict. c. 23.—An Act for raising the Sum of Six Millions by Exchequer Bonds and Exchequer Bills. Page 56

17 & 18 Vict. c. 121.—An Act to apply a Sum out of the Consolidated Fund and certain other Sums to the Service of the Year One thousand eight hundred and fifty-four, and to appropriate the Supplies granted in this Session of Parliament. Page 435

18 & 19 Vict. c. 5.—An Act to apply the Sum of Three millions three hundred thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of March One thousand eight hundred and fifty-five. Page 521

18 & 19 Vict. c. 6.—An Act to apply the Sum of Twenty millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-five. Page 522

18 & 19 Vict. c. 8.—An Act for raising the Sum of Seventeen millions one hundred and eighty-three thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-five. Page 522

18 & 19 Vict. c. 37.—An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-five. Page 575

18 & 19 Vict. c. 129.—An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-five, and to appropriate the Supplies granted in this Session of Parliament. Page 948

18 & 19 Vict. c. 130.—An Act for raising the Sum of Seven Millions by Exchequer Bills and Exchequer Bonds, for the Service of the Year One thousand eight hundred and fifty-five. Page 954

17 & 18 Vict. c. 94.—An Act to alter the Mode of providing for certain Expenses now charged upon certain Branches of the Public Revenues and upon the Consolidated Fund. Page 201

§ 1. Charges in Schedule (A.) to be payable out of the Consolidated Fund; and Charges in Schedule (B.) to be paid out of Aids, &c. voted by Parliament, except in certain Cases. Charges to be defrayed as heretofore up to the passing of the Act.

2. Annual Financial Accounts to be made up to 31st March instead of 5th January.

3. Quarterly Accounts of Receipts and Expenditure of the United Kingdom to be made up to the End of March, June, September, and December, instead of the old Quarter Days.

4. Accounts of Income and Charge of Consolidated Fund to be made up to the End of March, June, September, and December, instead of the old Quarter Days.

5. Times to which quarterly Exchequer Accounts are to be made up.

6. Charges in Schedule (B.) may be paid on the new Quarter Days.

7. Fees applicable towards the Payment of Charges in Schedule (B.) to be carried to Consolidated Fund.

8. Treasury may make Regulations, &c.

18 & 19 Vict. c. 18.—An Act for raising the Sum of Sixteen Millions by way of Annuities. Page 543

§ 1. Contributors of 100*l.* entitled to 100*l.* in the Three per Cent. Consols, and to an Annuity of 14*s.* 6*d.* for 30 Years.

2. Contributors who have made Deposits to pay the Remainder of Subscriptions by Instalments.

3. Power to Guardians, &c. to subscribe for Infants.

4. Contributors entitled to certain Annuities payable half-yearly.

5. Time at which Stock may be transferred.

6. Contributors may anticipate Payments.

7. Commencement of Dividends.

8. Annuities payable and transferable at the Bank.

9. Annuities and Charges in respect of 16,000,000*l.* to be paid out of Consolidated Fund;

10. And shall be charged upon the said Fund.

11. The Bank to appoint a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier for Payment of Annuities.

12. Cashier to give Receipt for Subscriptions, which may be assigned before 18th December 1855. Cashier to give Security for paying the Money he receives into the Exchequer.

§ 13. A Book to be kept in Accountant General's Office for entering Contributors Names, and a Duplicate to be sent to Exchequer.
14. Subscriptions paid in Part and not completed, forfeited.
15. Annuities to be deemed Personal Estate.
16. Power to Treasury to apply the Money paid into the Exchequer.
17. Accountant General to keep Books for entering Transfers. Transfers not liable to Stamp Duties.
18. Treasury to defray Incidents.
19. Allowance for the Expense of Management.
20. Three per Cent. Annuities created by this Act to be added to the Joint Stock of the Three per Cent. Consols.
21. Terminable Annuities created by this Act may be transferred to and from England and Ireland. 5 Geo. 4. c. 53., 6 Geo. 4. c. 79.
22. Sinking Fund.
23. Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.
24. Bank to continue a Corporation till the Annuities hereby granted shall be redeemed, or shall cease.
25. No Fee to be taken for receiving Contributions or paying or transferring Annuities, on Penalty of 20*l.*
26. Persons sued may plead the General Issue.

Revenue Proceedings. See *Crown Suits.*

River Liffey. See *Liffey River.*

Roads. See *Turnpike Roads and Trusts.*

Rochdale. See *Christ Church (Todmorden) Marriages Validity.*

Romford. See *Public Health.*

Roscommon.

17 & 18 Vict. c. 124.—An Act to settle the Contribution to be made by certain Baronies in Roscommon and Galway, and the County of the Town of Galway, to the Midland and Great Western Railway of Ireland Company. Page 444

§ 1. The Sum of £470,000 to be considered and taken as that in respect of which the said Baronies, &c. are to contribute. Nothing to alter Liability of Company to pay the Money advanced by Public Works Commissioners.

Royal Forests. See *Dean Forest. New Forest. Woolmer Forest.*

Royal London Militia. See *Militia.*

Royal Marines.

17 & 18 Vict. c. 6. and 18 & 19 Vict. c. 12.—An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. Pages 12. 531

Royal Military Asylum.

17 & 18 Vict. c. 61.—An Act to authorize the Application of a Sum of Money out of the forfeited and unclaimed Army Prize Fund in enlarging and improving the Royal Military Asylum. Page 124

§ 1. Part of forfeited and unclaimed Army Prize Fund may be applied in enlarging and improving Royal Military Asylum.

Royal Navy.

17 & 18 Vict. c. 19.—An Act for facilitating the Payment of Her Majesty's Navy, and the Payment and Distribution of Prize, Bounty, Salvage, and other Monies to and amongst the Officers and Crews of Her Majesty's Ships and Vessels of War; and for better Regulation of the Accounts relating thereto. Page 43

§ 1. Short Title of Act.
2. Commencement of Act.
3. Interpretation of certain Terms in this Act.
4. Proceeds of any Prize to be paid to the Naval Prize Account.
5. Bounties, &c. to be paid to Naval Prize Account.
6. As to Distribution of Proceeds, Bounty, Salvage, &c.
7. Parties claiming Benefit under this Act may resort to the Court of Admiralty.
8. High Court of Admiralty of England may compel Production of Proceeds, &c.
9. Penalty of One Pound per Cent. per Month on retaining Proceeds contrary to this Act.
10. Power to allow in Paymaster General's Accounts certain Sums without the Production of Vouchers in detail.
11. Power to allow in Paymaster General's Accounts Sums paid on Certificate.
12. Power to allow in Paymaster General's Account Sums paid under Certificates of Heads of Departments.
13. Lords of the Admiralty may by Order in Council alter the Mode of paying the Navy, and distributing Prize Money, &c.
14. Act not to extend to Seizures made by Officers of Customs, &c.

17 & 18 Vict. c. 18.—An Act for the Encouragement of Seamen and the more effectual Manning of Her Majesty's Navy during the present War. Page 35

§ 1. Short Title of Act.
2. Commencement of Act.
3. Interpretation of Terms.
4. Vice-Admiralty Courts to enforce Orders of High Court of Admiralty.
5. Ships and Goods taken by Her Majesty's Ships and adjudged as Prize to be divided according to Her Majesty's Proclamation. Share reserved when Allies act in conjunction.
6. Arms, Stores, &c. taken by Her Majesty's Ships in any Fortress on Land, and Ships and Goods in any Creek, &c. defended thereby, to be divided as other Prize.
7. As to Divisions of Prize taken in conjunct Expeditions of the Army and Navy. Proviso, Army not to share in any Ship, Vessel, Goods, or Merchandise, &c. captured.

§ 8. Naval Stores found on board Foreign Ships may be purchased by Admiralty for the Public Service.
9. British Ships and Vessels recaptured to be restored on Payment of Salvage. In what Case to be decreed as lawful Prize.
10. Ships of Her Majesty's Subjects recaptured before carried into Port may be allowed to prosecute their Voyage.
11. Bounties to be granted on Capture of Enemy's armed Ships or Privateers.
12. Regulations of Prize to apply to Bounty, Salvage, and Shares assigned by Allies.
13. Exception as to Vessels in the Service of the Customs or Inland Revenue.
14. Number and Tonnage of small armed Ships that may be included in One Adjudication.
15. Captures brought into Port to be handed over to Marshal or Officer of Customs.
16. Mode of Procedure against Prize. Examination of Witnesses on standing Interrogatories.
17. Affidavit as to Letters and Papers found on board.
18. What Documents to be translated for the Use of the Cause.
19. Where there is no Claim, or no Security for Costs is given by the Claimant. Monition for Adjudication.
20. Where Claim and Security for Costs is given.
21. Monition to proceed to Adjudication.
22. Court may order further Proof.
23. Claim of joint Capture to be admitted only on Security being given for Proportion of Expenses, Costs, and Damages.
24. Ship, Vessel, or Goods may be appraised, and after Appraisement may be sold, by Decree of the Court. In case Ship, &c. decreed to be restored.
25. Court may direct the Ships or Goods to be delivered up to the Claimant on giving Security.
26. Sale of Vessel after Condemnation.
27. Bounty, Salvage, &c. to be paid to the Account of the Paymaster General.
28. Final Distribution of Bounty, Salvage, &c.
29. Parties claiming Benefit under this Act may resort to the Court of Admiralty of England.
30. Registrars of Vice-Admiralty Courts shall transmit Accounts.
31. High Court of Admiralty of England may compel Production of Proceeds, &c.
32. Penalty of One Pound per Cent. per Month on retaining Proceeds contrary to this Act.
33. Provisions for Appeal.
34. Jurisdiction of the Judicial Committee in Prize Appeals.
35. Custody of Processes, Papers, &c.
36. Persons intervening on Appeal must enter a Claim.
37. Limit of Time of Appeal.
38. Prize Goods and Merchandise to be liable to Duties.
39. Deserters not entitled to Bounty, &c.
40. Penalty on Masters of Merchant Vessels under Convoy for disobeying Signals, or Orders or deserting Convoy.
41. Penalty on collusive Captures.
42. No Ships or Goods belonging to Her Majesty's Subjects to be ransomed. Contracts for Ransom to be void.
43. Penalty on Persons ransoming.
44. Penalty on Commanders ransoming or collusively restoring Ships or Goods taken as Prize.
§ 45. Penalties for breaking Bulk and Embezzlement.
46. Penalty for Breach of Instructions relating to Prizes, or Offences against the Law of Nations.
47. Offences committed on board armed Ships of War in Her Majesty's Service to be tried and punished as Offences committed in Her Majesty's Fleet. Offenders to be confined, &c. Court-martial to be called.
48. Her Majesty may grant Salaries to Judges of Vice-Admiralty Courts to act as Judges in Prize Causes.
49. Her Majesty may allow such Judges a Retiring Pension.
50. No Registrar or other Officer of any Court of Admiralty to act as Advocate or Proctor.
51. Proctors to be concerned only for One Party in a Cause.
52. Power for the Judge to make Rules of Court.
53. Table of Fees to be hung up in Vice-Admiralty Courts.
54. Punishment of Persons guilty of Perjury.
55. Recovery of Penalties and Forfeitures.
56. Limitation of Actions.
57. Continuance of Act.
58. Not to extend to Seizures made by Officers of Customs or Excise.

Russian Government Securities.

17 & 18 Vict. c. 123.—An Act to render any Dealing with Securities issued during the present War between Russia and England by the Russian Government a Misdemeanor. Page 443
§ 1. Prohibiting the Dealing in Russian Stocks, &c.
2. As to Trial of Offences committed beyond the Limits of United Kingdom.
3. This Act not to affect the Law of Treason.
4. As to Payment of Costs of Prosecution.

Russian Prizes. See *Royal Navy.*

S.

Saint Mary, Winchester.

17 & 18 Vict. c. 81.—An Act to make further Provision for the good Government and Extension of the University of Oxford, of the Colleges therein, and of the College of Saint Mary, Winchester. Page 161
§ 34. College of St. Mary of Winchester to be subject to this Act.

See further, *Oxford University.*

Salaries. See *Parochial Schoolmasters. Sheriff and Sheriff Clerk of Chancery.*

Sale, Bills of. See *Registration of Bills of Sale.*

Sale of Beer, &c.

17 & 18 Vict. c. 79.—An Act for further regulating the Sale of Beer and other Liquors on the Lord's Day. Page 143

[*See next Act.*]

18 & 19 Vict. c. 118.—An Act to repeal the Act 17 & 18 Vict. c. 79. for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof. Page 796

§ 1. 17 & 18 Vict. c. 79. repealed.
2. Licensed Victuallers prohibited from opening Houses for Sale of Beer, &c. between the Hours of 3 and 5 P.M., or after 11 P.M. on Sundays, &c.
3. Houses of public Resort prohibited being opened for Sale of Liquors during aforesaid Hours.
4. Power to Constables to enter Houses.
5. Penalty for Offences against this Act.

18 & 19 Vict. c. 103.—An Act to amend the Act 17 & 18 Vict. c. 89. relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in Ireland; and also to repeal so much of 3 & 4 Will. 4. c. 68. as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in Ireland to enter into a Bond with Sureties. Page 771

§ 4. Section 7. of 3 & 4 Will. 4. c. 68. requiring Bonds to be given by Applicant for Licences in Ireland repealed.

Sale of Incumbered Estates. See *Incumbered Estates.*

Sale of Spirits (Ireland).

17 & 18 Vict. c. 89.—An Act to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation, in Ireland. Page 184

§ 1. Act to commence 24th August 1854. 2 & 3 Vict. c. 79. repealed.
2. Justices to grant Warrant for the Seizure of Spirits found in Places not being licensed.
3. Penalty on Persons selling Spirits, &c. without Licence.
4. Justices empowered to grant Warrant for entering unlicensed Premises. Penalty on Persons found therein.
5. Penalty on Persons delaying or refusing Admittance to Justice, &c.
6. Constabulary to stop Spirits in transitu, and demand and date Permits. Power to seize Spirits, &c. in case no Permit produced.
7. Persons duly licensed may sell Spirits, &c. at public Races, &c.
8. Proceedings to be had under the Petty Sessions Act, 1851.
9. Persons applying for Excise Licence to give Notice to Constabulary Officer and Superintendent of Police.
10. Constabulary Officer or Superintendent of Police may object to the Issue of Certificate.
11. Excise Officer not to grant a Renewal Licence without Certificate of Justices.
12. Doubts as to Right of Entry under the Act 8 & 9 Vict. c. 64. removed. Definition of Terms "House or Place." Definition of Entry in Books of Inland Revenue Department.
13. Lord Lieutenant may order the Constabulary to exercise Powers, &c. granted by 1 & 2 Will. 4. c. 55. in the Suppression of illicit Distillation.
14. Duration of last foregoing Enactment.
15. Regulations to be made for the Guidance of the Constabulary employed in the Prevention, &c. of illicit Distillation.
16. Such Regulations to be laid before Parliament.
17. As to Disposal of Seizures made by Constabulary.

18 & 19 Vict. c. 62.—An Act to amend the Act 17 & 18 Vict. c. 89. to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation, in Ireland. Page 632

§ 1. Justices refusing Certificate for Renewal of Licence to sell Beer, &c. to make Entry of Order in manner required by 3 & 4 Will. 4. c. 68.
2. Persons aggrieved may appeal to Quarter Sessions.

18 & 19 Vict. c. 103.—An Act to amend the Act 17 & 18 Vict. c. 89. relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in Ireland; and also to repeal so much of 3 & 4 Will. 4. c. 68. as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in Ireland to enter into a Bond with Sureties. Page 771

§ 1. So much of Sections 2 and 4 of 17 & 18 Vict. c. 89. as relates to Seizures repealed.
2. Disposal of Seizures made under the said Sections.
3. Penalties recovered by Constabulary in certain Cases to be paid to Collector of Inland Revenue.
4. Section 7 of 3 & 4 Will. 4. c. 68., requiring Bonds to be given by Applicants for Licences in Ireland, repealed.

Salford Borough and Manchester Division.

17 & 18 Vict. c. 20.—An Act to repeal the Acts 53 Geo. 3. c. 72. and 8 & 9 Vict. c. 21.; and for making Provision for the Appointment and for Remuneration of a Stipendiary Justice for the Division of Manchester in the County of Lancaster, and of Clerks to such Justice and the Justices for the Borough of Salford; and for other Purposes. Page 45

§ 1. Short Title of Act.
2. Interpretation of Terms.
3. 53 Geo. 3. c. 72. and 8 & 9 Vict. c. 21. repealed.
4. Her Majesty, in right of Her Duchy of Lancaster, to appoint a Barrister as Stipendiary Justice.
5. Style of Stipendiary Justice.
6. Present Stipendiary Justice and Clerks to continue in Office.
7. Stipendiary Justice not incapacitated for Want of Property Qualification.
8. Stipendiary Justice not to sit in the House of Commons.
9. Residence of Stipendiary Justice.
10. Stipendiary Justice to sit at Town Hall and New Bailey, Salford, and at Worsley.
11. Stipendiary Justice to sit at Heaton Norris.

§ 12. Appointment of Out-District Clerks.
13. Provision for holding Sittings of Stipendiary Justice in other Places.
14. In Absence of Stipendiary Justice, another Justice may attend.
15. Provision for suspending and discontinuing certain Sittings.
16. Justices of the Division and Borough Justices to have concurrent Jurisdiction in Borough Business.
17. Certain County Justices to be Borough Justices.
18. Clerk for Divisional Business and Clerk for Borough Business to be appointed.
19. Duties of the respective Clerks for Divisional and Borough Business.
20. Provision for Payment of Salaries to the Stipendiary Justice and Clerk for Divisional Business and Out-District Clerks.
21. Borough of Salford to contribute its Quota towards Salary of Stipendiary Justice from Borough Fund.
22. Provision for Payment to Clerk for Borough Business of such annual Sum, not exceeding 500*l.*, as Council may direct.
23. No Fees to be taken except at Places of public Sitting.
24. Process requiring Appearance of Inhabitants of the Division without the Limits of the same, to be void.
25. Clerk for Borough Business to receive all Fees and render to the Council a quarterly Account thereof, and pay Fees received to the Treasurer of the Borough.
26. Clerk for Divisional Business to receive Fees, and render a Quarterly Account thereof to Justices of Division.
27. Persons making false Declarations to be guilty of a Misdemeanor.
28. Clerk for Divisional Business, and Out-District Clerks, to carry all Fees received to Account of General Fee Fund. Justices of Divisions may appoint Treasurer of Fee Fund.
29. Fee Fund formed under 8 Vict. c. 21. to be the Fee Fund under this Act.
30. Clerks disqualified from acting as Attorneys in certain Cases. Clerk for Borough Business to conduct Prosecution of Borough Offences.
31. Justices to make Rates for Payment of Salaries, &c. under this Act.
32. Mode by which Value of rateable Property may be ascertained.
33. Powers of Acts relating to County Rates made applicable to this Act.
34. Overseers of the Poor to levy Rates.
35. Application of Penalties.
36. Application of Monies received for estreated Recognizances.
37. Treasurer of Fee Fund to pay to Treasurer of Borough a Moiety of Monies received for Forfeitures and estreated Recognizances.
38. Constables to take Recognizances, &c.
39. Notice of Meetings of Justices.
40. Notice of Action.
41. Saving the Rights of the Corporation of Stockport and the Borough Justices.
42. For Payment of Expenses of this Act.

Salvage. See *Royal Navy.*

Sardinia.

18 & 19 Vict. c. 17.—An Act to carry into effect a convention between Her Majesty and the King of Sardinia. Page 542
§ 1. Power to Treasury to direct Sums required for the Loan or Loans to Sardinia to be issued out of the Consolidated Fund.
2. Sums repaid to go to Consolidated Fund.
3. Annual Account to be laid before Parliament.

Savings Banks (Ireland).

17 & 18 Vict. c. 50.—An Act to continue the Act 11 & 12 Vict. c. 133. for amending the Laws relating to Savings Banks in Ireland, and to authorize Friendly Societies to invest the whole of their Funds in Savings Banks. Page 101
§ 3. Savings Banks Rules already enrolled need not be enrolled again.

Schools.

18 & 19 Vict. c. 59.—An Act to facilitate the Inquiries of the Commissioners of Endowed Schools, in Ireland. Page 629
§ 1. Construction of Terms.
2. Commissioners to inquire into State of all Schools, &c.
3. Power to Commissioners to repair Schools, examine Witnesses, and call for Documents.
4. Penalty on Persons refusing to attend to be examined or produce Documents.
5. Power to Commissioners to make Report to Her Majesty, and suggest Plans of Improvement of Schools.
6. Appointment of Assistant Commissioners.
7. Duties of Assistant Commissioners.
8. This Act not to affect Powers of Commissioners.

18 & 19 Vict. c. 131.—An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education. Page 954
§ 1. Sale, &c. of Premises in respect of which Grant of Money has been made not to be valid without Consent of Secretary of State, &c.
2. Purchasers not to be affected without Notice.

See also *Education. Parochial Schoolmasters. Youthful Offenders.*

Scientific Institutions. See *Literary and Scientific Institutions.*

Scotland. For Acts relating specially to Scotland see the following Heads:—

Affirmations.
Burial Grounds.
Dwelling Houses.
Edinburgh Lands.
Heritable Securities.
Intestacy.
Inverness Bridge.
Joint Stock Banks.
Militia.
Parliamentary Representation.
Parochial Schoolmasters.
Public Libraries.
Reformatory Schools.
Registration of Births.
Sheriff, &c. of Chancery.
Trials by Jury.
Valuation of Lands.

Seamen. See *Merchant Shipping. Royal Navy.*

Secret Bills of Sale. See *Bills of Sale.*

Secretary of State.

18 & 19 Vict. c. 10.—An Act to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons. Page 522

§ 1. Recital of 6 Anne, c. 7., 22 Geo. 3. c. 82., and 15 Geo. 2. c. 22. Power to any Three of the Principal Secretaries and any Three of the Under Secretaries of State to sit in the House of Commons.

See also *Ordnance.*

Securities. See *Heritable Securities. Russian Government Securities. Sale of Beer. Stamps.*

Service in the Army.

18 & 19 Vict. c. 4.—An Act to amend the Act 10 & 11 Vict. c. 37. for limiting the Time of Service in the Army. Page 521

§ 1. Power to Her Majesty, by Order in Council, for Three Years after passing of this Act, to lessen Terms for the Enlistment and Re-engagement of Soldiers.

2. Acts 10 & 11 Vict. c. 37. and 12 & 13 Vict. c. 73. to be construed with this Act.

See also *Army.*

Service of Process. See *Evidence.*

Sewers. See *Metropolis Local Management.*

Sherbro. See *Slave Trade.*

Sheriff and Sheriff Clerk of Chancery (Scotland).

17 & 18 Vict. c. 72.—An Act to provide for Payment of Salaries of the Sheriff and Sheriff Clerk of Chancery in Scotland. Page 132

Recital of 10 & 11 Vict. c. 47.

§ 1. Repeal of Part of recited Act. Funds from which Salaries of Sheriff and Sheriff Clerk of Chancery to be hereafter payable.

2. Power to Treasury to grant to Sheriff of Chancery such Salary as shall seem meet, and a retiring Annuity, subject to Provisions 16 & 17 Vict. c. 80. s. 38.

Shipping. See *Merchant Shipping. Royal Navy.*

Sierra Leone. See *Slave Trade.*

Silver Wares. See *Gold and Silver Wares.*

Singapore.

18 & 19 Vict. c. 93.—An Act to amend certain Acts relating to the Court of Judicature in Prince of Wales Island, Singapore, and Malacca, and to the Supreme Courts of Judicature in India. Page 705

§ 1. Sections 5. 7. 14. and 16. of 6 Geo. 4. c. 85. to apply to Recorders of Singapore and Prince of Wales Island.

2. Sum to be paid to Recorders for Equipment and Voyage.

3. Court for Relief of Insolvent Debtors may be held by either of the Recorders.

4. Act 6 & 7 Will. 4. c. 53. to apply to the present Charter, which is confirmed.

5. As to Allowances to Judges of the Supreme Courts in India on Retirement.

Slave Trade (Sherbro).

18 & 19 Vict. c. 85.—An Act for carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro County near Sierra Leone in Africa, for the more effectual Suppression of the Slave Trade. Page 685

§ 1. Power for Commanders and other Officers of Ships of War, or for Officers deputed by the Governor of Sierra Leone, to visit and inspect, &c. Vessels belonging to the Sherbro Chiefs.

2. As to the Trial and Condemnation of Vessels engaged in the Slave Trade.

3. Persons giving false Evidence deemed guilty of Perjury. In England Venue may be laid in Middlesex.

4. Pendency of Suits to be a Bar to any Proceedings instituted for the Recovery of the Vessels detained.

5. Vessels condemned to be sold for Her Majesty's Service or broken up.

6. Captors of Vessels condemned entitled to the Proceeds belonging to Her Majesty.

7. Bounty for Slaves captured.

8. Additional Bounty on Tonnage of Slave Ships captured and demolished.

9. Where no Slaves are on board a Ship seized and condemned, an additional Bounty on Tonnage to be paid.

10. Bounties to be paid out of Monies to be provided by Parliament.

11. Proof of Tonnage.

12. Copy of Sentence of Condemnation to be produced to the Treasury.

13. One Moiety of the Bounty only to be paid in certain Cases.

14. Parties claiming Benefit under this Act may resort to Court of Admiralty.

15. Regulations and Penalties respecting Prize Agents Accounts extended to Bounties, &c. under this Act.

16. Power to order Payment of Costs awarded for Vessels detained but not condemned.

17. Power to Treasury to repay to the Seizor of any Vessel not condemned the Expenses incurred by him.

Societies. See *Friendly Societies.*

Somerset House. See *Cornwall (Office of Duchy of).*

Southampton Buildings. See *Chancery (Court of).*

South Wales.

17 & 18 Vict. c. 7.—An Act for extending the Time limited for putting into execution the Act 14 & 15 Vict. c. 16., for the better Management and Control of Highways in South Wales. Page 20

§ 1. County Roads Boards shall at First Meeting after passing of this Act proceed to put recited Act into execution.

Speaker of House of Commons. See *House of Commons.*

Spirit of Wine.

18 & 19 Vict. c. 38.—An Act to allow Spirit of Wine to be used Duty-free in the Arts and Manufactures of the United Kingdom. Page 575

§ 1. A Mixture of Spirit of Wine and Methylic Alcohol may be allowed Duty-free for Use in the Arts or Manufactures.
2. The Mixture to be termed Methylated Spirit.
3. Persons (other than Distillers or Rectifiers) authorized to make Methylated Spirit to pay for a Licence for that Purpose.
4. Places of mixing to be approved and entered, and Removal of Articles for mixing and of Methylated Spirit to be made under the Regulations of the Commissioners.
5. Wood, Naphtha, &c. to be inspected by Officer before mixing, and Commissioners may provide same.
6. Commissioners may provide Warehouses and Labour for mixing and storing Methylated Spirit for a certain Payment.
7. A Stock Account to be kept of Methylated Spirit in the Possession of every Maker. Excess of Stock to be forfeited, and Deficiency to be charged with Duty.
8. Methylated Spirit to be delivered only from an entered Place, and accompanied by a Permit. Penalty for unlawful Delivery or Removal, 50*l.*, and Forfeiture of the Spirit.
9. Persons to be authorized by the Commissioners to receive Duty-free Methylated Spirit for Use in the Arts or Manufactures.
10. Persons authorized to receive Duty-free Methylated Spirit to give Security for the proper Use of it in their Manufactures.
11. Enactments in former Acts as to Permits and Certificates to be applied to Permits, Certificates, &c. under this Act.
12. Persons ordering Methylated Spirit to fill up Requisition and Counterfoil, and produce the latter to Officer when required.
§ 13. Officers of Excise may enter Premises where Methylated Spirit is used, and inspect and take Samples.
14. Commissioners may revoke Authority to make or use Methylated Spirit, or Approval of Places for making or storing same.
15. Makers not to supply Methylated Spirit to Persons whose Authority to use the same is revoked.
16. Methylated Spirit found in the Possession of a Person not entitled to have same, or in an unentered Place, forfeited, and Penalty incurred.
17. Commencement of Act.

Spirits. See *Customs. Excise. Sale of Spirits (Ireland).*

Stage Carriage Duties, &c.

18 & 19 Vict. c. 78.—An Act to reduce certain Duties payable on Stage Carriages, and to amend the Laws relating to Stamp Duties, and to Bonds and Securities to the Inland Revenue. Page 670

Recital of 5 & 6 Vict. c. 79.
§ 1. Duties on Stage Carriages and Supplementary Licences reduced.
2. Reduced Duties to be raised, &c. under existing Powers.
3. Section 12 of 2 & 3 Will. 4. c. 120. repealed.
4. Paper for Covers or Envelopes of Letters provided by any Person may be stamped with Postage Stamps.
5. Prize Money Orders to be chargeable with the same Duties as Inland Bills, 2 & 3 Will. 4. c. 53., 3 & 4 Will. 4. c. 29.
6. Sections 195, 196, and 197 of 16 & 17 Vict. c. 107. to apply to Bonds and Securities relating to the Inland Revenue.

Stamps.

17 & 18 Vict. c. 78.—An Act to appoint Persons to administer Oaths, and to substitute Stamps in lieu of Fees, and for other Purposes, in the High Court of Admiralty of England. Page 141

§ 14. Her Majesty may by Order in Council vary, alter, or abolish Fees in High Court of Admiralty, and provide for their Collection by Stamps.
15. After such Order Fees not to be received in Money, but by means of Stamps.
16. Commissioners of Inland Revenue to give the necessary Directions as to the Stamps, and to keep separate Accounts.
17. Provision for Sale of Stamps.
18. Commissioners of Inland Revenue may make Regulations as to Allowance for spoiled Stamps.
19. Provisions of former Acts relating to Stamps to be applicable to Stamps under this Act.
20. No Document to be received or used unless stamped.
21. Officers guilty of Fraud or wilful Neglect in relation to Stamps liable to be dismissed.
22. Power to Treasury to order Pensions for retiring Officers.
23. Provisions to extend to Instance, Prize, and other Matters.

17 & 18 Vict. c. 83.—An Act to amend the Laws relating to the Stamp Duties. Page 170

§ 1. Stamp Duties on Instruments mentioned in Schedule to this Act, payable under other Acts, repealed, and the Duties named in said Schedule granted in lieu thereof.
2. The new Duties by this Act granted to be denominated Stamp Duties, and to be under the Care of Commissioners of Inland Revenue. Powers and Provisions of former Acts to be in force.
3. Duties on Bills drawn out of the United Kingdom to be denoted by adhesive Stamps.
4. Bills purporting to be drawn abroad deemed for the Purposes of this Act to be so drawn.
5. The Holder of a Bill drawn out of the United Kingdom to affix an adhesive Stamp thereon before negotiating it. Penalty for negotiating such Bill without a Stamp affixed or neglecting to cancel such Stamp.
6. Penalty for drawing and issuing, or transferring or negotiating Bills purporting to be drawn in a Set, and not drawing the whole Number of the Set. Penalty on taking or receiving such Bills.
7. Unstamped Drafts on Bankers not to be circulated beyond 15 Miles of the Place where made payable. Penalty on Persons offending.
8. Drafts lawfully issued unstamped may by affixing thereto an adhesive Stamp be negotiated beyond the Distance of 15 Miles.
9. Provisions of 17 Geo. 3. c. 30. as extends to Drafts on Bankers repealed.
10. Adhesive Stamps denoting the Duty of One Penny may be used for Receipts or Drafts without regard to their special Appropriation.
11. What shall be deemed Bank Notes within the Meanings of 7 & 8 Vict. c. 32. and 8 & 9 Vict. cc. 38. and 37.
12. All Bills, Drafts, and Notes deemed Bank Notes under the above-recited Acts liable to Stamp Duties, &c.
13. Exemption from Receipt Stamp Duty of Letters acknowledging Receipt of Bills, &c., repealed.
14. Receipts for Money paid to the Crown exempted from Stamp Duty.
15. 13 & 14 Vict. c. 97. and 16 & 17 Vict. c. 63. Relief to Persons who have made Duplicates of Conveyances described in 16 & 17 Vict. c. 63.
16. Deeds made for several valuable Considerations to be chargeable in respect of each.
17. Commissioners of Inland Revenue, before assessing the Duty upon any Deed, may require Proof that the Facts upon which the Duty depends are truly stated.
18. The Affidavit not to be used for any other Purpose.
19. 48 Geo. 3. c. 149. Indemnity from Penalties for omitting to state the full Purchase Money in Assignments on the Sale of Goodwill.
20. Stamp Duty on Licences to Pawnbrokers in Dublin reduced.
21. Contracts to serve as Artificers, Servants, &c. in the Colonies exempted from Stamp Duty.
22. Public Maps and Documents not to be liable to Stamp Duty by reason of their being referred to in Deeds or Writings.
23. Leases for a Period less than a Year to be chargeable with Stamp Duty on the Rent reserved.
§ 24. Allowance on the Purchase of Stamps not exceeding the Rate of 1*s.* Duty for Drafts, Bills, and Notes.
25. No Charge to be made for Paper on Sale of Bill or Note Stamps where the Rate of Duty does not exceed 1*s.*
26. Allowance for Stamps rendered useless by this Act.
27. Instruments admissible in Evidence though not properly stamped.

18 & 19 Vict. c. 36.—An Act to repeal the Stamp Duties payable on Matriculation and Degrees in the University of Oxford. Page 575

§ 1. Stamp Duties on Matriculation and Degrees in Oxford repealed.
2. Salaries payable under University Statute not to be discontinued without Consent of the Treasury.

18 & 19 Vict. c. 82.—An Act to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, Dublin, and of certain Professors in the said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the University of Dublin. Page 682

§ 1. Payment of certain Sums to Trinity College, Dublin, to cease.
2. Stamp Duties to Matriculation and Admission to Degrees in Dublin University repealed.

18 & 19 Vict. c. 27.—An Act to amend the Laws relating to the Stamp Duties on Newspapers, and to provide for the Transmission by Post of printed periodical Publications. Page 559

§ 1. Not to be compulsory to print Newspapers on Stamps.
2. Periodical Publications printed on Stamps to be transmitted by Post free of Postage.
3. Periodical Publications entitled to free Transmission by Post to be printed under certain Limitations and Conditions specified.
4. Paper to be stamped for such periodical Publications at the Request of the Proprietor or Printer. Discount to be allowed on Stamps in Ireland.
5. Periodical Publications to be posted within Fifteen Days after being published.
6. Questions as to periodical Publications how determined.
7. Newspapers may be registered at the General Post Office to entitle the same to the Privilege of Transmission abroad under Treaties with Foreign Powers.
8. Transmission by Post of printed Papers to Foreign Countries.
9. Power to Postmaster General with Consent of Treasury to make Regulations for carrying the Act into Effect.
10. Periodical Publications sent by Post not in conformity with this Act to be charged Letter Rates of Postage.
11. London Gazette to be Evidence of the issuing of Warrants or Orders.
12. Interpretation of Terms.

18 & 19 Vict. c. 78.—An Act to reduce certain Duties payable on Stage Carriages, and to amend the Laws relating to Stamp Duties, and to Bonds and Securities to the Inland Revenue. Page 670

§ 4. Paper for Covers or Envelopes of Letters provided by any Person may be stamped with Postage Stamps.
5. Prize Money Orders to be chargeable with the same Duties as Inland Bills, 2 & 3 Will. 4. c. 53. 3 & 4 Will. 4. c. 29.
6. Sections 195., 196., and 197. of 16 & 17 Vict. c. 107. to apply to Bonds and Securities relating to the Inland Revenue.

Standard of Gold and Silver Wares.

17 & 18 Vict. c. 96.—An Act for allowing Gold Wares to be manufactured at a lower Standard than now allowed by Law, and to amend the Law relating to the assaying of Gold and Silver Wares. Page 207

§ 1. Her Majesty may by Order in Council allow any Standard for Gold Wares not less than One Third Part in the whole.
2. Gold and Silver Wares may be assayed at any lawful Assay Office wherever manufactured.
3. Gold Wares unnecessarily marked not liable to Duty on Gold Plate.
4. Provisions of existing Acts to be applicable to the new Standard.
5. Penalty for marking Gold Ware of a lower Standard with the mark appropriated to a higher Standard.

18 & 19 Vict. c. 60.—An Act for excepting Gold Wedding Rings from the Operation of the Act 17 & 18 Vict. c. 96. relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relating to Gold Wares. Page 631

§ 1. Gold Wedding Rings to be assayed and marked.
2. Section 3. of 17 & 18 Vict. c. 96. repealed so for as relates to Gold Wedding Rings.
3. Certain Companies, &c. authorized to assay and mark Gold Wares indemnified.

Standard of Weights and Measures.

18 & 19 Vict. c. 72.—An Act for legalizing and preserving the restored Standards of Weights and Measures. Page 666

§ 1. Provisions concerning the Restoration of the Standards by reference to the Pendulum, &c.; 5 Geo. 4. c. 74. ss. 3. & 5. repealed.
2. Restored Standard Yard established.
3. Standard Pound Avoirdupois.
4. Provisions of 5 Geo. 4. c. 74. not hereby repealed, &c. to remain in force.
5. Copies of the Old Standards to continue to be legal.
6. Weights and Measures hereafter verified to be legal.
7. Provision for Restoration of Standards in case of Loss, &c.

Stannary Courts.

18 & 19 Vict. c. 32.—An Act to amend and extend the Jurisdiction of the Stannary Court. Page 564

§ 1. Process in case of Mines of mixed Minerals.
2. Interpretation of Terms.
3. As to Suits by Pursers, &c. for Contribution against non-resident Shareholders.
4. Plaintiff may join several Adventurers in One Petition, &c.
5. As to Suits by Creditors for Payment of Debts of Adventurers in a Mine.
6. As to Suits for Account between Adventurers.
7. Process in Suits against non-resident Defendants.
8. Service of Process out of Stannaries.
9. As to Execution of Judgments and Decrees of the Court of the Vice-Warden. Where such Judgments cannot be conveniently enforced, Superior Courts may issue Process for Recovery of Amounts due on the same.
10. Execution of Decrees, &c. in Equity Suits in or out of Stannaries.
11. Interpleader in Equity.
12. Adjudication to be final.
13. Upon Application by Registrar, &c. Action may be stayed.
14. Freehold, &c. not to be adjudicated upon without Consent.
15. Ejectment in the Stannaries.
16. Summary Suits for small Debts extended to Torts.
17. Removal of certain Causes from the County Court.
18. Pleading to Jurisdiction.
19. Power of Registrar on Interlocutory Applications.
20. Power for Vice-Warden, with Consent of Parties, to refer Cases to Arbitration.
21. Power of Vice-Warden to hold his Court at any Place within the Stannaries for certain Purposes.
22. Production of Lists of Shareholders in Mines. 7 & 8 Vict. c. 110.
23. Power to make or adopt Rules, Orders, and Practice of Superior Courts of Law or Equity.
24. Provision for Illness or accidental Absence of Vice-Warden.
25. Allowances to be made on auditing the Registrar's Accounts.
26. Regulation of Appeals.
27. As to levying and Application of Fines.
28. Punishment of Frauds by Miners in Devonshire.
29. Vice-Warden to be qualified to act as a Justice of the Peace in the County.
30. Parts of Acts repealed.
31. Law Clerk of the Duchy of Cornwall to act as Attorney or Solicitor in all Courts.
32. Stannaries of Cornwall and Devon to be united as to Jurisdiction.
33. The Vice-Warden to sit in Devonshire when sufficient Funds shall be provided for such Sitting.
34. Collector in Devonshire.
35. Jurors to be qualified as at Assizes. No Sittings in Devon till Duchy Council or Commissioners shall direct.
36. Assessment of Mines and Minerals in Devon.
37. Commitment of Prisoners in Devonshire.
38. Provision for the eventual Establishment of a separate Court in Devonshire.

Statues (Public).

17 & 18 Vict. c. 33.—An Act to place Public Statues within the Metropolitan Police District under the Control of the Commissioners of Her Majesty's Works and Public Buildings. Page 74

§ 1. Interpretation of Terms.
2. Statues may be erected in public Places, &c.
3. Power to repair Public Statues, &c.
4. Commissioners may do all Acts necessary for the Erection, &c. of Public Statues.
5. Statues not to be erected without Assent.
6. For Punishment of Persons damaging any Public Statue.
7. Certain Statues may be transferred to Board of Works and become Public Statues.

Statutes and Parts of Statutes repealed. See the End of the Index.

Stipendiary Justice for Manchester. See *Manchester.*

Stock in Trade Exemption.

17 & 18 Vict. c. 66. and 18 & 19 Vict. c. 51.—An Act to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor. Pages 128. 592

§ 1. Continuing 3 & 4 Vict. c. 89. until the 1st of October 1856.

Succession to Intestates. See *Intestacy (Scotland).*

Sugar. See *Customs. Excise.*

Sunday. See *Sale of Beer.*

Supreme Courts. See *East Indies.*

Survey. See *Boundary Survey (Ireland).*

T.

Taxes, Rates, and Duties. See *Assessed Taxes. Customs. Excise. Highway Rates. Income Tax. Land Tax. Stamps.*

Tea Duties.

18 & 19 Vict. c. 9.—An Act to suspend the Decline of the Customs Duties on Tea from and after the Fifth Day of April One thousand eight hundred and fifty-five. [*Repealed by* 18 & 19 Vict. c. 97.] Page 522

See also *Customs.*

Temporalities, Church. See *Ministers Money (Ireland).*

Tenements, Grants of. See *Religious Worship.*

Tithes.

18 & 19 Vict. c. 52.—An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts. Page 592

§ 1. Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued.

Tobago Loan.

18 & 19 Vict. c. 107.—An Act to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of Tobago. Page 780

§ 1. Power to the Treasury to extend the Time of Repayment of the Loan to Tobago, and to reduce Interest to 3*l.* 5*s.* per Cent., corresponding Advantages being secured to the private Borrowers.
2. In case of Default of Payment at the Times fixed under this Act, the Rate of Interest and Instalments originally agreed upon may be required.

Todmorden.

18 & 19 Vict. c. 66.—An Act to render valid certain Marriages in Christ Church in the Chapelry of Todmorden and Parish of Rochdale, in the Counties of Lancaster and York. Page 646

§ 1. Marriages solemnized in Christ Church, Todmorden, declared valid.
2. Ministers having solemnized Marriages indemnified.
3. Registers to be Evidence.

Tolls. See *Turnpike Roads and Trusts.*

Towns Improvement (Ireland).

17 & 18 Vict. c. 103.—An Act to make better Provision for the paving, lighting, draining, cleansing, supplying with Water, and Regulation of Towns in Ireland. Page 224

Preamble recites Commissioners Clauses Act, 1847 (10 & 11 Vict. c. 16.), and Towns Improvement Act, 1847 (10 & 11 Vict. c. 34.)

§ 1. Interpretation of Terms in this Act.
2. Short Title of this Act.
3. Form in which Portions of this Act may be incorporated in other Acts, or in Documents.
4. On Application of Twenty-one Eight Pound Householders of any Town, Lord Lieutenant may order Mayor, &c. to convene a Meeting to consider the carrying this Act into execution therein.
5. Order to specify the Boundaries of Town for the Purposes of this Act. If Act adopted, same to be the Boundaries.
6. Notice of such Meeting, when and how to be given.

§ 7. At such Meeting, Persons rated for One Year to *Poor Rates* for Premises of the Value of 8*l.* within the Town to have Votes. Right of voting to be decided by Chairman.
8. Power of Meeting to adopt this Act, or to decline to adopt it.
9. Expenses attending the calling First Meeting, &c. how to be borne.
10. Chairman to declare the Determination of the Meeting. Majority sufficient.
11. Poll Books to be provided.
12. State of Poll to be ascertained and declared.
13. How Minutes of Meeting to be worded if Act adopted in part only.
14. If Act not adopted, Proposal may be re-considered after Two Years; if adopted only in part, it may after Two Months be further adopted.
15. Certified Copy of Determination to be transmitted to Lord Lieutenant. If Lord Lieutenant approve of Determination, Notice of Approbation to be published in Gazette and Act put in force accordingly. Notice to state Number of Ward and Number of Commissioners to be elected. In Corporate Towns, Town Council or Municipal Board to be the Commissioners.
16. Number of Commissioners. If the Town be divided into Wards.
17. Where 9 Geo. 4. c. 82. in force in any Town, same to be no longer in force after First Election of Commissioners under this Act.
18. Where a Local Act in any Town provides for any Purposes of this Act, this Act not to be put in force without previous Consent of Two Thirds of Commissioners under Local Act. After Adoption of this Act, and First Election of Commissioners, Local Act to be no longer in force for the Purposes of this Act.
19. Lord Lieutenant not to direct Meetings for the Adoption of the 9 Geo. 4. c. 82.
20. Where Commissioners under Local Act decline to consent to the Adoption of this Act, same may be adopted by Consent of Two Thirds of Town Council, and Powers of Assessment under Local Act transferred to Commissioners under this Act.
21. First Election of Commissioners under Act.
22. Qualification of Electors at Elections of Commissioners.
23. Day for Election of Commissioners.
24. Commissioners Clauses Act, as to Election and Rotation, incorporated herewith.
25. Qualification of Commissioners.
26. Incorporation Clause.
27. First Meeting of Commissioners. Statutory Meetings.
28. Incorporation Clause. Meetings of Commissioners.
29. Chairman to be a Justice of the Peace for the Purposes of the Act.
30. Commissioners to provide suitable Court-house, and proper Officer to act as Clerk.
31. Officers: Proviso as to Approval.
32. Surveys and Plans.
33. Power to purchase, &c. certain Sewers.
34. Incorporation Clause. Appeal. Persons aggrieved by making, &c. Sewers may appeal.
35. Drainage of Houses Incorporation Clause. Appeal.
36. Paving Incorporation Clause.
37. New Streets Incorporation Clause. Parties aggrieved may appeal.
§ 38. Naming Streets; numbering Houses; Obstructions. Parties aggrieved may appeal to the Assistant Barrister.
39. Ruinous Buildings, Precautions, &c.
40. Objections to Works.
41. Persons aggrieved by Orders of the Commissioners may appeal to the Assistant Barrister.
42. Cleansing Streets, Prevention of Nuisances, and of Smoke.
43. Party Walls to be carried up through the Roof.
44. Ventilation.
45. For the Regulation of Lodging Houses.
46. Incorporation Clauses.
47. Slaughter-houses, &c. Saving Rights of Persons incorporated by Act of Parliament for maintaining Slaughter-houses.
48. Provision against Sale of unwholesome Meat.
49. And against Sale of adulterated Food.
50. Offensive Trades newly established to be subject to the Regulation of Commissioners.
51. Commissioners may contract for lighting Streets. Price to be paid for Gas to be ascertained in case of Dispute.
52. Incorporation Clause. Commissioners may provide sufficient Supplies of Water, and may erect Waterworks, &c. In case of Waterworks constructed by Commissioners, the Water may be kept constantly under Pressure. Commissioners not to construct Waterworks, &c. if any Waterworks Company within the Town be able and willing to supply Water upon Terms.
53. Service Pipes to be laid by Owners. Water to be used only for domestic and ordinary Purposes, unless by Agreement with the Commissioners. Commissioners may make Byelaws in reference to Water.
54. Penalty for injuring Waterworks, diverting Streams, or wasting Water. Penalties on Persons for causing Water in Reservoirs to be fouled; and on Proprietors of Gasworks, &c.
55. Special Order; Clocks; Entry of Commissioners; Execution of Works.
56. Regulations as to Gunpowder.
57. Byelaws to be confirmed. Notice of Confirmation to be given.
58. Incorporation Clause Contracts.
59. Clerk, Treasurer, Collector, &c. How Drafts to be drawn.
60. Commissioners to make Assessment for the Purposes of this Act.
61. Assessment Book to be made up, and Objections how to be entered and disposed of by the Commissioners. Copy of Assessment Book to be given to Collector.
62. Rating of Railways and Canals.
63. Assessment may be levied by Distress and Sale, or upon a Complaint to be made to a Justice, who shall summon the Party. In default of Appearance, Goods of Party may be distrained. Power to proceed by Action or Suit.
64. Immediate Lessors of Property of less Value than 4*l.* to be assessed for the same.
65. Recovery of Assessment from Lessors by Action or Civil Bill, or by Warrant of Distress. If Assessment be not paid by the Lessor, it may be recovered from the Occupier, who may deduct it from Rent.
66. Private Assessments. Recovery thereof.

§ 67. How Objections to be entered and disposed of.
68. Accounts.
69. Power to Commissioners to borrow Money for the Purposes of this Act, but not beyond the fixed Rate of Assessment.
70. Power to prevent Obstructions in the Streets during public Processions, &c.
71. Power to impound stray Cattle. Power to sell stray Cattle for Penalty and Expenses.
72. Penalty on Persons committing any of the Offences herein named.
73. Fire Engines may be provided and Firemen employed by the Commissioners. Fire Police permitted to go beyond the Limits of the Town in certain Cases.
74. Penalty on Victuallers entertaining Constables while on Duty. Penalty for harbouring disorderly Persons.
75. Penalty on Persons keeping Places for baiting Animals; and on Persons found therein.
76. Penalty against Swindlers, &c.
77. Bathing Machines and Bathing.
78. What to be Hackney Carriages.
79. Hackney Carriages to be licensed. Fee to be paid for Licences. Persons applying for Licence to sign a Requisition for same.
80. What shall be specified in the Licence. Licence to be in force for One Year only. Licences to be registered. Penalty for plying for Hire without a Licence.
81. Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.
82. Drivers not to act without first obtaining a Licence. Penalty on Drivers acting without Licence. Licences to be suspended or revoked for Misconduct.
83. Number of Persons to be carried in a Hackney Carriage to be painted thereon. Penalty for Neglect or for Refusal to carry the prescribed Number. Penalty on Driver for refusing to drive.
84. Penalty for demanding more than the Sum agreed for, though less than the legal Fare. Agreement to pay more than the legal Fare not to be binding. Sum beyond the proper Fare may be recovered back. Overcharge by the Hackney Coachmen, &c. to be included in Conviction, and returned to aggrieved Party.
85. Penalty on Drivers misbehaving. Improperly standing with Carriage, refusing to give way to, or obstructing any other Driver, or depriving him of his Fare. Damage done by Driver may be recovered from the Proprietor.
86. Penalty for leaving Carriages unattended at Places of public Resort.
87. Penalty for refusing to pay the Fare. Penalty for damaging Carriages.
88. Commissioners may make Byelaws for regulating Hackney Carriages.
89. Commissioners may appoint Watchmen. Powers of Constables. Penalty for harbouring Constables during the Hours of Duty.
90. Recovery of Damages, &c.
91. Mode of proceeding before Justices. Distress how to be levied; not unlawful for Want of Form. Form of Conviction. Justices, though Commissioners under this Act, may act under this Act. Penalty on Persons giving false Evidence. Common Informers not to sue without Consent of Attorney General. Proceedings for Penalties to be taken within Six Months. Application of Penalties. Liability to Penalty not to relieve from other Liabilities.
§ 93. Appeal to Quarter Sessions.
94. Actions, &c. in Name of Clerk. Mode of describing Property of Commissioners. Actions, &c. not to abate. Clerk to be reimbursed Expenses and Costs.
95. Notice of Action. Limitation of Actions. Venue. General Issue. Tender of Amends, &c.
96. No Rate or Proceeding to be quashed for Want of Form, &c.
97. Persons acting in execution of Act not to be personally liable.
98. Bonds, Contracts, &c., under former Act to be saved; and Officers in office to continue until removed.
99. Public Libraries Acts, 1850 and 1853, incorporated with this Act. [*Repealed by the Public Libraries Act (Ireland)*, 1855, 18 & 19 Vict. c. 40.]
100. Act to extend only to Ireland, but not to affect certain Cities.

Toxteth Park. See *Public Health.*

Trades, Duties on Profits from. See *Income Tax.*

Traffic on Railways, &c.

17 & 18 Vict. c. 31.—An Act for the better Regulation of the Traffic on Railways and Canals. Page 72
§ 1. Interpretation of Terms.
2. Railway Companies to make Arrangements for receiving and forwarding Traffic, without unreasonable Delay, and without Partiality.
3. Parties complaining that reasonable Facilities for forwarding Traffic, &c. are withheld, may apply by Motion or Summons to the Superior Courts.
4. Judges may make such Regulations as may be necessary for Proceedings under this Act.
5. Court or Judge may order a Rehearing.
6. Mode of Proceeding under this Act.
7. Company to be liable for Neglect or Default in the Carriage of Goods, notwithstanding Notice to the contrary. Company not to be liable beyond a limited Amount in certain Cases, unless the Value declared and extra Payment made. Proof of Value to be on the Person claiming Compensation. No special Contract to be binding unless signed. Saving of Carriers Act, 11 Geo. 4. & 1 Will. 4. c. 68.
8. Short Title.

Transfer of Incumbered Estates. See *Incumbered Estates.*

Treason.

17 & 18 Vict. c. 26.—An Act to assimilate the Law and Practice existing in Cases of High Treason in Ireland to the Law and Practice existing in Cases of High Treason in England. Page 59
§ 1. Provisions of 7 Anne, c. 21. extended to Ireland.

Treasurers of Counties (Ireland).

18 & 19 Vict. c. 74.—An Act to enable Grand Juries of Counties in Ireland to present for Payment of Expenses in certain Cases. Page 669

§ 1. Grand Jury may present for certain Expenses incurred by Treasurers of Counties.
2. Continuance of Act.

Treaties and Conventions. See *Fisheries. Sardinia. Turkish Loan. United States.*

Treating. See *Bribery, &c.*

Trials by Jury in Civil Causes (Scotland).

17 & 18 Vict. c. 59.—An Act to allow Verdicts on Trials by Jury in Civil Causes in Scotland to be returned, although Jury not unanimous. Page 123

§ 1. If Jury unable to agree, and if, after Six Hours, Nine of the Jury agree, the Verdict of such Nine to be taken.

Trinity College, Dublin.

18 & 19 Vict. c. 82.—An Act to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, Dublin, and of certain Professors in the said College, and to repeal the Stamp Duties payable on Matriculations and Degrees in the University of Dublin. Page 682

§ 1. Payment of certain Sums to Trinity College, Dublin, to cease.
2. Stamp Duties on Matriculation and Admission to Degrees in Dublin University repealed.

Trusts, Charitable. See *Charitable Trusts.*

Tunnel between Devonport and Keyham. See *Devonport.*

Tunstall. See *Public Health.*

Turkish Loan.

18 & 19 Vict. c. 99.—An Act to enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the French, and His Imperial Majesty the Sultan. Page 764

§ 1. Her Majesty empowered to guarantee Interest to be charged on Consolidated Fund.
2. Sums repaid as Interest to be carried to the Consolidated Fund.
3. Accounts to be laid before Parliament.

Turnpike Roads and Trusts.

18 & 19 Vict. c. 69.—An Act to discontinue the taking of Toll on the Turnpike Roads leading from the City of Dublin and on the Turnpike Road from Kinnegad to Athlone, and to provide for the Maintenance of such Roads as public Roads, and for the Discharge of the Debts due thereon, and other Purposes. Page 652

See further, *Dublin.*

17 & 18 Vict. c. 58.—An Act to continue certain Turnpike Acts in Great Britain, and to make further Provisions concerning Turnpike Roads in England. Page 120

[*See the next Act.*]

§ 1. All Turnpike Acts which will expire on or before the End of next Session continued to 1st October 1855, &c., with certain Exceptions.
2. Acts in Schedule to this Act continued till 1st November 1855.
3. Any Money applicable to Payment of Turnpike Debts may be applied in manner provided by 12 & 13 Vict. c. 87. with respect to Sinking Funds under that Act.
4. Power to Executors, &c. to consent.
5. Tolls not to be charged without Consent of Secretary of State.
6. Short Title.
7. Extent of Act.

18 & 19 Vict. c. 98.—An Act to continue certain Turnpike Acts in Great Britain. Page 762

§ 1. All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1856, &c., with certain Exceptions.
2. Acts in Schedule continued till 1st Nov. 1856.
3. Short Title.
4. Extent of Act.

17 & 18 Vict. c. 42.—An Act to continue certain Acts for regulating Turnpike Roads in Ireland. Page 85

[*See next Act.*]

18 & 19 Vict. c. 83.—An Act to continue certain Acts for regulating Turnpike Roads in Ireland. Page 683

Recital of 4 & 5 Vict. c. 6., and 17 & 18 Vict. c. 42.
§ 1. Acts for making Turnpike Roads in Ireland which will expire before 31st July 1856 continued, save those in Schedule.
2. Certain Acts comprised in 18 & 19 Vict. c. 69. and specified in Schedule to this Act continued to 5th Jan. 1856.
3. Nothing to prevent Operation of 18 & 19 Vict. c. 69. and certain Irish Acts.

17 & 18 Vict. c. 51.—An Act to confirm certain Provisional Orders made under an Act [14 & 15 Vict. c. 38.] to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls. Page 101

18 & 19 Vict. c. 102.—An Act to confirm certain Provisional Orders made under an Act [14 & 15 Vict. c. 38.] to facilitate Arrangements for the Relief of Turnpike Trusts. Page 767

17 & 18 Vict. c. 52.—An Act to continue 4 & 5 Vict. c. 59. for authorizing the Application of Highway Rates to Turnpike Roads. Page 103

§ 1. Recited Act continued to 1st Oct. 1860.

U.

Under Secretaries of State. See *House of Commons.*

Undue Influence at Elections. See *Bribery, &c.*

Union of contiguous Benefices.

18 & 19 Vict. c. 127.—An Act to make better Provision for the Union of contiguous Benefices, and to facilitate the building and endowing of new Churches in spiritually destitute Districts. Page 941

§ 1. Contiguous Benefices may be united under this Act, without regard to the aggregate Population or yearly Value.
2. On Representation of Inhabitants of any Two or more Parishes that their Benefices might be advantageously united, the Bishop shall inquire into the same.
3. Church Building Commissioners may propose Scheme for Transfer of surplus Revenues to poor Parishes.
4. Scheme to be posted on Church Doors, &c. Parties interested may show Cause against Scheme. If no sufficient Cause shown, Commissioners to certify to Queen in Council. Proviso.
5. Protests against the Scheme may be considered by Judicial Committee.
6. Queen in Council may make Orders affirming or approving any Scheme.
7. Orders in Council to be gazetted and registered, and to have Force of Law.
8. Commissioners may propose Scheme for Erection of new Church or Parsonage, Removal of old Church or Parsonage, Sale of Site, &c., for Purposes of this Act.
9. No Burial Ground, or Site of Church, to be sold under this Act. Vaults and Tablets.
10. Church and Vestry of Church left standing to be the Church and Vestry of united Parishes.
11. Bishop of London may, under certain Circumstances, appropriate for Service in Welsh One of the Churches in London otherwise to be pulled down.
12. Bishop may prepare a Scheme for Transference of Lectures from Churches to be pulled down.
13. Commissioners may reappropriate Pews of Churches left standing in united Benefices.
14. Sites of Churches to be pulled down to vest in Commissioners, in trust to sell, and apply the Proceeds to Purposes indicated in Order in Council. Commissioners may make valid Conveyances of such Sites.
15. Commissioners to report.
16. Extent of Act.
17. Continuance of Act.

Union Charges.

17 & 18 Vict. c. 43.—An Act to continue an Act [16 & 17 Vict. c. 77.] for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund. Page 85

[*See next Act.*]

18 & 19 Vict. c. 47.—An Act to continue an Act [17 & 18 Vict. c. 43.] for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund. Page 588

§ 1. Provisions in recited Act further continued until 30th of September 1856.

United States.

18 & 19 Vict. c. 3.—An Act to carry into effect a Treaty between Her Majesty and the United States of America. Page 518

§ 1. Acts at variance with Provisions of the said Treaty suspended.
2. Act to come into operation as soon as proclaimed in certain Colonies.
3. Provision for Extension of the Treaty to Newfoundland.

18 & 19 Vict. c. 77.—An Act to give Effect to a Convention between Her Majesty and the United States of America. Page 669

§ 1. The Sums payable by the Government of the United States to be divided among the British Subjects whose Claims have been allowed, and to be deemed a final Settlement of the Claims.

Universities. See *Dublin. London. Oxford.*

Usury Laws.

17 & 18 Vict. c. 90.—An Act to repeal the Laws relating to Usury and to the Enrolment of Annuities. Page 187

§ 1. Acts, &c. named in Schedule repealed.
2. Transactions previous to passing of this Act not to be affected.
3. Legal or current Rate of Interest to mean the same as if this Act had not passed.
4. Not to affect the Law as to Pawnbrokers.

V.

Vagrant Children. See *Youthful Offenders.*

Validity of Marriages. See *Marriages.*

Validity of Proceedings. See *House of Commons. Vice Admiralty Courts (Mauritius).*

Valuation (Ireland).

17 & 18 Vict. c. 8.—An Act further to amend an Act [15 & 16 Vict. c. 63.] relating to the Valuation of rateable Property in Ireland. Page 20

§ 1. 16 & 17 Vict. c. 7., and Sections 15. 29. and 30. and Part of Section 25. of 15 & 16 Vict. c. 63., repealed.

§ 2. Commissioner of Valuation shall distinguish all Houses of a public Nature, or used for Charitable Purposes, which shall be exempted from Assessment. Half of the Rent derived by Owner, &c. to be entered in Valuation Lists.
3. Grand Jury may direct Lists to be acted upon at the first Assizes after their Receipt, although the Spring Assizes.
4. Revision of the Valuation of Tenements liable to frequent Alteration. Penalty on Collector for not returning List for Revision.
5. Commissioner of Valuation shall cause a Revision to be made of such Tenements, and transmit a List to the Guardians of the Union and to the Treasurer of the County, &c.
6. 15 & 16 Vict. c. 63. and this Act to be as One Act.

Valuation (Scotland).

17 & 18 Vict. c. 91.—An Act for the Valuation of Lands and Heritages in Scotland. Page 189

§ 1. Commissioners of Supply and Magistrates of Burghs to make up Valuation Roll annually.
2. Officer of Inland Revenue to assist the Commissioners of Supply and Magistrates in making up the Valuation Roll.
3. Appointment and Duties of Assessors.
4. Assessors to make up Valuation Roll by 15th August in each Year.
5. Notice to be given to Persons whose Property is valued.
6. Yearly Rent or Value, how to be estimated.
7. Assessor may call for written Statement of Rent.
8. Courts of Appeal.
9. Persons entitled to appeal.
10. Procedure at Appeal Courts.
11. Valuation Roll to be retained by Assessor till 8th of September yearly, and thereafter to be open to Inspection.
12. Valuation Roll, when completed, to be authenticated, and to be in force for One Year.
13. As to Complaints made with regard to Assessors Valuations.
14. Three Commissioners of Supply or Two Magistrates, &c. to be a Quorum.
15. Preses at Meetings of Commissioners of Supply and Magistrates of Burghs, under this Act.
16. Papers and Documents emanating from Commissioners of Supply, &c. how to be authenticated.
17. Powers of Supplementary Assessment granted by existing Acts of Parliament not to be affected.
18. Expenses of Valuations, how to be defrayed.
19. New Qualification for Commissioners of Supply.
20. Assessor of Railways and Canals to be appointed.
21. Such Assessor to make up annually a Valuation Roll of Railways and Canals.
22. Mode in which the yearly Rent or Value of Railways and Canals is to be ascertained.
23. Water, Gas, and other Companies may have their Lands and Heritages valued by the Assessor of Railways and Canals.
24. Notice of Valuation to be given to Railway and Canal Companies, &c. If Companies think themselves aggrieved they may appeal to Lord Ordinary. Proceedings before Lord Ordinary, &c. to be summary.
§ 25. Any Parish, County, or Burgh interested in any Railway or Canal Valuation may appeal against the same to the Lord Ordinary.
26. Assessor of Railways and Canals may call for Books and Writings, &c. and if such are refused, Right of Appeal to be forfeited.
27. Valuations of Railways and Canals, &c. when completed, to be authenticated, and communicated to the Clerks of Supply and Town Clerks, and to be in force for One Year.
28. Valuation Rolls of Railways and Canals, &c. to be transmitted to the General Register House, for Preservation.
29. Salary of the Assessor of Railways and Canals to be contributed rateably by Railway and Canal Companies, &c.
30. Mistake or Misnomer not to affect Valuation.
31. Proprietors of Subjects under 4*l.* to be chargeable with Assessments.
32. Prison Assessment to be upon Valuations established by this Act, and not by 2 & 3 Vict. c. 42.
33. Other Public Assessments leviable on Real Rent to be levied upon Valuations established by this Act.
34. Valuation Roll to be Evidence in Registration and Appeal Courts.
35. Valuation Rolls to be made up in prescribed Form, and to be transmitted to the General Register House for Preservation.
36. Boundaries of Burghs sending Members to Parliament to be same as prescribed by 2 & 3 Will. 4. c. 65.
37. Recovery of Penalties.
38. Application of Penalties.
39. Where Assessments are levied under Local Acts on a different Valuation to that established by this Act, Sheriff of the County to fix Per-centage.
40. Rogue Money, &c. to be assessed, first giving Notice of the same.
41. Liability to Assessment not to be altered.
42. Interpretation Clause.

Verdicts. See *Trials by Jury.*

Vice-Admiralty Court (Mauritius).

17 & 18 Vict. c. 37.—An Act for establishing the Validity of certain Proceedings in Her Majesty's Court of Vice-Admiralty in Mauritius. Page 79

§ 1. Certain Acts, &c. done by James Wilson as Judge of Vice-Admiralty Court to be deemed valid.
2. James Wilson indemnified for such Acts, &c.

Vice-Chancellors. See *Chancery, Court of.*

Victoria.

18 & 19 Vict. c. 55.—An Act to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria. Page 604

Recital of 13 & 14 Vict. c. 59.
§ 1. Power to Her Majesty to assent to the Bills in Schedule to this Act.
2. So much of the Acts in Schedule (2.) to this Act as relates to the Colony of Victoria repealed.

§ 3. Provisions of former Acts respecting the Allowance and Disallowance of Bills preserved.
4. Power to repeal and alter the Provisions of the reserved Bill.
5. Commencement of the Act.
6. Interpretation of Terms.

Volunteers. See *Militia.*

W.

Wales (South).

17 & 18 Vict. c. 7.—An Act for extending the Time limited for putting into execution the Act 14 & 15 Vict. c. 16. for the better Management and Control of Highways in South Wales. Page 20
§ 1. County Roads Boards shall, at First Meeting after passing of this Act, proceed to put the recited Act into execution.

Warwick Assizes.

17 & 18 Vict. c. 35.—An Act to repeal certain Provisions of the Act 5 & 6 Vict. c. 110. concerning holding Assizes for the County of Warwick. Page 76
§ 1. Certain Enactments in 5 & 6 Vict. c. 110. repealed, and Assizes to be held in Warwick.
2. Venue in future Proceedings to be "Warwickshire" alone, and Parties under Recognizance to appear at Warwick.
3. Proceedings commenced in Coventry Division to be transferred to Warwick to be disposed of.
4. Offences committed and Causes of Action accrued in Coventry Division before the passing of this Act to be dealt with at Warwick.

Waste Lands (Australia).

18 & 19 Vict. c. 56.—An Act to repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's Australian Colonies, and to make other Provision in lieu thereof. Page 625
§ 1. 5 & 6 Vict. c. 36. and 9 & 10 Vict. c. 104. repealed.
2. Periods at which this Act is to take effect in the Australian Colonies respectively. 13 & 14 Vict. c. 59.
3. Powers of the repealed Acts continued for certain Purposes in this Country.
4. Power to amend or repeal Orders in Council.
5. Power to the Legislature of Van Diemen's Land, and of South Australia when its Constitution is altered, to dispose of Waste Land, notwithstanding the Provisions of 5 & 6 Vict. c. 76. and 13 & 14 Vict. c. 59. Power for Her Majesty by Order in Council to separate Norfolk Island from Van Diemen's Land.
6. Existing Regulations maintained in force until altered.
7. Power to regulate the Disposal of Waste Land in Western Australia.
8. Past Appropriations to be valid.
9. As to the Term "Governor."

Water, Supply of. See *Towns Improvement (Ireland).*

Wedding Rings.

18 & 19 Vict. c. 60.—An Act for excepting Gold Wedding Rings from the Operation of the Act 17 & 18 Vict. c. 96. relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relating to Gold Wares. Page 631
§ 1. Gold Wedding Rings to be assayed and marked.
2. Section 3. of 17 & 18 Vict. c. 96. repealed as to Gold Wedding Rings.
3. Certain Companies, &c. authorized to assay and mark Gold Wares indemnified.

Weights and Measures.

18 & 19 Vict. c. 72.—An Act for legalizing and preserving the restored Standards of Weights and Measures. Page 666
§ 1. Provisions in 5 Geo. 4. c. 74. (ss. 3. 5.) concerning the Restoration of the Standards by reference to the Pendulum, repealed.
2. Restored Standard Yard established.
3. Standard Pound Avoirdupois.
4. Provisions of 5 Geo. 4. c. 74. not hereby repealed to remain in force.
5. Copies of the Old Standards to continue legal.
6. Weights and Measures hereafter verified to be legal.
7. Provision for Restoration of Standards in case of Loss, &c.

Welbeck Chapel.

17 & 18 Vict. c. 70.—An Act to enable the Trustees of Portland Chapel, Oxford Chapel, and Welbeck Chapel in the Parish of Saint Marylebone, to augment the Salaries of the Ministers of the said Chapels. Page 130
§ 1. Power to Trustees to augment Salaries of Incumbents.
2. Meeting of the Trustees.
3. The First Commissioner of Works to be a Trustee in the Place of the First Commissioner of Woods.

West Indies.

17 & 18 Vict. c. 54.—An Act to guarantee the Liquidation of a Loan or Loans for the Service of the Colony of Jamaica. Page 114
§ 1. Sums borrowed under certain Jamaica Acts (8 Vict. c. 16. and 17 Vict.), not exceeding 500,000*l.*, and Interest guaranteed.
2. Advances out of Consolidated Fund of United Kingdom to be charged on Revenues of Jamaica.
3. No Act of Jamaica varying the Security on the Revenues of Jamaica to be valid until confirmed by Her Majesty in Council.
4. Certificate of Amount paid out of Consolidated Fund to be sent to Jamaica.
5. Accounts to be laid before Parliament.

18 & 19 Vict. c. 71.—An Act to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat. Page 666

§ 1. Treasury authorized to extend the Time of Repayment of Loans to Antigua, Nevis, and Montserrat, and to reduce Interest to 3*l.* 5*s.* per Cent; corresponding Advantages being secured to the private Borrowers.
2. In case of Default of Payment at the Times fixed under this Act, the Rate of Interest and Instalments originally agreed upon may be required.

18 & 19 Vict. c. 107.—An Act to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of Tobago. Page 780

§ 1. Power to the Treasury to extend the Time of Repayment of Loan to Tobago, and to reduce Interest to 3*l.* 5*s.* per Cent.; corresponding Advantages being secured to the private Borrowers.
2. In case of Default of Payment at the Times fixed under this Act, the Rate of Interest and Instalments originally agreed upon may be required.

17 & 18 Vict. c. 117.—An Act to facilitate the Sale and Transfer of Incumbered Estates in the West Indies. Page 415

See further, *Incumbered Estates (West Indies)*.

Willenhall. See *Public Health.*

Wilson, James. See *Vice-Admiralty Court (Mauritius).*

Winchester, College of Saint Mary of.

17 & 18 Vict. c. 81.—An Act to make further Provision for the good Government and Extension of the University of Oxford, and of the Colleges therein, and of the College of Saint Mary, Winchester. Page 161

§ 34. College of Saint Mary of Winchester to be subject to this Act.

See further, *Oxford University.*

Windhill. See *Public Health.*

Witnesses. See *Evidence.*

Woolmer Forest.

18 & 19 Vict. c. 16.—An Act to authorize the letting Parts of the Royal Forests of Dean and Woolmer, and certain other Parts of Hereditary Possessions of the Crown. Page 542

§ 1. Power of leasing given by the 10 Geo. 4. c. 50. extended to certain Parts of the Royal Forests of Dean and Woolmer.
2. Power of leasing extended to certain other Parts of the Hereditary Possessions of the Crown.
3. By whom Powers hereby given may be exercised.

18 & 19 Vict. c. 46.—An Act for disafforesting the Forest of Woolmer. Page 585

§ 1. 52 Geo. 3. c. 71. in part repealed.
2. Appointment of Commissioners for ascertaining Boundaries of the Forest, &c.
3. Commissioners to make and subscribe Declaration before entering upon Execution of Office.
4. Commissioners to employ Land Surveyor and Valuer.
5. Land Surveyor and Valuer to make and subscribe Declaration of Fidelity.
6. The Commissioners of Woods to pay the Commissioners of this Act the Expenses incurred in the Performance of their Duties.
7. The Three Commissioners to ascertain the Boundaries of the Forest, which are to be the true Boundaries of the Forest for the Purposes of Act.
8. Lodges, &c. held therewith, and all Inclosures made under the Authority of the 52 Geo. 3. c. 71., to be vested in Her Majesty as Part of the Hereditary Possessions of the Crown, freed from all Rights.
9. Allotment to Her Majesty in satisfaction of Her Rights.
10. Allotment to be made where most convenient to other Lands vested in Her Majesty.
11. On the making of Award, Forest to be disafforested.
12. Commissioners of Woods to produce Evidence in support of the Rights of the Crown, to enable the sole Commissioner to make his Award.
13. When Award of Commissioner to be made.
14. Commissioners of Woods to exercise same Powers over Lodges, &c. as over other Lands of Her Majesty not being Royal Forests.
15. Commissioner may make Roads proper for Enjoyment of the Forest over any Part of the Forest, and (with Owner's Consent) through inclosed Lands.
16. How Expenses of such Roads are to be defrayed.
17. After Award, all Letters Patent, &c., to cease, and Compensation made therefor out of the Land Revenues of the Crown.
18. Provision as to Costs.
19. Commissioners may, if they think fit, examine Witnesses upon Declaration.
20. Persons giving false Evidence guilty of Misdemeanor.

Working Classes. See *Dwellings for Labouring Classes.*

Works and Public Buildings.

18 & 19 Vict. c. 80.—An Act to ratify conditional Agreements entered into by the Commissioners of Her Majesty's Works and Public Buildings; and to vest in the said Commissioners certain Property situate near the College of Edinburgh in the City of Edinburgh, together with the General Register House in the said City, and all Lands held therewith; and to enable the said Commissioners to acquire certain Property near the Palace of Holyrood. Page 672

§ 1. Certain Deeds of Agreements confirmed.
2. Property near the College to be conveyed to the Commissioners of Works.
3. The Price to be paid by the said Commissioners to an Account at the Royal Bank of Scotland.
4. Receipt of Treasurer to be a good Discharge.

§ 5. Upon Execution of Conveyance and Payment of Price the Property to be disburdened of the Trusts, &c. affecting the same.
6. The Price to be invested, under the Direction of the Court of Session, in the Purchase of other Property, to be conveyed on the same Trusts.
7. Interest accruing on the Capital in the meantime to be applied in providing a temporary Place of Worship for the Congregation on whose Behalf the Trust was created.
8. Trustees on passing their Accounts to be discharged by Court of Session.
9. Provision for the Appointment of new Trustees.
10. Majority to be a Quorum.
11. The Property near the College to be vested in the Commissioners of Works for the Purposes of the National Museum.
12. The Town Council empowered to convey Property for widening the Street.
13. Property acquired from Town Council not to be used for other Purposes than those of the National Museum, without their Consent.
14. Disposition granted by the Maiden Hospital not to be objected to for Defect in Title.
15. General Register House vested in the Commissioners of Works.
16. Owners of Property near Holyrood empowered to sell same to Commissioners of Works. Provisions of 8 & 9 Vict. c. 19. incorporated for certain Purposes.

17 & 18 Vict. c. 33.—An Act to place Public Statues within the Metropolitan Police District under the Control of the Commissioners of Her Majesty's Works and Public Buildings. Page 74

§ 1. Interpretation of Terms.
2, 3. Commissioners of Works may erect Statues in any Public Place, and may enclose, &c. the same; and may also repair Public Statues, &c.
4. Commissioners of Works may do all Acts necessary for the Erection or Reparation of Public Statues.
5. No Public Statue to be erected without the Consent of the Commissioners.
6. Punishment of Persons damaging any Public Statue.
7. Owners of Statues not mentioned in Schedule may transfer them to Commissioners of Works with the Assent of the Treasury.

See also *Downing Street Public Offices Extension.*

Y.

Youthful Offenders.

17 & 18 Vict. c. 74.—An Act to render Reformatory and Industrial Schools in Scotland more available for the Benefit of Vagrant Children. Page 133

[*Amended by* 18 & 19 *Vict. c.* 87.]

1. Power to Sheriff or Magistrate to send Vagrant Children to School unless Security found for good Behaviour.
§ 2. Punishment on wilfully leaving and refusing to return to School.
3. Penalty on Persons wilfully withdrawing young Persons from School.
4. Parents and others may be sued for Expenses of Support of Children in School.
5. Expense of Children to be paid for by Parochial Board when not received from Parents, &c.
6. Power to make Rules, &c.
7. Power to Education Committee of Privy Council to grant Aid to Directors of Schools.
8. Act not to interfere with Powers of Removal under Poor Law Amendment Act (Scotland) (8 & 9 Vict. c. 83.)

17 & 18 Vict. c. 86.—An Act for the better Care and Reformation of Youthful Offenders in Great Britain. Page 180

[*Amended by* 18 & 19 *Vict. c.* 87.]

§ 1. On Application from voluntary Institution to Secretary of State, Inspector to report.
2. Juvenile Offenders, how to be dealt with.
3. Power to Treasury to defray Cost of Maintenance at Reformatory School.
4. Absconding or refractory Conduct at Reformatory School how to be punished.
5. Cost of Maintenance to be partly recovered from Parents, &c. [*Repealed by* 18 & 19 *Vict. c.* 87.]
6. Parent or Step-parent compellable to support Juvenile Offenders while remaining in Reformatory School. [*Repealed by* 18 & 19 *Vict. c.* 87.]
7. Juvenile Offenders may be removed from one Reformatory School to another.
8. Act not to apply to Ireland.

18 & 19 Vict. c. 87.—An Act to amend the Act 17 & 18 Vict. c. 86. for the better Care and Reformation of Youthful Offenders, and the Act 17 & 18 Vict. c. 74. to render Reformatory and Industrial Schools in Scotland more available for the Benefit of Vagrant Children. Page 688

§ 1. Sects. 5. and 6. of 17 & 18 Vict. c. 86. repealed.
2. Provision for enforcing Contribution by Parents to the Maintenance of Juvenile Offenders in Reformatory Schools.
3. Recovery of Sums ordered to be paid.
4. Contribution how to be enforced in Scotland.
5. Payments may be remitted by Secretary of State or Lord Advocate.
6. In Scotland Justices of Peace to have same Power with Sheriff.
7. Powers given to Sheriffs, &c. under 17 & 18 Vict. c. 74. may be exercised by Justices.

17 & 18 Vict. c. clxix.—An Act for the Provision, Regulation, and Maintenance of County Industrial Schools in Middlesex. Page 497

A List of Statutes and Parts of Statutes Repealed during the Sessions of 17 & 18 Victoria and 18 & 19 Victoria (1854 and 1854–5.)

Note.—This List being confined to Acts and Portions of Acts *expressly* repealed, Amendments (in many instances amounting to a *virtual* Repeal) are not here given.
The entire Act is to be taken as repealed, unless the contrary be specified.
Local and Private Acts are only inserted here in consequence of their Repeal by Public Acts.

Statute or Part of Statute repealed.	SUBJECT.	Repealed by
	Administration of Justice—Law and Law Courts (Civil and Criminal):	
51 Geo. 3. c. 36. (in part) 5 & 6 Will. 4. c. 76. (in part) & 7 Will. 4. c. 105. s. 11. and part of s. 10.	Administration of Justice in the Cinque Ports	18 & 19 Vict. c. 48. s. 5.
6 & 7 Will. 4. c. 106. ss. 5. 11. 14. and part of s. 7. 2 & 3 Vict. c. 58. ss. 3. 4. 9. and part of s. 2.	Appeal from Stannaries of Cornwall	„ c. 32. ss. 26. 30.
16 & 17 Vict. c. 137. s. 4. and part of s. 61.	Charitable Trusts	„ c. 124. ss. 1. 2. 44.
15 & 16 Vict. c. 80. s. 51.	Disposal of the Site and Buildings of the Masters Office in Southampton Buildings	„ c. 134. s. 17.
15 & 16 Vict. c. 87. s. 29.	Duties and Salaries of Clerk of Reports in Chancery	„ c. 134. s. 7.
7 Geo. 4. c. 74. (in part)	Prisons (Ireland)	17 & 18 Vict. c. 76. s. 1.
12 Ric. 2. c. 10. (in part) 14 Ric. 2. c. 12. (in part)	Payment of Wages to Justices and their Clerks	18 & 19 Vict. c. 126. s. 21.
17 & 18 Vict. c. 86. ss. 5. 6.	Reformation of Youthful Offenders	„ c. 87. s. 1.
10 & 11 Vict. c. 47. (in part)	Salaries of Sheriffs of Chancery, &c. (Scotland)	17 & 18 Vict. c. 72. s. 1.
Parl. Scotland, 1617, c. 14. (in part).	Executors Nominate retaining to their own Use a Third of the Deceased's Moveable Estate	18 & 19 Vict. c. 23. s. 8.
5 & 6 Vict. c. 110. (in part)	Warwick Assizes	17 & 18 Vict. c. 35.
	Australian Colonies:	
59 Geo. 3. c. 114. (in part) 3 Geo. 4. c. 96. (in part) 7 & 8 Vict. c. 72. (in part)	Customs, &c. (New South Wales and Victoria)	18 & 19 Vict. cc. 54. 55.
9 Geo. 4. c. 83. (in part) 5 & 6 Vict. c. 76. (in part) 7 & 8 Vict. c. 74. (in part) 13 & 14 Vict. c. 59. (in part)	Government of New South Wales, and Administration of Justice therein	„ c. 54.
	Government of the Colony of Victoria, and Administration of Justice therein	„ c. 55.
5 & 6 Vict. c. 36. 9 & 10 Vict. c. 104.	Sale of Waste Lands in New South Wales Sale of Waste Lands in the Colony of Victoria	„ cc. 55. 56.
	Bankruptcy and Insolvency:	
1 & 2 Will. 4. c. 56. s. 9.	Removal of Registrars in Bankruptcy	17 & 18 Vict. c. 119. s. 3.
5 & 6 Vict. c. 122. s. 76. 7 & 8 Vict. c. 96. s. 49.	Salaries of Judge and other Officers	„ „ s. 10.
12 & 13 Vict. c. 106. s. 8.	General Orders in Bankruptcy	„ „ s. 15.
	Customs:	
16 & 17 Vict. c. 106. 17 & 18 Vict. cc. 28. 29. „ c. 122. ss. 1. 5. 18 & 19 Vict. c. 21.	Duties	18 & 19 Vict. c. 97. s. 8.
16 & 17 Vict. c. 107. (in part) 17 & 18 Vict. c. 122.	Laws	„ c. 96. s. 44.
16 & 17 Vict. c. 107. part of ss. 107. 108.	Sugar for refining	17 & 18 Vict. c. 29. s. 6.
18 & 19 Vict. c. 9.	Tea	18 & 19 Vict. c. 97. s. 8.
17 & 18 Vict. c. 5.	Admission of Foreign Ships to the Coasting Trade	„ c. 96. s. 45.

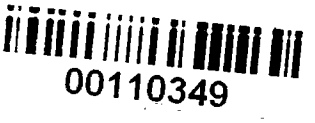
Statute or Part of Statute repealed.	SUBJECT.	Repealed by
	Dublin.	
17 & 18 Vict. c. 99. ss. 11. 12.	Election of Governors, &c. of National Gallery of Ireland	18 & 19 Vict. c. 44. ss. 2. 6.
16 & 17 Vict. c. 112. (in part)	Hackney Carriages, &c.	17 & 18 Vict. c. 45. s. 1.
1 & 2 Vict. c. 36. (in part)	Kingstown and Dublin Port and Harbour	„ c. 22. s. 7.
38 Geo. 3. c. 41. (I.)	Dublin and Ballybough and Annesley Bridges Turnpike Road	
10 Geo. 4. c. lxxv.	Dublin and Carlow Turnpike Road	
10 Geo. 4. c. lxiii.	Dublin and Dunleer Turnpike Road	
26 Geo. 3. c. 30. (I.) 28 Geo. 3. c. 48. (I.) 29 Geo. 3. c. 24. (I.)	Dublin and Malahide Turnpike Road	
31 Geo. 3. c. 50. (I.) 32 Geo. 3. c. 37. (I.) 33 Geo. 3. c. 26. (I.)	Dublin and Malahide and Ballybough Bridge Turnpike Roads	
11 & 12 Vict. c. cvii.	Dublin and Mullingar Turnpike Road	18 & 19 Vict. c. 69.
56 Geo. 3. c. lxxi.	Dublin and Howth Turnpike Road	
59 Geo. 3. c. ix.	Dublin and Navan Turnpike Road	
38 Geo. 3. c. 31. (I.) 40 Geo. 3. c. 48. (I.)	Dublin and Knockseden Turnpike Road	
35 Geo. 3. c. 47. (I.)	Dublin and Ratoath Turnpike Road	
12 & 13 Vict. c. lxviii.	Dublin, Ashbourne, Slane, and Drogheda Turnpike Road	
37 Geo. 3. c. 29. (I.) 39 Geo. 3. c. 46. (I.)	Dublin, Ratoath, and Curragha Turnpike Road	
30 Geo. 3. c. 46. (I.) 31 Geo. 3. c. 49. (I.) 32 Geo. 3. c. 36. (I.) 50 Geo. 3. c. cxxxiv.	Kinnegad and Athlone Turnpike Road	
	Excise, Sale of Spirits, &c.	
17 & 18 Vict. c. 27. (Schedule B.)	Drawbacks of Excise	18 & 19 Vict. c. 22. s. 2.
2 & 3 Vict. c. 79.	Sale of Spirits by unlicensed Persons (Ireland)	17 & 18 Vict. c. 89. s. 1.
17 & 18 Vict. c. 89. (part of ss. 2. and 4.)	Illicit Distillation (Seizures)	18 & 19 Vict. c. 103. s. 1.
3 & 4 Will. 4. c. 68. s. 7.	Requiring Bonds to be given by Applicants for Licence for Sale of Beer, &c.	„ „ s. 4.
46 Geo. 3. c. 106. ss. 75. 76.	Execution of Customs and Port Duties, and Inland Excise and Taxes, Ireland	17 & 18 Vict. c. 120. s. 4.
	Friendly Societies.	
33 Geo. 3. c. 54. 35 Geo. 3. c. 111. 36 Geo. 3. c. 68. (I.) 43 Geo. 3. c. 111. 49 Geo. 3. c. 58. 49 Geo. 3. c. 125. 59 Geo. 3. c. 128. 6 Geo. 4. c. 74. (so much of s. 11. as relates to Friendly Societies) 10 Geo. 4. c. 56. 2 Will. 4. c. 37. 4 & 5 Will. 4. c. 40. 3 & 4 Vict. c. 73. 9 & 10 Vict. c. 27. 13 & 14 Vict. c. 115. 15 & 16 Vict. c. 65. 16 & 17 Vict. c. 123. 17 & 18 Vict. c. 50. s. 2. 17 & 18 Vict. c. 101.	Laws relating to the general Management and Regulation of Friendly Societies	18 & 19 Vict. c. 63. s. 1.

Statute or Part of Statute repealed.	SUBJECT.	Repealed by
	Merchant Shipping.	
	Lighthouses, &c.:	
8 Eliz. c. 13. (except s. 5.)	Sea Marks and Mariners	
26 Geo. 3. c. 101. 28 Geo. 3. c. 25. 29 Geo. 3. c. 52. 38 Geo. 3. c. 57. (Local)	Northern Lighthouses	
54 Geo. 3. c. 136.	Purchase of the May Light, and Amendment of Northern Lighthouse Acts	
46 Geo. 3. c. 132.	Bell Rock Lighthouse	
46 Geo. 3. c. 106. ss. 75. 76.	Lighthouses under Commissioners of Customs and Excise (Ireland)	
55 Geo. 3. c. lxvii.	Lighthouses on Isles of Man and Calf of Man	
51 Geo. 3. c. 66. (in part)	Lighthouses on Coast of Ireland, and Duties connected therewith	
50 Geo. 3. c. 95. 52 Geo. 3. c. 115.	Erection, &c. of Lighthouses by Corporation of Dublin Port	
6 & 7 Will. 4. c. 79.	Vesting Lighthouses, &c., in Trinity House of Deptford Strond	
1 & 2 Vict. c. 66.	Lighthouses at Gibraltar and other Places not within the United Kingdom	17 & 18 Vict. c. 120. s. 4.
	Merchant Seamen, &c.:	
5 & 6 Will. 4. c. 19. (so much as is not already repealed) 7 & 8 Vict. c. 112. 8 & 9 Vict. c. 116. 13 & 14 Vict. c. 93. 14 & 15 Vict. c. 96. 16 & 17 Vict. c. 131. (except ss. 12. 13. 24. 28. and 29.)	Merchant Seamen:—Registration, &c.	
20 Geo. 2. c. 38. and 4 & 5 Will. 4. c. 52. (so much as is not already repealed) 14 & 15 Vict. c. 102. ss. 29. to 38. 61.	Merchant Seamen's Fund:—Relief of disabled Merchant Seamen, their Widows, &c.	
	Passengers, &c.:	
4 Geo. 4. c. 88.	Passenger Vessels between Great Britain and Ireland	
15 & 16 Vict. c. 44.	Carriage of Passengers by Sea	18 & 19 Vict. c. 119. s. 1.
	Pilotage:	
6 Geo. 4. c. 125. 9 Geo. 4. c. 86. 3 & 4 Vict. c. 68. 8 & 9 Vict. c. 86. s. 45. 12 & 13 Vict. c. 88. 16 & 17 Vict. c. 129. (except ss. 3. 4. 5. 8. 10. 12. 13. and part of s. 9.)	Pilots and Pilotage, Floating Lights, &c.	
	Wreck and Salvage:	
12 Anne, st. 2. c. 18. (so much as is not already repealed) 4 Geo. 1. c. 12. (so much as is not already repealed) 26 Geo. 2. c. 19. (so much as is not already repealed) 48 Geo. 3. c. 130. 1 & 2 Geo. 4. c. 76. (except ss. 1. to 5. 16. 18.) 8 & 9 Vict. c. 86. ss. 50. 51. 9 & 10 Vict. c. 99. 13 & 14 Vict. c. 95. s. 14.	Preserving Ships and Goods stranded or cast on shore Relief against Persons stealing or detaining shipwrecked Goods Frauds upon Underwriters within the Cinque Ports, and Adjustment of Salvage under 12 Anne, st. 2. c. 18. Wreck and Salvage	17 & 18 Vict. c. 120. s. 4.

Statute or Part of Statute repealed.	SUBJECT.	Repealed by
	Merchant Shipping.—continued.	
	Miscellaneous Provisions:	
7 Geo. 2. c. 15. - - - 26 Geo. 3. c. 86. - - - 53 Geo. 3. c. 159. - - -	Responsibility of Shipowners - - - -	
59 Geo. 3. c. 12. s. 32. - -	Poor Relief (Seamen's Wages) - - - -	
11 Geo. 4. c. 20. s. 82. - -	Navy Pay Consolidation (Distressed Seamen) -	
8 & 9 Vict. c. 87. s. 10. - -	Smuggling - - - - - - -	
„ c. 89. - - -	Registration of British Vessels - - - -	17 & 18 Vict. c. 120. s. 4.
12 & 13 Vict. c. 29. - -	British Shipping and Navigation - - -	
14 & 15 Vict. c. 35. (except s. 10.)	Apprentices to Sea Service (Ireland) - - -	
14 & 15 Vict. c. 79. - -	Steam Navigation - - - - - -	
17 & 18 Vict. c. 5. s. 4. - -	Coasting Trade - - - - - - -	
	Militia:	
42 Geo. 3. c. 90. ss. 65. 98. - 16 & 17 Vict. c. 116. ss. 37. to 41. 16 & 17 Vict. c. 133. (except ss. 1. 2.) - - -	Laws generally - - - - - - - -	17 & 18 Vict. c. 105.
17 & 18 Vict. c. 107. s. 32. -	Penalties for Offences against Militia Laws - -	18 & 19 Vict. c. 19. s. 7.
	Parliamentary Elections:	
2 Geo. 2. c. 24. (except s. 3.) -	Bribery - - - - - - - - -	
16 Geo. 2. c. 11. s. 33. - -	Amending the Law of Elections - - - -	
7 Will. 3. c. 4. - - -	Preventing Expense at Elections - - -	
43 Geo. 3. c. 74. - - -	Oath at Elections - - - - - -	
49 Geo. 3. c. 118. - - - 7 & 8 Geo. 4. c. 37. - -	Corrupt Practices - - - - - - -	17 & 18 Vict. c. 102. s. 1.
5 & 6 Vict. c. 102. ss. 20. 22. -	Bribery - - - - - - - - -	
4 Geo. 4. c. 55. ss. 48. 79. 81. - 2 & 3 Will. 4. c. 88. (part of s. 54.) - - - -	Bribery (Ireland) - - - - - - -	
2 & 3 Will. 4. c. 65. (part of s. 26.)	Bribery (Scotland) - - - - - - -	
	Public Health. Public and Local Improvements, &c.:	
11 & 12 Vict. c. 63. (in part) -	Constitution, &c. of General Board - - -	
13 & 14 Vict. c. 52. (in part) - 15 & 16 Vict. c. 85. (in part) -	Metropolitan Interments - - - - - -	17 & 18 Vict. c. 95. s. 1.
11 & 12 Vict. c. 123. (in part) 11 & 12 Vict. c. 111. (in part)	Prevention or Mitigation of Disease - - -	18 & 19 Vict. c. 116. „ c. 121.
8 & 9 Vict. c. 84. (in part) - 9 & 10 Vict. c. 5. - - -	Metropolitan Buildings - - - - -	„ c. 122. s. 109.
13 & 14 Vict. c. 65. - - -	Public Libraries - - - - - - - -	„ c. 70. s. 1.
16 & 17 Vict. c. 101. - - 17 & 18 Vict. c. 103. s. 99. -	Public Libraries and Museums (Ireland) - -	„ c. 40. s. 1.
15 & 16 Vict. c. 41. s. 16. -	Huddersfield Burial Ground - - - - -	„ c. 89. s. 1.
5 Geo. 4. c. xxiii. (in part) -	Keighley Improvement - - - - -	
4 & 5 Vict. c. lxviii. (in part) -	Middlesbrough Improvement - - - -	
5 & 6 Vict. c. cv. (in part) -	Toxteth Park Improvement - - - -	„ c. 125.
10 & 11 Vict. c. cclii. (in part) -	Tunstall Improvement - - - - -	
	Stamps and Taxes:	
2 & 3 Will. 4. c. 120. s. 12. -	Composition for Duties on Stage Carriages - -	18 & 19 Vict. c. 78. s. 3.
55 Geo. 3. c. 184. (in part) -	Stamp Duties on Matriculation, &c. in University of Oxford.	„ c. 36.
2 & 3 Will. 4. c. 29 (in part) - c. 53. (in part) -	Stamp Duty on Prize Money Orders - - -	„ c. 78. s. 5.

Statutes Repealed.

Statute or Part of Statute repealed.	SUBJECT.	Repealed by
	Usury, and the Enrolment of Annuities.	
37 Hen. 8. c. 9. - - -		
13 Eliz. c. 8. - - -		
21 Jac. 1. c. 17. - - -		
3 Car. 1. c. 4. s. 5. - - -		
12 Car. 2. c. 13. - - -		
13 Car. 2. st. 1. c. 14. - -		
12 Anne, st. 2. c. 16. - -		
5 & 6 Will. 4. c. 41. (in part) -		
13 & 14 Vict. c. 56. - -	Usury, and the Usury Laws generally - -	17 & 18 Vict. c. 90. s. 1.
10 Car. 1. Sess. 2. c. 22. (I.) -		
8 Geo. 1. c. 13. (I.) - -		
5 Geo. 2. c. 7. (I.) - -		
2 Anne, c. 16. (I.) - -		
11th Parl. of Jac. 6. c. 52. (S.)		
14th „ „ c. 222. (S.)		
15th „ „ c. 251. (S.)		
16th „ „ c. 7. (S.)		
23d „ „ c. 28. (S.)		
53 Geo. 3. c. 141. - - -	Enrolment, &c. of Memorials of Grants of Annuities	17 & 18 Vict. c. 90. s. 1.
3 Geo. 4. c. 92. - - -		
7 Geo. 4. c. 75. - - -		
	Miscellaneous.	
17 & 18 Vict. c. 96. s. 3. - -	Gold Wedding Rings - - - - - -	18 & 19 Vict. c. 60. s. 2.
53 Geo. 3. c. 115. - - -	Gun Barrels and Manufacture of Fire Arms - -	„ c. cxlviii.
55 Geo. 3. c. 59. - - -		
4 Geo. 4. c. 74. s. 44. -	Holyhead Harbours - - - - - -	17 & 18 Vict. c. 44. ss. 10. 13.
13 & 14 Vict. c. 111. s. 2. -		
13 & 14 Vict. c. 100. - -	Inspection of Coal Mines - - - - -	18 & 19 Vict. c. 108. s. 1.
17 & 18 Car. 2. c. 7. (I.) -	Ministers Money (Ireland) - - - - -	17 & 18 Vict. c. 11. s. 1.
7 & 8 Geo. 4. c. 34. - -		
15 & 16 Vict. c. 36. - -	Places of Religious Worship (certifying) - -	18 & 19 Vict. c. 81. s. 1.
17 & 18 Vict. c. 79. - -	Sale of Beer, &c. on the Lord's Day - - -	„ c. 118.
15 & 16 Vict. c. 63. (in part) -	Valuation of rateable Property (Ireland) - -	17 & 18 Vict. c. 8. s. 1.
16 & 17 Vict. c. 7. - -		
1 & 2 Will. 4. c. 60. (in part)	Vestries, and Appointment of Auditors of Parish Accounts - - - - - - - - -	18 & 19 Vict. c. 120. s. 1.
5 Geo. 4. c. 74. ss. 3. 5. - -	Weights and Measures - - - - - -	„ c. 72. s. 1.
52 Geo. 3. c. 71. (in part) -	Woolmer Forest, Cultivation of Navy Timber in -	„ c. 46. s. 1.



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